

# Legislative Assembly,

Wednesday, 11th September, 1940.

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

## BILLS (7)—FIRST READING.

- 1, Income Tax.
- 2, Land Tax.
- 3, Income Tax (Rates for Deduction) Act Amendment.
- 4, Income Tax Assessment Act Amendment.

Introduced by the Premier.

- 5, Main Roads Act Amendment.
- 6, Traffic Act Amendment.

Introduced by the Minister for Works.

- 7, Optometrists.

Introduced by the Minister for Health.

## BILL—ELECTORAL ACT AMENDMENT.

*Third Reading.*

**THE MINISTER FOR JUSTICE** (Hon. E. Nulsen—Kanowna) [4.38]: I move—  
That the Bill be now read a third time.

**MR. THORN** (Toodyay) [4.39]: I regret that I was absent from the Chamber when the second reading debate on this Bill took place and that I find it necessary to speak on the third reading. I desire, however, to draw the Minister's attention to the fact that although the Bill seeks to prevent the

nomination of a candidate who is not qualified, it does not state that such a person may not nominate, but only that if he does nominate he will be subject to a penalty. I congratulate the Minister on introducing the Bill. He stated—

One such individual was elected, but did not take his seat. He did, however, receive the Parliamentary allowance and also travelled over the State and Eastern States railways on his member's pass.

It is time that candidates of this description were dealt with. I also regret that the Commonwealth Electoral Act and Constitution do not make similar provisions. The candidate in question held his seat up to the last moment.

The Premier: No.

**Mr. THORN**: He drew £200 of his Parliamentary allowance, and had a trip to the Eastern States.

The Minister for Justice: It has not yet been proved that he should not have taken his seat in this House.

**Mr. THORN**: Then why has this Bill been brought down? The Minister for Justice indicated to this Chamber and the public that an amendment of this kind was necessary so that such individuals might be dealt with.

The Minister for Justice: In future cases.

**Mr. THORN**: I asked the Premier a certain question, and was informed that I should not be so inquisitive, that it was not my business. The man in question still holds the £200 that really belongs to the Treasury.

The Premier: You do not know that.

**Mr. THORN**: I will tell the Premier still more. The money should have been refunded, but has not yet been returned. Both the Premier and the Minister for Justice, in reply to the Leader of the Opposition, denied that they knew anything about this man. I tell them both that they know all about him.

The Minister for Justice: And I tell you that you know more than I do.

**Mr. THORN**: The Minister knows all about him.

The Minister for Justice: I know nothing about him.

The DEPUTY SPEAKER: Order! If the hon. member will address the Chair he will find that he will not be interrupted so frequently.

Mr. THORN: I am now going to read a letter dealing with a person of the same name as the candidate in question, and will leave it to the Chamber and the public to determine whether the two persons are identical. This is the occurrence to prevent a repetition of which the Minister for Justice has declared he brought down this Bill.

The Premier: Oh no!

Mr. THORN: The letter is very interesting and comes from New Zealand. It is in answer to one that was sent to New Zealand, and it states—

Dear Sir,—With reference to your letter of the 6th instant, I forward herewith a copy of the finger-prints and criminal history of a man named Claude Osmond Barker, who may be identical with the person referred to in your letter. He was born in New Zealand in 1897, and was a salesman and motor mechanic by occupation. On his release from Invercargill Gaol in 1920 on probationary license after serving a term of reformatory detention for theft and false pretences, he was taken to Christchurch by a gentleman who took an interest in him, and financed him to the extent of £200 into a partnership in a motor cycle business. He repaid £125 of the £200 and the following year he left Christchurch suddenly for Auckland where he dressed as a clergyman and posed as "Rev. W. F. Don, M.A.," and obtained and attempted to obtain goods by means of valueless cheques. It was also discovered that he had stolen a motor cycle from Riccarton Racecourse, Christchurch, in November, 1920, and sold it for £50. For these offences he was sentenced to three years imprisonment, and two years imprisonment, cumulative, and declared an habitual criminal. He was released on license on 19th February, 1926, and has not since come under the notice of the police. His photograph appears in New Zealand "Police Gazette," 1921, photos, page 75.

The Minister for Justice: To whom was the letter addressed and by whom was it sent?

Mr. THORN: I am keeping that information confidential.

The Minister for Mines: What is the date of the letter? I want to know how long this information has been known.

The DEPUTY SPEAKER: Order! Members will have an opportunity of addressing themselves to the Chair at a later stage. Meanwhile I hope they will keep order.

The Premier: On a point of order! Is the hon. member in order in producing a letter without indicating where it came from, who signed it, or telling the House anything about it?

The DEPUTY SPEAKER: The hon. member is in order in reading any particular matter relevant to the Bill. I also think it would be quite in order that the letter should be laid on the Table of the House if by special resolution the House wishes that to be done.

The Premier: I think the hon. member must do that.

The DEPUTY SPEAKER: While the hon. member wishes to keep secret the signatory of the letter, and whilst no resolution has yet been passed by the House requesting that the document should be laid on the Table, I can only rule that he is in order.

Mr. THORN: The "Police Gazette" to which reference has been made is in possession of the Police Department of this State, and is therefore on view there. There is no reason why the Premier, as well as the Minister for Justice, should not satisfy themselves as to the identity of the individual in question. I feel sure every member will agree with me that when citizens are elected to this Chamber they should be of the type we desire to see here. When a straight-out question is asked, a straight-out answer should be given.

The DEPUTY SPEAKER: I hope the hon. member will not drift away from the subject matter of the Bill. He has had plenty of latitude.

Mr. THORN: I thank you, Mr. Deputy Speaker, for your tolerance. The Minister for Justice is to be congratulated on bringing down the amendment to the Act that was long overdue. He had very good reasons for amending the Act, and is as familiar with them as I am. Both he and the Premier know the history of the man in question.

The Premier: Of what man do I know the history?

Mr. THORN: The history of the man to whom I have referred.

The Premier: How do you know he is identical with the man of whom you have been speaking?

Mr. THORN: I have said that the "Police Gazette" is in the possession of the Police Department of this State.

The Premier: That does not satisfy me.

Mr. THORN: But it satisfies me. I fail to understand why this matter was not dealt with by the Government. The only conclusion I can arrive at is that probably

the Government thought it was embarrassing this side of the House, and not the other side.

The Premier: That is a rotten suggestion to make.

Mr. THORN: It is the correct suggestion.

The Minister for Mines: How long have you had that letter?

Mr. THORN: That does not matter.

The Minister for Mines: But I want to know how old it is.

Mr. THORN: For the reasons I have given I am pleased to see this Bill before the House, and hope that it will pass the third reading.

**THE PREMIER** (Hon. J. C. Willcock—Geraldton) [4.49]: At the outset I should like to ask the member for Toodyay (Mr. Thorn) where he got the letter he has just read.

Mr. Thorn: I am not prepared to give that information.

The DEPUTY SPEAKER: Order! The Premier is not in order in asking a question without notice.

The PREMIER: It is unfair that a member should in the House produce a letter without indicating where he got it, whether he stole it or bribed someone to get it, or by what circumstances he obtained possession of it. He does not say who the signatory is, where the letter came from, or tell us in what manner it originated.

Mr. Thorn: I have never stolen anything yet.

The PREMIER: I do not say that, but the hon. member by his action is leaving himself open to the suggestion, seeing that he is not prepared to tell the House the source of his information. Anything I know of, I am prepared to give to the House.

Mr. Thorn: You were not prepared to give—

Mr. DEPUTY SPEAKER: Order!

The PREMIER: I am prepared to give the House information regarding anything of which I am certain. I do not feel certain in my mind about the matter, I am not prepared to lend my authority to a statement in that regard. Even though I may have heard allegations that a certain man underwent imprisonment in New Zealand for an offence, I have no means of proving the truth of any such assertion. If we were to call upon the State to embark upon an investi-

gation regarding the allegations, it might involve an expenditure much in excess of the parliamentary allowance to which reference has been made. And even after incurring that expenditure, we might not know much about the position. If the particular individual referred to suffered a disqualification, the fact remains that he resigned his seat. As for hanging on to his seat until the last minute, members must be aware that others have retained their seats for several weeks.

Mr. Thorn: This man could have been challenged the next day if he had taken his seat.

The PREMIER: Some members have taken their seats only after three or four weeks.

Mr. Thorn: But they were honourable members.

The PREMIER: I am talking about honourable members. The member for Toodyay (Mr. Thorn) should have at least told the House where he procured his letter, if it bears the authority of someone who can be regarded as an authority. If he is prepared to do that, we might take some notice of the communication. In any event, whatever allegations were made against this particular individual amounted merely to hearsay, so far as I can understand, without any documentary evidence or proof in support of the statements made. As to the alleged offences in New Zealand, if that matter were to be investigated, someone would have to be sent to the Dominion to prosecute all sorts of inquiries, and someone would have to be brought to Western Australia for identification purposes. Even then, when it was all over, the prosecution might prove to be without adequate foundation, although the investigation involved might have cost hundreds of pounds. It is not possible to send anyone to New Zealand to undertake such an inquiry without the State being involved in the expenditure of hundreds of pounds. I can assure the House that, from the information I have, I cannot say whether the allegations are true or untrue.

Mr. Patrick: Then the Minister should not have mentioned the matter when moving the second reading of his Bill.

The PREMIER: I do not know about that.

Mr. Patrick: There has been no other instance.

The PREMIER: I believe the Minister did mention something, but, as Premier, I

say that the statement that I knew definitely that the allegations were true is groundless. I have heard statements from time to time, but I do not discuss those statements unless I know them to be true. The member for Toodyay cannot say that the statements contained in the letter are true, nor can he link the individual referred to in the letter with a certain other person. He cannot get someone to say that that is so. The alleged offence took place 20 years ago, and it is not an easy matter to couple a certain individual with something that happened so long back, something that happened in a country many thousands of miles away, and to prove the allegations in a country where no one knows the individual concerned. Even if the statements were true, they would be hard to prove. If there was any necessity to take action, it was when the allegations were made, but no such action was taken. I think the member for Toodyay was quite unfair in informing the House that he had received a letter from some individual who made allegations against a certain individual and yet not say where the letter came from, from whom it was received, by whom it was received, why it was sent, and so on. Was the letter written to the Commissioner of Police or to the Police Department in New Zealand? Why was the letter obtained? Why did the person write the letter? The hon. member did not give us any information on these points.

Mr. Patrick: Perhaps the Minister for Justice will state the case he had in mind, seeing that he mentioned one specifically when he introduced the Bill.

The PREMIER: I have dealt with the statement made by the member for Toodyay, who charged me with knowing about this matter. I do not know all about the matter, and certainly the member for Toodyay cannot prove that I do. He cannot prove the truth of the statements he has given to members. He could not do so, unless he were to take action that would involve the State in the expenditure of a considerable amount, much more than is involved in the acceptance of the parliamentary allowance, which may have been drawn illegally.

Mr. Fox: If the member for Toodyay is so sure, he can make his statement outside.

Mr. Thorn: There is no doubt about the member for South Fremantle!

The PREMIER: I think the Minister said that something was alleged.

Mr. Watts: No, his statement was more than that.

The PREMIER: At any rate, I do not know what the Minister said. I know what I could say, and I consider the member for Toodyay was not right in stating that I knew about the guilt of a certain individual. It is not so. Even with the evidence that the hon. member read out, I would not feel justified in saying the individual referred to in the communication is the same as the other individual.

Mr. Thorn: I did not say he was the same person.

The PREMIER: No?

Mr. Thorn: I said it was alleged.

The PREMIER: The hon. member should say where he got his information from, why it was furnished, and all about it. If he feels so inclined, and has no regard for the expenditure of public funds, he can move that an inquiry be instituted in order to settle the matter. Having regard to the state of our finances, I do not feel disposed to authorise the expenditure of between £400 and £500 in order problematically to get back £200. That is the position. I frankly and candidly deny that I know that the person referred to is guilty. The member for Toodyay should be prepared to give the House information as to where the letter came from and why it was furnished.

MR. WATTS (Katanning) [4.56]: The member for Toodyay (Mr. Thorn) did not accord me the privilege of showing me the letter he read to the House prior to this occasion, and therefore its contents caused me considerable surprise.

The Minister for Lands: You are not alone in that.

Mr. WATTS: Many men have been hanged on circumstantial evidence no greater than that included in the communication that has been read to the House to-day, no stronger than that we have before us that the candidate in question is, in all likelihood, the person referred to in the communication. When the Bill was introduced, I had considerable doubt as to whether it was a satisfactory measure to deal with the case the Minister referred to. I recognised certain difficulties that stood in the way of making the provisions any more definite than they appear in the Bill, and on the second reading I contented myself with saying so and accepting the effort made to rectify a diffi-

cult position. At the same time it is no use the Minister arguing that he did not give the impression from his second reading speech that he knew the circumstances in which this particular candidate had been elected. He knew that the ineligibility of any particular candidate must be on the score that he was either a bankrupt or had committed a criminal offence in some part of His Majesty's Dominions. In his remarks the Minister said that persons ineligible to sit in this House had nominated in the past. He further said that one such individual had been elected, but had not taken his place, but had however received his parliamentary allowance.

Mr. Patrick: There was nothing "alleged" there.

Mr. WATTS: So a person who was ineligible was elected to sit in this House, and the Minister gave me the impression when he made that statement that he knew this particular person was not eligible to sit. If he knew that person was not eligible, he must have known the cause of his ineligibility. So I assumed, and very nearly drew attention to that point during the second reading debate to emphasise it, that the Minister did know of the circumstances, despite the denial we have had. As I stated earlier, many men have been hanged on circumstantial evidence less strong than we have heard this afternoon.

Mr. Raphael: And yet may have been innocent, don't forget!

Mr. WATTS: That may have been so, but we have the evidence, which alleges definitely that the Minister knew the candidate in question was not eligible. Now we have a letter produced by the member for Toodyay in which very definite statements are made.

Mr. Withers: That letter may have been written in the Claremont lunatic asylum!

Mr. WATTS: The letter contains definite statements that an individual bearing a name similar to that of the elected person, had committed an offence in a certain part of His Majesty's Dominions. In those circumstances, if the failure of eligibility was because of the committal of a criminal offence and if the Minister knew the reason, I am not surprised that the member for Toodyay has gone carefully into the matter since the second reading took place. I am not sur-

prised that he has brought the matter under the notice of the House to-day. I wish the Bill could have been worded in such a way as to make it impossible for such a happening to occur again. We should have made it not only an offence for a man to nominate who is ineligible, but also to make it absolutely impossible for him to nominate. I recognise the difficulty of accomplishing such an object and am prepared to concede that the Bill introduced by the Minister provides the only practical method.

MR. BERRY (Irwin-Moore) [5.1]: I very much regret that I am unable to speak at length or to make myself heard distinctly, as I am suffering from influenza. During the passage of this measure we seem to have got to a certain point so far as the man in question is concerned, but we have not been prepared to go the whole distance. I am concerned in this matter as much as anyone in this Chamber, and would like to know the reason for all the criticism of this man. Are we only going to take our horse to the hurdle and not leap it? Personally, I consider it a public duty definitely to make known what is behind the criticism and what prevented the man from taking the seat which I am now occupying. In that way we could stop once and for all the criticism levelled against him. The member for Toodyay produced a letter, but he did not state by whom it was written or to whom it was addressed. We could therefore assume that it is an anonymous letter. Such a letter was read here a week or two ago and some members expressed their entire disapproval of it. They did not seem to be very happy about letters of that sort. The member for Toodyay should at least lay the letter on the Table, so that members may know exactly where they stand in this matter.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna—in reply) [5.3]: I am not aware whether I mentioned this particular man directly; but at the outset I assert definitely that I did not know—and I do not now know, nor does anybody in this Chamber know—that any particular person who nominated for the Assembly was elected was actually disqualified from doing so. More than one member has resigned his seat because he was not eligible to hold it.

The Premier: What about the member for East Perth?

Hon. C. G. Latham: He was made bankrupt after he was returned.

Mr. Patrick: That is a different case altogether.

The MINISTER FOR JUSTICE: I have discussed the matter with the Crown Law officers, who definitely inform me that they were not aware that Barker was a criminal. They had no proof of it. Had the department set out to prove that he was not eligible to take his seat, the State would have been involved in heavy expense. Fingerprints are not accepted as evidence.

Hon. C. G. Latham: Do you say that fingerprints are not taken as evidence?

The MINISTER FOR JUSTICE: Not if they come from other countries. It would be necessary to bring someone from New Zealand to prove that the prints were those of the person to whom we have been referring. We would probably also be compelled to bring other witnesses from New Zealand to prove that he committed the criminal offence which he is supposed to have committed. Such proceedings would have cost the State a great deal more than the few pounds which were paid to Barker as salary, and which of course he should not have received. There might be more than one Barker; we do not know. We have had allegations, but not proof. I am sorry to say that this seems to me to have become a political matter.

Mr. Thorn: There is no need to be sorry. That is where it started.

The MINISTER FOR JUSTICE: Had it not been a political matter, it would not have been so well thrashed out. Even the member for Katanning (Mr. Watts) came with notes prepared. It seems to me that the matter was thoroughly discussed before it was brought to the notice of the House. This is definitely a genuine case of political propaganda.

Hon. C. G. Latham: We, together with the public, are custodians of the Constitution.

The MINISTER FOR JUSTICE: We have a sense of responsibility, too. If the hon. member considers that he and his colleagues are the custodians of the Constitution, why was evidence not brought forward? They have the same right to produce evidence as we have.

Mr. Thorn: It is your job. Why did you not do it?

The MINISTER FOR JUSTICE: We were trying to protect the Treasury. As I say, I discussed the matter fully with the Solicitor-General, who advised me definitely that it would probably cost more to prove that this man had committed a crime than the amount paid to him in salary.

Mr. Patrick: Give us that very definite instance you mentioned.

The MINISTER FOR JUSTICE: That was assumed, as far as I am concerned.

Hon. C. G. Latham: That is a big risk; you are under suspicion.

The MINISTER FOR JUSTICE: It is not right that a person should nominate who cannot take his seat in the House, but we have no proof in this matter.

Hon. C. G. Latham interjected.

The DEPUTY SPEAKER: The Leader of the Opposition will please keep order. His opportunity to address the Chair has passed.

The MINISTER FOR JUSTICE: The Government has taken steps to protect the House in future. It is practically impossible to bring down legislation which would stop a man from nominating. We cannot expect the Chief Electoral Officer, before nominations close, to inquire into a man's character and ascertain whether he is qualified to take his seat.

The Premier: We would not give that authority to an ordinary presiding officer at an election.

The MINISTER FOR JUSTICE: Any member who was not satisfied with the Bill had the opportunity to bring down amendments and to discuss them fully. The member for Katanning (Mr. Watts) gave the measure due consideration. He is a lawyer and understands law much better than I do, and he more or less commended the legislation.

Mr. Watts: Because it is the only way to deal with the position.

The MINISTER FOR JUSTICE: I am glad to have that admission. The Government is doing everything possible to protect the people of the State. I am inclined to look at the matter from one point of view, which is that if it were not a political matter we would not have had all this adverse criticism.

Question put and passed.

Bill read a third time and transmitted to the Council.

**MOTION—BETTING SUPPRESSION.**

**Mrs. CARDELL-OLIVER** (Subiaco)  
[5.9]: I move—

That this House instructs the Government to give instructions to the Chief of Police to immediately use all statutory powers to close all betting shops, houses, dwellings, and places of whatsoever kind where illegal betting is conducted, so that the law of the land may be honoured and Government departments duly respected, the responsibility for the execution of this motion to rest with the Government.

I bring forward this motion in the belief that if something is not done to put down starting-price betting, it will control not only Government departments, but also the youth of the State, in such a manner as to be detrimental to the State. The Police Department has been very much in the limelight lately, owing to the great number of law-breaking shops and bettors that are allowed to flourish practically without interference throughout the town and country.

The Premier: They pay thousands of pounds in fines.

**Mrs. CARDELL-OLIVER**: I shall deal with that point a little later. These shops are causing the demoralisation of our youth, and a few law-breakers are becoming wealthy at the expense of many people who scarcely have enough income with which to feed and clothe themselves. Some of the bettors were aptly described by the Minister a little while ago as ninecompoops and nitwits. Every Government department has as its head a Minister, a member of the Government, administering the policy of the Government in his department; and it would be as stupid for me to criticise the Commissioner of Police because of the number of law-breakers operating in betting shops as it would be for me to criticise the Director of Education on any major problem which might come under the notice of his Minister and be the subject of his direction. Therefore my criticism of this matter has always been, and will always be, directed towards the Government rather than towards the administrative body. That is why I lay stress upon the last paragraph of the motion.

**Mr. Raphael**: Make your criticism retrospective.

**Mrs. CARDELL-OLIVER**: I stress in the latter part of my motion that the Government should accept responsibility in this matter. If the Minister is interested in his department—and I am quite sure he is—the question of starting-price betting must be of

burning interest to him. It would be laughable to suppose that a Labour Cabinet, including of course the Minister, and Caucus, had not discussed this question. That the matter has been one of burning interest for many years past is evident by what I read in the report of the Commissioner of Police for the year ended the 30th June, 1929. The following appears in the report:—

There has been discussion in the columns of the Press regarding the prevalence of betting shops, and it has been suggested by some persons that such places should be licensed in similar fashion to other countries; England and Ireland have been quoted. In regard to the former, when legislation was approved to license bookmakers and their establishments a special staff was created by the Home Office to deal with the matter, but it has been found that the law is unworkable. In Ireland, where shops have been licensed, the number of licenses so granted have turned the regulations into a farce. It is not considered that there is any real necessity for the licensing of betting shops—the facilities available to the public are quite sufficient now without in any way adding to them, and a ridiculous position would be set up if the suggestion were agreed to.

Again, very few members of the public have any knowledge of the complaints received from the wives and families of men who are so weak-minded as to indulge unduly in betting with kerbstone bookmakers and those conducting betting shops.

I do not know who was Commissioner of Police at that time, but the extract is from the police report of 1929. In 1939 we had the following statement by Commissioner Hunter:—

I would again draw attention to my remarks in previous annual reports respecting this matter (gambling)—

We all know that Commissioner Hunter has continuously protested against the existence of betting shops.

—and trust that during the present session of Parliament action will be taken to pass legislation to enable this rampant disease to be brought under control. Shop betting has not decreased to any material extent, and despite numerous prosecutions and heavy penalties, it still exists.

I wish to point out that after having heard those reports and after having had them tabled in Parliament last session and the session before, little or nothing has been done. Therefore I ask, "What is one to think? Who is to blame?" In this Chamber I have repeatedly asked who is to blame for the existence of so many betting shops in the city. I myself have no hesitation in saying that the onus of this open flouting of the law

by a fraternity that must use graft to enable it to carry on rests entirely on the Government. In making this statement I do not single out any particular Minister and say that the onus rests on him. My speeches in this House have always been impersonal.

Mr. Cross: How can graft be impersonal?

Mrs. CARDELL-OLIVER: I will deal with that matter later. I account it a sign of weakness in the debater that really emanates from an inferiority complex when personalities instead of the subject become the object of the debate.

Mr. Rodoreda: Will you repeat that?

Mrs. CARDELL-OLIVER: The hon. member can read it in "Hansard." In perusing "Hansard" I noticed that the Minister quoted from a speech made by me on the Address-in-reply and later from a letter written by the Commissioner of Police and published in "Hansard" and in the daily Press. This was done to absolve Commissioner Hunter from a statement involving members of Parliament in the odium resulting from starting-price betting. It was an unfortunate break for the Minister to criticise those statements because he entirely justified the speech made by me. That, of course, was not his intention. These are the references.

The DEPUTY SPEAKER: Is the hon. member quoting from "Hansard" a paragraph of a speech delivered this session?

Mrs. CARDELL-OLIVER: It was published in the Press.

The DEPUTY SPEAKER: The hon. member may not quote it.

Mrs. CARDELL-OLIVER: Not from the Press?

The DEPUTY SPEAKER: Not from any report of a discussion on the subject this session.

Mrs. CARDELL-OLIVER: Then I will not quote from "Hansard." I will merely say that it was unfortunate for the Minister to criticise what was said in the Press. I presume I shall be in order in quoting the Press.

The DEPUTY SPEAKER: The hon. member may not quote any document or paper alluding to a discussion of the same subject at any time this session.

Mrs. CARDELL-OLIVER: I can recall what was said; I recollect it.

The DEPUTY SPEAKER: If the hon. member has it fixed indelibly in her mind, she may enunciate it.

Mrs. CARDELL-OLIVER: I certainly have it fixed indelibly in my mind.

The Minister for Mines: As you were not in your place at the time, you must have.

Mrs. CARDELL-OLIVER: I do not wish to be unfair, but the statement is indelibly impressed on my mind. The Minister said that the member for Subiaco had stated that if a complaint was made to the police, they replied that members of Parliament wished the starting-price betting trade to continue. I recall the remark of the Commissioner of Police—it was stated by him two or three years ago—that if Parliament desired the evil to be stamped out, it was in the hands of members. I agree that the wording of those two sentences differs, but it is a case of Tweedledum and Tweedledee. Upon analysing those statements, I find that the inaction on the part of members of Parliament clearly shows that they wish the trade to continue. Otherwise, being members with some executive authority, they would move to stamp it out. The other conclusion I draw from the second statement is that if members were active, the trade could be stamped out. The point to be borne in mind is that the Government has a majority and could, if it would, stamp out the evil. Because the Government does not act, the evil remains.

Member: Where has it been stamped out?

Mr. Abbott: In New South Wales.

Mr. Needham: Innocence abroad!

Mrs. CARDELL-OLIVER: The Commissioner of Police and I agree that the onus rests on the Government and on members of this House.

The Minister for Mines: You had better introduce a Bill.

Mrs. CARDELL-OLIVER: I have read in "Hansard" some foolish apologies by Ministers, and I must say that the Minister for Mines and the Minister for Works deserve a prize for the illogicality and sheer nonsense of their statements. So the question arises, "Why does the Government prefer to close its eyes to this lawless state of affairs?" Is it for the sake of the £21,000 of revenue received by way of fines? Surely the Government must know that, if it encourages vice for the sake of revenue, those who control the vice will eventually control the Government and dictate terms upon which the evil must increase until the nation itself crumbles under the load of vice. We had an example many years ago of vice taking hold upon a nation when Britain



forced opium upon China for the purposes of trade and incidentally revenue. Britain soon repented her action and endeavoured to help China to eradicate the evil, but found to her cost that it was much harder to eradicate an evil than to initiate one. I regret that the name of Commissioner Hunter was brought into the discussion at all.

The Minister for Mines: Who brought it in?

Mrs. CARDELL-OLIVER: However, the Commissioner declared his attitude in 1939 and in previous annual reports and also to deputations, and it might clear the air to let the public know exactly where the Commissioner stands. He is between the devil and the deep sea—the sea of people on the one hand blame him for the infamous state of affairs and the Government, on the other hand, shelters behind the police force, because it is the Government and not the Commissioner that dictates the policy and demands obedience to it. Many of the public do not appreciate the fact that every member of the Cabinet is equally responsible for the policy set forth by the Government. It has been traditional in the British Parliament that should a member of the Cabinet disagree with his colleagues, he is in honour bound to withdraw from the Cabinet. Therefore, if the Minister for Mines would follow the practice of Ministers in the most honest Government of the world, he would immediately withdraw, because I presume that his statements about betting were sincere.

The Minister for Mines: If you were as sincere as I am, you would not have accepted £50 from a betting shop towards your milk fund.

Mrs. CARDELL-OLIVER: I do not know what the Minister is talking about.

The Minister for Mines: Did not you ring up the proprietor of that shop?

The DEPUTY SPEAKER: Order! The member for Subiaco had better address the Chair.

Mrs. CARDELL-OLIVER: I think the Deputy Speaker is much fairer than are some of the members of the opposite side of the House. Let me say in passing that I have never accepted £50 or even £1 from any betting shop. On the subject of betting, members have often pacified their consciences by stating that gambling is inherent in the human race. Strangely

enough, the gentlemen who use that argument also tell us they have never had a bet in their lives. Surely those men are human and of the same nature as they attribute to others! I should like again to quote Commissioner Hunter when he said that if Parliament desired, the evil could be stamped out, because the matter was in the hands of members.

The Premier: Did not Parliament deal with the matter? What did Parliament do? Threw the Bill out of the window.

Mrs. CARDELL-OLIVER: That was a Bill to legalise betting. Commissioner Hunter knows the frailty of human nature as well as does any member of this House, perhaps better. Still he is prepared to stamp out the evil if Parliament directs him to do so. He may not be able to do it entirely, but he can prevent temptation from being brought in front of the youth of Western Australia. In my opinion, a humble opinion, human nature can be depraved by legislation. Human nature can also be depraved for want of legislation. It is the Government, as representing the people, that has the power to legislate either wisely or not.

The Premier: We have learnt that we cannot legislate on many things which we want to legislate upon.

Mrs. CARDELL-OLIVER: Ministers have that power because they have made the people believe that they possess a discrimination between what is good and what is bad for the people. If they cannot apply that discrimination for the good of the State, they simply fool themselves that they are leaders and for a time they fool the public; but, as a famous saying puts it, "You can fool all the people some of the time, and some of the people all the time, but you cannot fool all the people all the time." When people awake to the fact that leaders have not that power of discrimination, between what is good and what is bad, Governments fall, and, tragically, they sometimes bring down nations with them. In dealing with this subject I recollect a touching speech made by a Minister in a Casabianca effort on the Address-in-reply.

Hon. C. G. Latham: And he twisted on the very next day!

Mrs. CARDELL-OLIVER: The Minister made observations on the subject of respect. It must be a relief to Ministers generally to

know they can now rest assured that when replying to this motion they can say to the member for Subiaco, in the words of St. Paul, "We have made your calling and election sure." When Ministers sermonise on respect, I cannot help wondering what quality of respect they have to offer. It will be remembered that in America the man most respected by lawbreakers was Al Capone. Respect from those who allow laws to be broken when it is in their power to prevent such actions would be respect that I would not understand and certainly would not accept.

In the district represented by the Minister for Works, and opposite the Scarborough Hotel, is a large starting-price hall, completed just a little time after the hotel had been completed. The hall was opened, I believe, last summer. It was not in any way camouflaged. Bets were taken openly either in the street, on the footpath, or in the hall. On the benches in this hall, when I visited the place, numbers of young men were sitting, and on a high ladder resting against the wall, a wall which was covered with slates, was a young girl who was engaged in writing on the slates the names of horses and numbers against them. She was the only woman employed amongst scores of these law-breaking youths. In every starting-price shop, both in the Minister's district and in the city and in the State over which he has some jurisdiction, one may see a percentage of girls employed—a percentage certainly small, but quickly increasing—and not employed as the girl at Scarborough was employed but in some occupation about the shop. The Minister knows well that there are dozens of women in all districts who now bet in these shops, and that their number is increasing daily. Prams and children are to be seen outside. Many women "try their luck" in starting-price shops because of poverty. They have but 7s. weekly per unit with which to feed and clothe their children. Their outlook upon life is drear and hopeless. They know that because of poverty their children are undernourished, and many of them subnormal. The women argue that they might as well try their luck and be able to change the conditions of their life even if only in a small degree.

The DEPUTY SPEAKER: The member for Subiaco is not reading her speech?

Mrs. CARDELL-OLIVER: No, Sir; I am not reading my speech.

The DEPUTY SPEAKER: Will the hon. member kindly resume her seat for a moment? I wish to draw the attention of members to May's "Parliamentary Procedure." I have no desire to prevent any member from exercising the right of fully expressing his views on any matter that comes before the Chair; but it is definitely laid down that speeches shall not be read. I quote the following from May:—

A member is not permitted to read his speech, but may refresh his memory by a reference to notes. The reading of written speeches, which has been allowed in other deliberative assemblies, has never been recognised in either House of Parliament. A member may read extracts from documents, but his own language must be delivered bona fide in the form of an unwritten composition. Any other rule would be at once inconvenient and repugnant to the true theory of debate.

I hope hon. members will bear that in mind. I do not wish to stop the member for Subiaco, but I hope she will make an endeavour to comply with the procedure set down. The hon. member may proceed.

Mrs. CARDELL-OLIVER: Thank you, Sir. I doubt whether the Minister has respect for women at all. I wish to say that these women go into these shops to bet, and the Minister—if I recollect aright—did say that they were foolish. But these people have gone into these shops believing that such establishments are not harmful to them. They believe that they may gain something there. If the places are allowed to remain there by law, surely they trust the Minister's word, when he is electioneering, that he will do his best for the people, and they—his electors—cannot believe that the betting shops are harmful if he allows them to remain open. I again say that if the Minister cannot respect one who continually pleads for improvement in the conditions of these people, then his respect has no meaning for me.

A few weeks ago I was in touch with a young man who only had meal tickets for sustenance. In desperation he hired himself to a starting-price shop for the afternoon. For this service he received £1. He told me that when he was in the shop serving, he prayed that the shop might be raided. I asked him why, and explained to him that he might be arrested and be brought before the Police Court and convicted as a criminal. "That is the point,"

he said, "I wanted to be a criminal because then I would receive £2 extra for the afternoon, and with that money I would be able to buy food and clothes." He explained that the clothes he stood up in were all he had. That boy was not a bad lad. He was unfit for the army, and untrained for a livelihood. He did not want to accept the single man's relief work conditions in the country, where he would have two days' work per week in the Never-Never and sleep under a mulga bush for the rest of the week—out of touch with civilisation, with little hope of returning to civilisation and normality. Such men—little more than boys: this youth was only 19 or 20 years of age—do not care about being fined. They know that their bosses pay the fines. They want money for food and clothing. They want money to get married, to have homes and children. They are human just as you and I are, Mr. Deputy Speaker; and they see so many law-breaking shops and so many men becoming rich on ill-gotten gains that the law to them is a farce.

When offering their services they know that they may be charged by the police, but their action is deliberate. They know that they are being used as tools, and that the owners and lessees of the betting premises are immune. They are aware just as well as you and I are, Mr. Deputy Speaker, that no proprietor, no well-known man, is charged. I ask you, Sir, whether we can expect the younger generation in these circumstances to believe in justice? They cannot have any respect for the law, for family life, or for women. Their respect has also become that comparative quality which respects the law-breaker rather than the law-maker.

These youths know that even justices on the bench to-day may plead the cause of law-breakers. We have read of justices recently arguing that breakers of the betting laws should not be classed as criminals. In passing, I may here be legitimately stopped by Mr. Deputy Speaker, but I wish to point out that it is about time an Act was passed making it compulsory for all justices, and would-be justices, to pass an elementary examination in law, especially if justices are allowed to influence magistrates. Magistrate Craig, when he wished to send one of these law-breakers to prison, did not do so because justices outvoted him; but he indicated that if he could have had his own way, the man would have been sent to gaol, and

he commented on the marvellous immunity apparently enjoyed by certain people. That was a week or two ago. A similar case is reported to have happened yesterday.

**THE DEPUTY SPEAKER:** The member for Subiaco is quite in order in quoting cases of that sort. The only thing she is prevented from doing is to quote from any document any portion of any discussion, or references to it, which took place in this Chamber during the current session.

**Hon. C. G. Latham:** May I rise to a point of order, Sir, because, after all, your ruling is so definite. I do not think, Mr. Deputy Speaker, that you mean that we may not quote. Is it not that we may not read? I can pick up a "Hansard" to refresh my memory and then quote from memory. Surely, Sir, you would not prevent me from doing that. I agree that one cannot produce a "Hansard" or a newspaper report of a speech and read it here. I hope, Sir, that you will make perfectly clear what members can do.

**THE DEPUTY SPEAKER:** For the benefit of members I shall read Standing Order 124, which deals very explicitly with this matter and with the point raised by the Leader of the Opposition—

No member shall read from a printed newspaper or book the report of any speech made in Parliament during the same session

That is the only attitude I have adopted, and I think it is the only attitude that any Mr. Speaker is likely to adopt. Members are perfectly entitled to refresh their memory and to quote as much as they please, but they must not use documentary evidence and quote from it.

**Hon. C. G. Latham:** Read from it.

**THE DEPUTY SPEAKER:** Read from it during the same session. The member for Subiaco may continue.

**Mrs. CARDELL-OLIVER:** During the last few days I have taken the opportunity to pay a visit in the luncheon hour to a few of the starting-price betting shops and particularly the betting shops in a small area or an area that might be termed a small block. I went into 11 shops. All had open fronts to the street and some had double fronts. The rents of those places must have been quite considerable. There were others that were in offices; they were not shops. In each of the 11 shops I visited there were from 40 to 100 people present during the luncheon hour and as people came

out others went in. I counted in the period I was there no fewer than 600 people, but that figure was really small in comparison with the numbers that were there throughout the period in which betting was carried on. I took particular notice of the class of people that patronised the shops and I saw that they were not what would be considered poor. Many were men who a few years ago would not have dreamt of entering a starting-price betting shop. They were men who would naturally attend the racecourse. I can come to no other conclusion than that their presence in these shops was due to the tolerance of the Government which increased the popularity of these shops. No member in this House, I am sure, can now say that the betting shops are the resorts of poor people only. Fully 70 per cent. of the men I saw entering and emerging from these shops were men of means and of repute. There were railway and tramway men, office men, and when it is realised that their money is needed for war efforts I consider it is disgraceful to allow these shops to remain open.

In one shop that I entered I saw employed a man to whom a few weeks before I had given assistance. He was behind the counter carrying out betting duties. I do not know what it was he was actually doing but I do not blame him for taking on the job, whatever it was, because I suppose he was not able to find another in a different avenue. In nine out of the 11 shops that I visited on this particular day I noticed gambling machines. By pulling a lever it was possible to get a first, second or a third horse in what I think was a race game. I must, however, say that I did not see many women in these establishments. There were dozens of men around the gambling machines and they were idling away the time waiting for the results of the races to come through. I have seen two-up played in Kalgoorlie and other mining towns as well as the three-card trick in England, and I consider that they are really honest games in comparison with the gambling machines in those betting shops. Another point is that in most of the betting shops I noticed that lottery tickets were on sale. To me it seems wrong that the Government should make a contact in this respect with people who are carrying on an illegal business.

Again there is in this city located in a basement in one of our principal thoroughfares a Press agency. This establishment

has direct control over starting-price Press news and is also associated with, and distributes news among 300 starting-price shops in the metropolitan area. By adjusting a small gadget, one message from this Press agency reaches those 300 people simultaneously. I do not know whether this business extends further afield; it may go into the country districts, but I do not know. I do know, however, that it receives from 10s. to £1 per race day from each of its subscribers. Just imagine what would happen if an enemy took over a concern like that by which it would be possible to distribute news, true or false, all over the city. So we have right in our midst a place quite suitable for any enemy to use. We have had examples of the enemy use of telephones in Holland, Norway and Belgium. I know that members of this House are aware that this Press agency exists, and I ask whether such a business can be carried on without graft. It may be that the owner works within the law. A Royal Commission which investigated betting in Queensland declared that Press agencies there were vital to starting-price betting shops. In Queensland in 1928, the clients held by the agencies there numbered 44 and in 1935 it had increased to 169, and the amount paid there in telephone calls during that period was £45,000. The Deputy Director of Posts and Telegraphs was invited by that Royal Commission to give evidence but he declined to do so and the Commission reported that it had learned from other sources that the attitude of that department was that it was not a crime-detecting institution. The Perth Press agency has more clients than the Queensland agency had, but the Perth agency is reported to have paid only £2,500 in the year for telephone calls, and so it is quite likely that this agency has a competitor in the State. As a matter of fact I know that it has a competitor.

So we have the position that the Commonwealth Government permits the telephone to be used by betting interests, and in that way gains revenue, while the State allows illegal betting to continue, so that it, too, may gain revenue. I ask whether any hon. member believes that the Commonwealth or the State is acting in the best interests of the people by permitting this kind of business to be carried on. Members may remark that this is a Commonwealth mat-

ter. I know it is, and I have said that telephones are a Commonwealth matter. But it is not only a Commonwealth matter; it is our duty to take steps to stop the drift towards our own destruction. Queensland may not have entirely wiped out all the starting-price betting shops but that State has made a determined effort to do so. New Zealand has also made a similar effort and cleaned the parasites from her cities. We should do the same. Unfortunately, it is the will that is wanting.

Before concluding I wish to repeat that I do not want hon. members' respect when thousands are dying and nations are crumbling. The waste of precious time on individual personalities is out of place. To me hon. members opposite do not exist as men. But as politicians they are my concern and it is my concern that the citizens of the State respect the Government. If I have hurt the individual pride of any member, I am sorry; if I have angered one member to take political action on the matters which in my opinion are vital to the interests of the State, then I am glad. My few remarks have not been offered merely for the sake of speaking. They have been made with one object and that is to elicit from the Government the reason why over 1,000 starting-price betting shops are permitted to exist in the State. I know that there are over a thousand and shops flourishing at the present time. Many of the men controlling these shops say that if they had to pay £50 a month it would not hurt them in the slightest degree. Therefore I ask that the motion be carried, the motion which urges the putting into force of the statutory powers we already have to purge the country of parasites.

The honour of reconstruction, rebuilding and purging the country of parasites belongs to the Government. The political colour of the Government in a question of this kind does not matter. It is the accomplishment of the job that matters. If the law says that a man should go to gaol for doing wrong, he should go to gaol, and the Government should see to it that he is sent to gaol. In every country the people are crying out for national unity, national honesty and guidance from political leaders. I have been asked to persevere in my condemnation of starting-price betting and in

my efforts to wipe it out. I have no wish to bring in the question of my election into the debate, except to say that it was not because of any personal effort that I won this seat. I won it because I was against starting-price betting.

The DEPUTY SPEAKER: I remind the hon. member that there is nothing in the motion relating to her election.

Mr. Tonkin: Does the hon. member realise that her motion will bring in Tattersall's Club and all the racecourses?

Mrs. CARDELL-OLIVER: I have given considerable thought to the motion and I want to see it carried in toto. Further, I desire the Government to do its part and see that the existing laws are enforced. If there is no intention of enforcing them, what on earth is the use of our making laws?

Mr. Fox: Would you bring in the Stock Exchange as well?

Mrs. CARDELL-OLIVER: I am not going to be sidetracked. The political colour of the Government does not matter. What is necessary is the accomplishing of the job and—time is of vital importance. We will soon have men returning to this country who will want food, shelter and positions, and work must be waiting for them. Will those things be forthcoming if we spend our substance wastefully to-day? Members of Parliament are asked to go hither and thither throughout the country requesting people to give their last shilling towards the prosecution of the war and in the purchase of war savings certificates. Is it logical to do that when we leave so many avenues of waste open? Even in South Australia where gambling is legalised, gambling shops, because of war conditions, are now closed except on Saturdays. It does not matter whether we are Labour, Country Party or National Party members, our job has been clearly defined. It is to do our best to win the war and to construct for peace. We can only do that if we have a platform of politics that matters, and there is only one platform of politics that will survive, namely Christian politics, which does not embrace starting price betting. I submit the motion.

On motion by Mr. F. C. L. Smith, debate adjourned.

## BILL—BILLS OF SALE ACT AMENDMENT.

### *Second Reading.*

**MR. CROSS** (Canning) [6.2] in moving the second reading said: This small Bill contains provisions similar to those in a like measure which I introduced in this Chamber last session. It is not, however, in quite the same form. Hon. members will recall that the previous Bill contained a retrospective provision. That clause was amended, and later the Bill was re-committed so that the Title might be amended. Except for the changes I have indicated, this measure is exactly the same as that previously introduced. It proposes to place in the Bills of Sale Act provisions similar to those contained in the Local Courts Act. The House will remember that I introduced a Bill to exempt furniture from seizure for debt under the Local Courts Act. In the event of a creditor obtaining a judgment against any person for debt, the necessities of life belonging to that person were exempted from seizure. This Bill applies the same principle to the Bills of Sale Act. The effect is to protect from seizure bedding to the value of £10 and household furniture to a similar value, and tools of trade to the value of £15. It also excludes from seizure family photographs and portraits. To protect wearing apparel is unnecessary, because that is already provided for in the parent Act.

When I previously introduced the Bill there was no discussion. The measure was passed unanimously and forwarded to another place, where it was defeated by a single vote. I was informed that the reason it was rejected was that it was received by another place too late in the session. Consequently I hope that members will agree to pass the Bill through the second reading and Committee stages to-day so that the Legislative Council will receive it earlier than it did last session. The arrival of private members' Bills in another place on the last day of the session is generally made an excuse for their rejection. Members of that Chamber state that they have not had an opportunity to go fully into the proposals. I intend to show the fallacy of a few of the arguments advanced against the previous Bill.

The Minister for Mines: You cannot criticise the Legislative Council.

**Mr. CROSS:** One hon. member said that if the Bill were passed it would make for breaches of contract. That is entirely wrong, because the provisions of the Bill do not apply to any existing contract. They would apply only to contracts entered into after the measure is proclaimed. If it is passed, the Bill will prevent a money lender from taking a bill of sale over a person's bedding to the extent of £10, and furniture to a similar amount. Bedding includes not only pillow-slips, blankets, sheets and palliases, but also bedsteads. A family of from seven to ten people who have not £10 worth of bedding could not spare any of it for seizure, and the same applies to household utensils, which include everything from a kettle to an electric light globe. People who are in such distress should not be permitted to pawn or pledge the barest necessities of life in order to get a pound or two.

One hon. member in the other place said and the measure would create bogus sales. He suggested that a money lender would say, "Sell the stuff to me and you can buy it back." If that did occur, an amending Bill could be introduced to stop the practice. However, I do not think that is likely to occur. If the present state of affairs is allowed to continue, the same thing will happen as has occurred in the past. In all my experience and from inquiries I have made I cannot remember any instance of a money lender being prepared to advance as much as £10 without having ten times that amount of security. If money lenders seized the goods specified they would sell them to their own ilk. Money lenders do not seize goods unless they see that the security is badly slipping, and so long as they can obtain a few shillings weekly by way of interest on borrowed money. It was also stated by an hon. member that the Bill would prevent people from borrowing at all.

**Mr. Watts:** A very good idea sometimes.

**Mr. CROSS:** If people have not any more than that quantity of goods, and are in sore straits, they should not borrow. If they have no outside credit and no chance of paying their debts, they should not be permitted to borrow; they should be protected from themselves.

**Mr. McDonald:** I think we are all with you.

Mr. CROSS: Some people would be better off if they were protected from the doubtful privilege of being able to pledge the bare necessities of life in order to obtain a few pounds.

Hon. C. G. Latham: What about stating a minimum amount that they can borrow; say, £500, or something like that.

Mr. CROSS: I am not worrying about a minimum. I want to prevent furniture and bedding being seized so that people will not be left without the bare necessities of life. I move—

That the Bill be now read a second time.

On motion by the Minister for Justice, debate adjourned.

### PAPERS—CASE OF MARTIN CHADWICK.

Debate resumed from the 28th August on the following motion by Mr. Seward (Pingelly):—

That all papers in connection with the accident to Martin Chadwick, of Wickopin, when returning home in the school charabanc on the 4th July, 1939, be laid upon the Table of the House.

**THE MINISTER FOR THE NORTH-WEST** (Hon. A. A. M. Coverley—Gascayne) [6.12]: I have here the papers relating to the accident which took place at Wickopin. I have been through them carefully and have no objection to their being tabled. I find that the Education Department is not responsible for what was a pure accident over which it had no control. The department gave sympathetic consideration to the inquiries made by the hon. member, and I feel that it could have done no more than it did. I am quite prepared to lay the papers on the Table of the House.

Question put and passed.

### MOTION—BERNIE'S CARAVAN.

*To Inquire by Select Committee.*

Debate resumed from the 28th August on the following motion by Mr. McDonald (West Perth):—

That a select committee be appointed to inquire into and report on all matters relating to Lot 65, and part of Lot 64, of Class "A" Reserve A1720, and to the occupation and use thereof.

**THE MINISTER FOR LANDS** (Hon. F. J. S. Wise—Gascayne) [6.14]: In introducing the motion the member for West Perth (Mr. McDonald) based his complaint on four points. I do not think a sufficient case has been made out for the appointment of a select committee to inquire into a matter which, after all, is not of an epoch-making character. A complaint was made that the Under Secretary to the Premier's Department replied on my behalf, or on his own behalf, or on that of the State Gardens Board, to a deputation introduced to me by the hon. member. Although the Minister for Lands controls parks and reserves, their administration throughout the State is vested in various bodies. For example, the Nedlands Road Board has the oversight of the Point Resolution reserve.

*Sitting suspended from 6.15 to 7.30 p.m.*

**THE MINISTER FOR LANDS**: I was leading up to the point that the fact that the Under Secretary of the Premier's Department in his reply to the member for West Perth neither showed discourtesy to him nor could it be said that anything of the kind was intended. I would not offer discourtesy to the hon. member or anyone else who might have the responsibility of introducing a deputation. I was endeavouring to establish the point that under the Parks and Reserves Act, where responsibilities, powers and authorities were delegated to local governing bodies, those local authorities were in charge of certain areas and were approached as separate entities in connection with them. If there were, as I understand, a cause for complaint in connection with Point Resolution the authority to approach would be the Nedlands Road Board. So it is throughout the State. The hon. member may rest assured that, although in this instance the board is constituted of civil servants, the same position obtains, and that no discourtesy was either implied or intended.

In connection with the area in question, history proves that originally, and up to a few years ago, it was a Chinese garden. In recent years, because I presume of the attractiveness of the foreshore, the work of the State Gardens Board, and prior to that of the City Council, there is a greater attraction in the foreshore and in the foreground of that site than there was in previous years. A great work was done there, as in many

other places, by the State Gardens Board. A few years ago one or two homes were built there, and I think three new homes have been built from Point Lewis to the street which runs up to Jacob's Ladder. If we take the area from Mill-street to Point Lewis we find that most of the lots are still occupied by business premises of various kinds, such as breweries, bottling works and motor garages, and that the total frontage of the business premises and the vacant blocks is in excess of the area occupied by private premises.

Hon. C. G. Latham: They are not built on Class "A" reserves.

The MINISTER FOR LANDS: The area has had the questionable distinction of being a rubbish tip for that part of Mount's Bay for many years. Master Motors, Ltd., had a special exit put in the wall of their premises to facilitate the dumping of rubbish on this area. If members will look at the areas that are still unoccupied, they will not find them in as tidy or orderly a condition as is the area under review. If they travel from Point Lewis towards the city they will see still relics of the earlier days when that part of the area was used as a Chinese garden. The member for West Perth (Mr. McDonald) said that part of his reason for raising the matter was the approach that had been made to him by the City Council. I submit it must have been a very half-hearted approach, because at the same time as the City Council approached him it agreed without any reluctance or delay to put in paving approaches to this lot on behalf of Mr. Hardwick who had applied for them. It also put on electric light for him. If on the one hand the City Council decided to ask the hon. member, as member for that part of the city, to raise some difficulty in connection with the matter, on the other hand it assisted willingly and quickly to provide the facilities asked for by Mr. Hardwick.

Hon. C. G. Latham: The City Council could not have refused to put on the electric light when asked to do so.

The MINISTER FOR LANDS: No. It might have raised a difficulty about putting in the approaches, but not such difficulty was raised. One peculiar thing about the complaint in this matter is in the case of Mr. Phillips, the owner of the adjoining garage. When a deputation waited on me, I think early in June, Mrs. Phillips was in ill-health which

was contributed to in a major degree, it was alleged, by the noise and disturbance caused by Bernie's caravan. That was a few days after the business had started there. It is peculiar that Mr. Phillips tried to negotiate with Bernie for the lease of his garage and his area not merely for garage purposes, but also for the purpose of conducting the same business on Mr. Phillips' block. There was the endeavour to negotiate, but the negotiations did not lead to a successful clinching of the business. I understand the arrangement was that Phillips was to remain in residence in his home, and for Bernie to take a lease of the area where a garage stands and to utilise the area behind it to carry on the business now conducted on an adjoining lot.

In connection with the residential areas or residences built upon that frontage, it must be borne in mind that any person who seeks to take advantage of natural conditions, of views, or elevations or of being on main highways, must also accept the disadvantages. There are many advantages in living on a main highway, but also many disadvantages. The serious disadvantages of traffic and the noise of traffic are more than some people can put up with. If a man lives on a highway upon which traffic travels as frequently as along Mount's Bay road, and with such heavy loads and so much noise, he must accept the disadvantages that the noises and the objectionable traffic also convey to them. The aspect of noise which was raised by the hon. member, as a substantial argument in moving for the appointment of a select committee, might have more weight if the noise and the allegations of noise could be proved. I am informed that certain complaints of noise have been investigated by the police, and that the police have furnished reports in connection with those complaints. One of the complaints was that several youths were seen in a car pulled up in the vicinity. When the complaint was investigated it was found that those were people who had not even been patrons of the caravan, and that they had driven away before the police arrived. A subsequent complaint made by Bernie himself was investigated, and it was found that an officer—I think belonging to the Air Force—had created a disturbance, had broken one or two electric light globes, and I believe was arrested for the offence.

Mr. Sampson: He was having a night out.



The MINISTER FOR LANDS: Presumably. I was astonished to hear the member for West Perth say that part of the area immediately beside the Swan Brewery would be an ideal place for such a business as this to be carried on. I do not know whether he realises that the area he has selected for this business is just as near the workmen's cottages of the Swan Brewery as it is to the better residences close to which this business now is. As it happens, the business on an area which is now tidy, well drained and cleaned up, is situated between a very big garage and another business place. Prior to the petrol restrictions that business place did not work hours which suggested stopping at 6 o'clock. I wonder whether there have been complaints when the bottling works have operated at night or whether the noises, all of which are associated with Bernie's caravan, can be attributed to Bernie. Since the hon. member suggests that this business would find a suitable place near other residences, I think there is much in the allegation of noise that has not been substantiated. If it can be substantiated there is ample scope for redress in any case.

The hon. member also objects to the privilege of the exclusive use of any areas under the control of the State Gardens Board. If that is a substantial argument it applies also to many other areas that are used for public purposes, both for the public and in the service of the public. That complaint must be extended to the whole of King's Park itself, and to many other areas in the State. It must be extended to the Esplanade, for instance, and to countless areas where parks and reserves have been vested in various authorities. But there is no fuss in that connection. Will the hon. member suggest that the occupancy of King's Park by exclusive clubs is not an illegal occupation? Of course it is! If it is wrong in one instance, it is wrong in another. The public is being served, and is receiving the service it demands. In the case of the State Gardens Board and its control of these areas, no one would deny that a remarkable job has been done in the public interests. By its activities the Board has created public assets out of waste land, not in one instance only, but in many instances. The time arrived when the parks and gardens of the State became a worry to successive Treasurers and the idea then originated that if they were managed as a whole and the Treas-

urer could be relieved from the worry of financing not merely the carrying on but the constructive improvements of those areas, then good work would be accomplished in the interests of the State. That is what has happened. Yanchep, National Park and many other places are outstanding examples not merely of excellent management but of constructive ability in the interests of the people generally. In an instance such as that under consideration, I feel sure that the House will entertain no feelings of jealousy regarding the success of a board that has carried out such excellent work, but, on the other hand, will endeavour to assist in its operations and activities.

In my references to King's Park I suggest merely that encroachments have been permitted there that were not intended when the area was placed under the control of a board. I cast no reflection whatever on the administration of the affairs of King's Park nor upon the work of the board that controls that asset of the State. That board is doing fine work in the interests of the public. The fact remains that a large area of the park has been tied up illegally. When the same set of circumstances obtain regarding one extension of this particular Class "A" reserve as in another, unless a strong case can be advanced in proof of the allegations of noise, I consider there is not merely no argument but no substance to suggest support for the appointment of a select committee to inquire into the happenings in question. Without doubt, particularly in times such as these, there is no warrant for the appointment of a select committee to inquire into a matter of this description. The area is leased from week to week by the State Gardens Board to supplement its income, which is spent in developing the people's assets. There is nothing to prevent the State Gardens Board from operating its own stall there if it so desires. There is nothing to prevent a shop from being erected in that vicinity. The hon. member will find there is nothing to prevent a place of business being constructed on the land adjoining this particular site. I say very definitely that not only is there no point in the argument advanced, but there is no support for the contentions raised. We have the knowledge that the owner of an adjoining allotment desired to have this particular business established on his block, but he is now one of the greatest complainants. Thus there may be the element of jealousy introduced,

because of the success of the undertaking in this particular instance. No argument has been advanced nor proof of the contentions advanced, enabling the member for West Perth to justify the appointment of a select committee.

**HON. C. G. LATHAM** (York) [7.50]: I am not concerned as to whether this should be a place of business or otherwise, but I certainly was surprised at the Minister for Lands excusing an illegal act. Definitely that is what has happened. Whether by a Minister of the Crown or a public servant, the law has been violated. The Minister must know what constitutes a Class "A" reserve, and what are the powers of the board. If he desires to amend the law, there is a proper way by which that can be done. If a Minister of the Crown and a public servant can break the law, how can the public be expected to observe it? We cannot get away from that principle. Subsection (1) of Section 31 of the Land Act sets out—

Whenever the Governor has reserved or may hereafter reserve to His Majesty any lands of the Crown for the purpose of parks, squares, or otherwise for the embellishment of towns, or for the recreation or amusement of inhabitants, or for cemeteries, or for any other public purpose, the Governor may, by notice of reservation published in the "Gazette" or by any subsequent notice so published, and subject to such conditions as may be expressed therein, classify such lands as of Class A; and if so classified, such lands shall for ever remain dedicated to the purpose declared in such notice, until by an Act of Parliament in which such lands are specified it is otherwise enacted.

There we have the principle definitely laid down by statute. While I know the law has been broken in the past, I have never before heard any Minister of the Crown excuse that procedure. I do not know under whose authority the law was violated with regard to King's Park.

The Premier: Do you say it could not be done there?

**HON. C. G. LATHAM**: Not without altering the Act itself. When I was Minister for Lands I remember what was done regarding a Class "A" reserve at Claremont. It is now in the Nedlands Road Board area. I had to bring legislation before Parliament to secure permission to vest that area in the road board in order that sporting facilities might be provided by that local authority.

Mr. Holman: What about the golf course?

**HON. C. G. LATHAM**: I do not think the hon. member knows what he is talking about. The land I refer to is considerably lower down than the Nedlands golf course.

Mr. Holman: The golf course and other sporting grounds are on the same block.

**HON. C. G. LATHAM**: No, they are not.

The DEPUTY SPEAKER: I remind the hon. member that there is nothing in the motion regarding a golf course.

**HON. C. G. LATHAM**: I admit that, but let us get this clear. On the left hand side of the road which the land adjoins there are no buildings. I remember that the postal employees spent £1,000 or so in putting down tennis courts there. The proper way to overcome the difficulty in the present instance is to introduce the necessary legislation in Parliament, and I shall certainly not oppose anything that is in the interests of the public. In this case a portion of the Class "A" reserve has been turned into a business centre. There is no competition. The officer in charge of parks and gardens has full power under the Parks and Reserves Act, and if those powers are not adequate amending legislation should be introduced. This is not the first time that this sort of thing has happened. I know that good work has been done by the State Gardens Board. No one knows it better than I, and no one appreciates the work of the board to a greater degree. The point I am stressing is that we should not flout the law. The Minister should ask Parliament to allow this particular piece of land to be excluded from the Class "A" reserve and to be vested in the State Gardens Board.

The Premier: It is vested in the board.

**HON. C. G. LATHAM**: But the land is part of a Class "A" reserve, and the Parks and Reserves Act does not override the Land Act. Section 5 of the Parks and Reserves Act sets out the powers included in those vested in boards and states:—

Nothing in this section contained shall be construed to limit the general powers of a board.

But I have already quoted Section 31 of the Land Act, which is a later enactment, and sets out the law as it applies to these reserves. I do not like the idea of a Government breaking the law.

The Premier: But you do not suggest it is breaking the law to have a refreshment room in King's Park so that people may better enjoy themselves?

Hon. C. G. LATHAM: I say definitely that constitutes a breach of the law. As to the complaint regarding noise connected with Bernie's Caravan, that phase has nothing to do with me, nor am I concerned about the man carrying on a legitimate business. What concerns me is that we should not permit the Minister or a Government official to break the law.

The Premier: Would you say that the erection of a kiosk behind the War Memorial is illegal, and that it means illegal business is carried on in King's Park?

Hon. C. G. LATHAM: I believe it is illegal. There is a proper method to be followed in making provision for the public. With my limited knowledge, I could draft a Bill that would meet the situation. I agree that certain portions of King's Park have been illegally used for years.

The Premier: I do not think they have.

Hon. C. G. LATHAM: There are the tennis courts and a section set aside for the use of Hale School.

Mr. Tonkin: Are you supporting the motion?

Hon. C. G. LATHAM: Yes.

Mr. Tonkin: You should seek to amend it to provide for an inquiry into the whole business.

Hon. C. G. LATHAM: I am not interested in any other phase. We would probably get a good deal of information if we were to have a full inquiry. Let us do the thing in a proper manner and, if required, give the State Gardens Board more power. I shall not object. If people are inconvenienced in the vicinity, they will have their remedy at common law. Class "A" reserves have been vested in the City Council but I do not know of one on which refreshment rooms have been constructed. The municipal authorities observe the law but Ministers and Government servants have broken the law. A hospital has been built on a Class "A" reserve, and it is proposed to build Government offices on land of that description. It is useless for the Premier to say that it does not matter. I admit that some Government buildings were constructed on a Class "A" reserve without Parliamentary authority having been received, but that does not make it right. I think the Premier will agree with me that the land referred to in the motion is part of a Class "A" reserve. Why it was set aside I do not know. I have not

seen the file. I would not have spoken had the Minister not led me to believe that because a Minister of the Crown or the State Gardens Board had decided to violate the law, he considered it could be done.

The Minister for Lands: That is an unintelligible interpretation.

Hon. C. G. LATHAM: It is a common-sense interpretation. I think the Minister for Lands and the State Gardens Board forgot Section 31 of the Land Act. The right way of dealing with this business is to introduce legislation, which I would support.

The Minister for Lands: Are there no Class "A" reserves in the municipality of York?

Hon. C. G. LATHAM: Not one that I know of. Of course, I know one on which a Government reservoir is constructed.

The Minister for Lands: Not one on which anything is operated?

Hon. C. G. LATHAM: No, not without Parliamentary authority, so far as I am aware. There is a cemetery at York, but it has been dedicated under the Cemeteries Act. I do not think the Minister for Lands, since he has been in office, has violated the law.

The Minister for Lands: No.

Hon. C. G. LATHAM: If the State Gardens Board made a request to be permitted to lease a piece of land included in the reserve for the purpose of a tennis court, some members might raise objection, but in the long run they would agree to the proposal. Some time ago bowling greens were put down on the Esplanade. Members of the public desired to walk on to the greens, but were quickly stopped; nevertheless they contended that they had as much right to walk on the greens as had the members of the bowling club. The same principle applies to King's Park and to this reserve, except that portion of the reserve has been let, quite illegally, for business purposes. It is no use our making laws if we ourselves do not observe them. We should set an example to the citizens. I am worried about the matter, because it is difficult now to get the people to observe the law. The Minister should bring down legislation authorising the State Gardens Board to lease portion of this reserve for the purpose of selling refreshments. That would put the matter in order.

**THE PREMIER** (Hon. J. C. Willecock—Geraldton) [8.2]: Why should I listen to a lecture by the Leader of the Opposition about observing the law?

Hon. C. G. Latham: That is definite.

**The PREMIER:** It is absolute nonsense. When a park or a public reserve is set apart for the people, it is supposed to be cleared and made suitable for the people's enjoyment, and the people should have unrestricted access to it. Why should not people be able to obtain refreshments in these reserves? Is it not natural that the authorities controlling parks and reserves should make such provision? It is entirely within the law, and a service is being rendered to the public. The Leader of the Opposition puts a conservative construction on the law, then looks menacingly at members on the Government bench and says, "You are breaking the law."

Mr. Cross: There is a refreshment room at the Zoo.

Hon. C. G. Latham: But that is freehold land.

**The PREMIER:** The area in question was originally part of King's Park, but became separated in some way. It then became a rubbish heap.

Hon. W. D. Johnson: The area is subdivided into lots. How did that happen?

**The PREMIER:** I know that at one time the area was portion of King's Park. That park is our most beautiful public resort and the people who enjoy it should be able to obtain refreshments there in a tea shop. That is legal. A kiosk was erected in King's Park so that the people would have greater facilities for enjoyment. Would the Leader of the Opposition contend that that was an illegal action? The authorities would not be doing their duty if they did not cater for the wants of the people in that way. Yet the Leader of the Opposition would have us believe that such action is illegal. I do not desire to be lectured about breaking the law; in any case, I think the authorities were acting rightly in what they did. The setting aside of portion of a reserve for tennis courts is another matter. As the Minister for Lands rightly pointed out, this area was a dirty spot, a rubbish heap, of which nobody was proud. It has been converted into a park; and a refreshment room, similar to that erected in King's Park, has been placed on

it. I am positive that such action is not illegal, although by a straining of terms in order to fit in with loose views, it may be considered to be illegal; but such an interpretation is against equity and justice.

Hon. C. G. Latham: That is so; but we should set the matter right.

**The PREMIER:** There are many parks in the State. In order to popularise a park, such as National Park, what is done? When people visit such places, the first thing they ask is, "Can we get refreshments, afternoon tea?" If they cannot, they decide to go elsewhere. We must cater for the wants of the people, and that is what we have done at King's Park and other reserves in the metropolitan area. The members of the State Gardens Board have, like the authorities at the University, onerous duties to discharge. We might make it easier for them if we said the Government would spend a large sum of money in beautifying the city, but I have not that outlook with regard to the city. We ought to spend money in the country as well as in the city. The responsibility for maintaining our parks is a matter for the State Gardens Board. Surely some portion of a reserve can be used to earn money for additional improvements.

Hon. C. G. Latham: Why not put refreshment rooms in the Government Gardens and Hyde Park? They are suitable places.

**The PREMIER:** But they are controlled by the City of Perth.

Hon. C. G. Latham: The Municipality of Perth would violate the law if it placed refreshment booths in those reserves.

**The PREMIER:** I do not think so. That is the hon. member's narrow interpretation of the law. There is a shop erected on the Esplanade.

Hon. C. G. Latham: The Esplanade is a Class "B" reserve.

**The PREMIER:** But the hon. member would raise an objection if it were a Class "A" reserve. We have parks all over the State. If people do not make use of them, and allow double-gees to grow on them, we cannot help it, but the reserves are provided and can be improved. If authorities erect refreshment rooms on them, I think they are doing their duty to the public. They are not acting illegally.

**MR. McLARTY** (Murray-Wellington) [8.9]: I object to the precedent established by the State Gardens Board in letting portion of this reserve to the proprietor of a caravan. In my opinion, that is unfair competition.

Mr. Withers: You are telling the truth now.

Mr. McLARTY: It is unfair competition with legitimate businesses in the city. One has only to walk around the city now to ascertain how many empty shops we have, some of which were once refreshment rooms. We have now more empty shops than we have had for the past 10 years, and the number is increasing every day. If we encourage businesses of this kind, we shall have more premises vacant. The Leader of the Opposition asked why other reserves were not let for the same purpose. No doubt many applications will now be made for permission to carry on such businesses, particularly when it is ascertained that this particular business is a flourishing one.

Hon. C. G. Latham: After the Premier's statement, there ought to be one in the King's Park.

Mr. McLARTY: The Premier referred to a kiosk in King's Park, but in my opinion that is not comparable with the business we are now discussing. There are tea-rooms in a number of parks, but these do not enter into competition with business places in the city. A person who takes a walk in a park should be able to obtain a cup of tea. The Minister referred to the protest of the City Council. He made light of it, saying that the City Council had installed electric light and provided means of ingress. The council had no option but to do that, and the Minister cannot overcome the protest in so easy a way. After hearing the member for West Perth, I feel the residents in the area have reason for complaint. One can realise how annoying it would be to people in a residential area to have situated near them a person carrying on his trade until the early hours of the morning. I repeat, it is unfair competition. I hope the House will agree to the appointment of the proposed select committee.

**MR. F. C. L. SMITH** (Brown Hill-Ivanhoe [8.14]: None of the speakers who so far have supported the motion has adduced

any argument to justify the appointment of a select committee. Practically all that can be known about the leasing of this area is already known to hon. members; it has been disclosed as the result of inquiries made. The Minister for Lands has given the House the necessary information. In a time like this, when people are touring the country saying that the war should be the only issue before us, it is astonishing that the member for West Perth (Mr. McDonald)—the Leader of the National Party—should propose to put the country to the expense of a select committee to inquire why portion of this reserve was excised from the King's Park, vested in the State Gardens Board, and then leased to a person named Hardwick for the purpose of his conducting a cafeteria. That seems to me a rather irresponsible proposition. Members should have some understanding of the area. They talk about the principle involved in connection with Class "A" reserves and the precedent that would be established. This is a block of land about one acre in area on Mount's Bay-road situated between two garages at the foot of Mt. Eliza, and as the Minister pointed out, it was covered with rushes and used as a rubbish-tip. It is an insult to refer to it as part of a Class "A" reserve. If we had an inquiry as to how some of the people got their titles to land on either side of this block we might elicit something useful. Apparently this is the only bit of land at the foot of Mr. Eliza, at any rate in that part, that has not been alienated, and it is curious that this area situated between two garages is still part of a Class "A" reserve while all the land on either side has been alienated.

Hon. C. G. Latham: I do not think it was ever part of King's Park.

Mr. F. C. L. SMITH: I understand it is, and has been vested in the State Gardens Board. The decision of the board was a wise one. Parks are put to their proper use when they permit of the enjoyment of the people, and this area is being used for that purpose. There are ways of enjoying oneself other than by playing tennis at night.

Hon. C. G. Latham: Or marbles.

Mr. F. C. L. SMITH: The block might have been leased for night tennis, and in those circumstances there would have been just as much noise as there is now. Obvi-

ously from the patronage Hardwick is receiving, he is meeting a popular demand, and is contributing not only to the internal but also to the external enjoyment of the people.

**HON. W. D. JOHNSON** (Guildford-Midland) [8.18]: I support the appointment of a select committee. If I had had any doubt of the justification for an inquiry, the member for Brown Hill-Ivanhoe would have removed it. We should know more about this locality. I did not believe it was part of King's Park. If it became part of King's Park, how did that happen? Why was this little patch right in the thick of private blocks occupied by the breweries and by private people singled out? That is one point on which I desire more information, and it is a point on which the House should be enlightened. How did the area come to be subdivided into lots—Lots 64 and 65? If it is part of King's Park, what authority was there for subdividing it? We should inquire into these matters and obtain full information. After all, we have not dealt with the subject matter of the motion. The Minister devoted a good deal of time to talking about the State Gardens Board. The board has its strong points, but it also has many weak points, and this is one of the weaknesses. I know that the board has done good work, but I know also that on one or two occasions it has slipped. However, I do not wish to discuss that matter.

The Minister for Mines interjected.

**Hon. W. D. JOHNSON**: It does not need great cleverness to avoid slipping badly.

The Minister for Mines: Any man doing a big job is liable to slip.

**Hon. W. D. JOHNSON**: But it is possible to run a straight course at all times. One should not depart from the straight and narrow track in order to make money. That is the standard to-day—get money, no matter how. The moral standard of the community is being undermined by gambling and grasping methods, trying to get rich quick. That it is time we knew more about the public estate is evident from the debate. How did this block become a Class "A" reserve? How came it to be under the control of the State Gardens Board? Who gave the board authority?

Mr. Thorn: It just took authority.

**Hon. W. D. JOHNSON**: There is room for inquiry into the matter of outside bodies controlling what should be controlled only

by Parliament. Class "A" reserves are under our authority and until we vest them, there is no right to use them. Of course reserves are used and, where commonsense prevails, they are used legitimately and for the public good. When used for private business and private gain, however, authority has been wrongly given. Some members suggest that the concern is unobjectionable and that Mr. Shapcott did right in using the reserve for some purpose rather than allowing it to remain a rubbish-tip. That is a gross exaggeration of the position; as an area it has never been a rubbish dump. True, as the Minister for Lands pointed out, there was an overflow of debris from the surplus materials when reconstruction took place at the adjoining garage, but the greater part of the area has always been clean. I know something about it. I have wondered why such an attractive block was never built upon while less attractive blocks carried almost palatial residences. I want to know more about the area and how the State Gardens Board came to exercise authority over it. If, as members argue, the board was within its rights in making the area available for business purposes, why should Bernie have it? Who is Bernie that he should have the right of establishing a business there? Why was not the block subdivided and thrown open for public competition? Why should not other people have had an opportunity to lease it?

Mr. Withers: They had not the courage to venture it.

**Hon. W. D. JOHNSON**: How can the hon. member say that when there was no opportunity? Bernie has been singled out for special rights. Is that what the hon. member stands for? Of course not. Bernie had no special claim. If it was to be used as a business area, it should have been thrown open for public competition and all should have had a right to tender. As a matter of fact, that could not have been done because it would have been parading to the public the fact that the State Gardens Board was doing something illegal.

When it was proposed to use this piece of land, I was approached and asked whether it could be leased by the State Gardens Board. My reply was, "No. If it is a Government reserve, the State Gardens Board has no authority. If it is not a Government reserve, it is private property and the owner must decide whether it shall or

shall not be used." I never imagined that the State Gardens Board had authority to utilise what has proved to be a Class "A" reserve. I understood it was merely a piece of Government land, but not under the jurisdiction of the State Gardens Board. Therefore I want an inquiry to ascertain why a certain individual was singled out for special favour. Why should Bernie get the block?

If one knew all the circumstances, the injustice of what has been done could be appreciated. As a matter of fact this fish business was established by a struggling fisherman and his family. The first little shop or stall was erected in a very modest way by a man and his wife, and people used to call there to buy crayfish and similar requirements. The stall was open for only a limited time, but cars pulled up there and business expanded and then the present occupant came along and got an area, evidently from the same authority—both of them seemed to be on brewery land—to compete with this modest concern which, to my mind, was well conducted. The newcomer immediately put up red, white and blue lights, created a distinctive area and of course did a maximum amount of injury to the other by keeping open long after he had closed. The brewery people evidently realised how this had come about, and the injustice of it, and cancelled Bernie's right of occupation. It was then that Mr. Shapcott came along to the rescue, and used a Class "A" reserve to provide accommodation that had been denied to this class of business by the brewery people. The Minister for Lands has stated that the police investigated complaints about rowdyism and reported there was no foundation for them. It is quite illuminating to learn that, as I know there has been rowdyism. I know there has been rowdyism of a disgraceful character. I know all about it, and it shakes my confidence in the Police Department when I know that its officers state, after investigating the complaints, that there is no foundation for them. I regret that the state of the department is so lax. It is alarming to hear that the police reported to the Minister that they had responded to a call for protection from local residents and that there was no cause for complaint. The rowdyism was not on any particular night, but went on for quite a long period. My objection to this particular business is that there is no limit to the hours. What right has Mr. Shapcott to say

that that area will be thrown open for a special business to a special person, and that such person can carry on without any restriction as to hours of opening and closing but can do just as he likes. The select committee can provide members with information on a matter which has often caused wonder, as to where Mr. Shapcott's authority begins and where it ends. The motion proposes to satisfy the curiosity of members in that regard. I have seen this business from the very inception, when the fisherman and his family started a little stall. I have seen the opposition grow, and I have known of the rowdyism that occurred there all hours of the morning.

The Minister for the North-West: How do you know all this? Do you live there?

Hon. W. D. JOHNSON: Yes. I am not ashamed of the fact that I live in that vicinity.

The Minister for the North-West: I was wondering how you knew.

Hon. W. D. JOHNSON: The fact that I said I knew of this should be sufficient without my going into particulars. I am not ashamed of where I live. Everybody knows I live in Mount's Bay road. I did live in closer proximity to Bernie's than I do now, thank God! When I lived near Bernie's I got considerably more of the rowdyism than I get now. My home is removed sufficiently far to leave the disturbance to be heard by others. It is removed from my vicinity. However, I ask hon. members whether it is reasonable that a business of this kind should be conducted in that locality? It is not a credit to the State Gardens Board. Surely we do not want to create a business of that kind in this locality specially for Mr. Bernie. There was no need for it. An hon. member has said that the patronage which the business has created justifies its existence. The very fact that the man made the place so attractive is due to his not having been too particular as to hours and as to the row made. The place attracts people who would be better occupied in their beds than staying down there all hours of the night. It gives an outlet to people who would not be permitted to conduct themselves in that way in more thickly populated or business areas of the city. No part of the city would tolerate that kind of thing under such conditions. The police would immediately set to work to stop it.

I do not suggest that this inquiry is called for because of the rowdiness. That is not the point at all. The Minister for Lands tried to make the rowdiness one of the main points, just as Mr. Shapcott has tried to make a strong point of it. Rowdiness would be stopped immediately. The police are there to protect the public against unfairness of this kind.

The Minister for Lands: It was a point deliberately raised.

Hon. W. D. JOHNSON: Naturally. One could not make references to the subject without mentioning that aspect. But to say that is the issue is quite wrong. The issue is the utilisation of a Class "A" reserve for a business of this kind, or for any business at all. We want to know what authority Mr. Shapcott has to grant a business area or a business site in that locality. Then again, I do not know whether the Town Planning Commissioner has established town planning regulations for the City of Perth; but I know that in my electorate, Guildford-Midland, one cannot create a business in certain places. The municipality is divided up so that nothing of this kind can happen. When the matter was first raised in regard to Mount's Bay Road, I immediately thought it would conflict with the zoning under the town planning regulations which apply in other municipalities. I have since found that there is no such thing in the City of Perth. The sooner we have some zoning and regulation there, the better it will be for the city.

With regard to this particular reserve, there is quite a lot that Parliament should know, and there is quite a lot the public should know. Mr. Shapcott should state his case. The select committee will not prove a highly expensive one. There will be no travelling, and no need for any special expenditure by the Treasury. Without being an expense, the select committee will give Mr. Shapcott an opportunity to justify his action and give us an opportunity to see how far we can allow Class "A" reserves to be administered in the way this one has evidently been. The Minister for Lands knows that because of laxity regarding these matters and because of want of proper investigation a great deal of injury can be done to individuals. In my own electorate to-day there is a difficulty causing me much anxiety and concern. It has arisen purely because the matter had not been thoroughly investigated, and something has

been done on the same lines as in this case, though not exactly. Nevertheless the difficulty has arisen because of the wrong utilisation of an area of reserved land injuring the adjoining ratepayers. Now there is talk of litigation, and of all kinds of trouble involving the Lands Department, the local governing body, and the ratepayers, besides causing the member for the district a great deal of anxiety. We require a little more strictness in matters of this kind, and my belief is that a select committee will enable us to go into just that aspect. Further, it will give us an indication of whether we want to probe more deeply into the subject, whether this is not just one of those illustrations that happily occur to enable us to be more strict in regard to the public estate than evidently we are to-day, when not only do we permit this kind of thing to be done, but try to justify it. I see grave danger when an attempt is made to justify something that is obviously wrong, and therefore I support the appointment of a select committee to inquire into the matter.

MR. HOLMAN (Forrest) [8.41]: After looking at the terms of the motion in the first place, and hearing the debate in the second place, I begin to wonder whether my eyes or my ears are deceiving me, and whether this is a motion affecting a reserve or one affecting Mr. Shapcott.

Hon. W. D. Johnson: Both.

MR. HOLMAN: To me it seems most strange that we have to await an occasion where petty jealousy is one of the main reasons for a select committee to find out that there has been something wrong for years past. I wish to tell members who are older than I am that if they had so much concern for this subject, it was their duty to look into it before, and not to wait until now.

Hon. C. G. Latham: When a class "A" reserve is concerned, how can you tell without going down to the Lands Department and making a search?

MR. HOLMAN: The Leader of the Opposition is always too busy to look into things. I remember that on another occasion, relative to superannuation of soldiers, the hon. member said it was not his job to go down to the place to find out. I took the trouble to find out for the sake of electors of mine who are soldiers. If in this case my constituents were concerned, I would make



inquiries about the Class "A" reserve. It almost appears as if some members have got too old to enjoy going down to the place in question to have a meal, and that they want to debar others from doing so.

Hon. W. D. Johnson: Young man, you are living in the past!

Mr. HOLMAN: Candidly, I have been there many times for a meal myself, and in the future I may go there again, because I enjoy it.

Member: Did you only have a feed.

Mr. HOLMAN: Some interjections are prompted by the conscience of the member who makes them. It does seem strange that such a small matter as this has been raised where an enterprise is giving to the average working man or the average man about town something that he enjoys. There was no call for any investigation when the Nedlands Golf Club was given a lease of a Class "A" reserve. I was blocked from joining that club because I could not afford the membership fee. Similarly, other persons are debarred from joining the King's Park Tennis Club; and there are various other cases. Oh no, we will not touch those things; but we will touch this simple case of a man who has had the enterprise to serve the public. Right in the centre of Barrack-street, just away from Wellington street, a similar place has been open for many months. Law did that. He was mixed up in a divorce case recently.

Hon. C. G. Latham: You would know all about that!

Mr. HOLMAN: I would, because I go about with my eyes open. If I am out late at night, I go out in the streets. Other members may not be in the streets at such hours. The member for Guildford-Midland (Hon. W. D. Johnson) has taken this opportunity to put Mr. Shapcott in the limelight. At the moment I am not concerned about Mr. Shapcott; but the member for Guildford-Midland is using this debate for that purpose. I do not believe that any such intention was in the mind of the mover of the motion. I acquit him of any such intention; but I have given consideration to the facts that he has placed before the House and from these I gather that the main cause for complaint is the noise occasioned by the conduct of the business. He asked us, as individual members, to place ourselves in the position of the neighbours in that area.

Member: There is a lot of noise in your speech.

Mr. HOLMAN: Much noise can come from the hon. member, whose for the moment has put me off the track. I made it my business to sit in my car close to the area for an hour or so solely to listen to the noise. I happen to know Bernie; I went to school with him. I admire the way in which he has struggled and got on top, and shall not see him put down without a struggle. Another point was raised. The Minister said someone was a nervous wreck as a result of the noise. There may be other reasons why that person is a nervous wreck. It may be because she could not get Bernie to lease her property at £10 a week. Had he done so, probably the person in question would not be a nervous wreck. I would like to know the real instigator of the request for the select committee and how he approached the member for West Perth to get him to move for it. I do not blame the member for West Perth; he is so unfortunate as to be the member for West Perth.

Mr. F. C. L. Smith: Would not the select committee clear up the reason for the nervous wreck?

Mr. HOLMAN: It probably would. The point is that now the facts of the matter have been made public, the person in question would probably be such a nervous wreck as to be unable to give evidence before a select committee. With regard to the noise, I give my evidence, as the member for Guildford-Midland gave his. I went to the area on one particular night, but the business was closed. I therefore went on another occasion and did hear a slight disturbance, which was quickly checked by the proprietor. The proprietor did not know that I was in the vicinity. There is a Class "A" reserve at Nedlands, close to where I live. That reserve is split up for the Nedlands Tennis Club, the Nedlands Bowling Club, the Nedlands Golf Club and the Infant Health Centre.

The Minister for Mines: I am allowed to roam about there at will playing bowls.

Mr. HOLMAN: The Minister is probably an exalted personage. Some of my neighbours once walked across the golf club grounds and were severely rebuked for doing so. Whether the club's action was legal or not, I cannot say. The club has lately grown a large hedge alongside my property, and I am consequently deprived even of the privilege of watching the members play golf. When this motion is dis-

posed of, I have in contemplation the moving of a motion for a select committee to inquire into the reason why I cannot watch those members playing golf. Such a motion would, in my opinion, be as sensible as this motion. The club even has a liquor license; and I ask members to bear in mind that this is a Class "A" reserve. I am kept awake at night by the screeching of members, loud music and so on. I have to put up with such disturbances not only until midnight, but until 1, 2 and 3 o'clock in the morning. As the night wears on and the taps run out, the noise becomes worse. Residents in the neighbourhood of that Class "A" reserve I daresay are just as timid, if they want to be, and just as responsible, as they should be, as the people living in the vicinity of the Class "A" reserve which is the subject of the motion.

Hon. C. G. Latham: You could tack your motion on to the present one.

Mr. HOLMAN: It is not my desire to waste the revenue of the State by select committee inquiries.

Hon. C. G. Latham: It will not cost anything at all.

Mr. HOLMAN: Only the other day the Leader of the Opposition said that he did not want to waste his time on a select committee.

Hon. C. G. Latham: I did not say anything of the sort.

Mr. HOLMAN: The question was raised about his being a witness before a select committee.

Hon. C. G. Latham: I said that I had a bigger responsibility; I am responsible to my constituents. I would never have you as a member of a select committee.

Mr. HOLMAN: The Leader of the Opposition sometimes favours select committees.

Hon. C. G. Latham: Sometimes they are necessary.

Mr. HOLMAN: Especially when an election is pending. The member for Guildford-Midland said that this reserve was not a rubbish dump at all. I point out that it was at one time infested with and was a breeding place for mosquitoes.

Mr. Tonkin: How do you know?

Mr. HOLMAN: I have been told a few things, too.

Mr. Tonkin: I thought you were down there.

Mr. HOLMAN: Sometimes people's thoughts stray; but I did not stray down there. Bernie has actually done the locality a good turn; he has substituted customers for mosquitoes. His tenancy is only from week to week; and should his business become a nuisance the authorities have power to terminate his tenancy. There is another objection to which I wish to reply; it was raised by a member on the Opposition side. His interjection was to the effect that the assistants engaged by the proprietor of this business had to work unlimited hours. As a matter of fact, they start at a certain time and finish at a certain time. They merely work their shifts.

Hon. W. D. Johnson: Is that your opinion? Would you agree to that standard in the Arbitration Court?

Mr. HOLMAN: If it were the ordinary shift, I would have to agree.

Hon. W. D. Johnson: Would you keep the business going?

The DEPUTY SPEAKER: Will the member for Forrest please address his remarks to the Chair?

Mr. HOLMAN: If a business is conducted with a reasonable spread of hours, the Arbitration Court would not object.

Hon. W. D. Johnson: Then, in your opinion, the Early Closing Act is wrong?

The DEPUTY SPEAKER: Will the member for Forrest please resume his seat? Hon. members are continually interjecting, interrupting and making a noise while the hon. member is addressing the chair in a proper manner. I have repeatedly called members to order. Hon. members should at least have some sense of dignity and display respect to the Chair. It should not be necessary for me continually to call them to order, and I warn members that I have called order for the last time this evening. If members persist in interjecting and making a noise while a member is addressing the Chair, I shall have to take action. The member for Forrest may proceed.

Mr. HOLMAN: I am thankful for that dressing-down of members.

The DEPUTY SPEAKER: The hon. member may proceed.

Mr. HOLMAN: Apparently Bernie's caravan is not the only place where there is a lot of noise. The member for Guildford-Midland mentioned industrial standards. In many industries workers must toil until the small hours of the morning.

For instance, the men employed by the West Australian Newspaper Company work in shifts. They finish work in the small hours of the morning, after which they can get a cup of coffee at Bernie's caravan. Bernie is rendering that service to the public. A point was raised about the garage next door. It now shuts at 8 p.m. and therefore does not cause any annoyance. But it was not always so. Before garages were compelled by law to close at 8 p.m., there was the noise of cars entering and leaving the garage; and if the proprietor was asleep, he was liable to be called out to supply petrol. Nobody has complained about that. It seems strange to me that almost every member who has spoken against the motion has qualified his remarks by saying that exception could not be taken to the management of the business. Another such business was established in the main highway; it proved to be a source of danger to the public, because motor cars pulled up in the road alongside the stall. Bernie's caravan, however, is conducted on cleared land, upon which much money has been spent to make it attractive. Cars can drive in and out without danger to the public. As a matter of fact, the member for West Perth said he had observed patrons seated in vehicles in the area enjoying themselves. He also said that the patrons conducted themselves well. That is a fact. Looking at the matter from a legal point of view, I do not think the public is deprived in any way of the use of this Class "A" reserve because in the future any person will still be able to enter that reserve in his car, or if he desires to do so will be able to sit on the ground and nobody will be able to shift him. But that does not happen in King's Park when there is a tournament in progress. I cannot sit in the middle of the King's Park tennis court, or even go inside unless I pay an admission fee.

Mr. J. Hegney: You cannot sit on the road outside, either.

Mr. HOLMAN: No.

Mr. J. Hegney: You must exercise common sense.

Mr. HOLMAN: Mr. Shapcott has been drawn into this matter. Mr. Shapcott has assisted the Premier to get a little extra revenue. Evidently he considered the proposition and said, "We can get some revenue out of this," and he has done so. I venture to suggest that if the persons who desire a select committee had thought of

conducting this business themselves in the first place I would not be here to-night talking about the matter, nor would it have been discussed by anybody else. Further, if Bernie's caravan had been established on a private block of land belonging to friends of some of our hon. members —

Hon. C. G. Latham: That is a very bad imputation.

Mr. HOLMAN: It is not. If the caravan were on land belonging to friends of some hon. members, and they were drawing a big rent from it, nothing would be said. The matter would not have been discussed if the block had been owned by some of the people who live in the vicinity and who already own immense areas of land. In that case it would be a different story altogether.

Hon. C. G. Latham: You are not doing yourself justice now.

Mr. HOLMAN: Only because this happens to be a Class "A" reserve has all the fuss been made. But for that, Bernie's caravan could have continued indefinitely and nothing would have been said. Speakers in favour of the proposition are at variance. The member for West Perth (Mr. McDonald), in reply to an interjection as to who constituted the State Gardens Board, said that the inquiry would probably reveal that fact. A little later he said he did not want to talk about the State Gardens Board. But the member for Guildford-Midland (Hon. W. D. Johnson) does. There is another point. Bathing sheds are erected on beaches which are Class "A" reserves but nothing has been said about them because they are performing a service for the public. Bernie's caravan is also serving the public. I do not like mentioning the war but I would point out that our troops are fighting for what we term democracy. Democracy includes the freedom of the people to enjoy themselves, the freedom of the individual who cannot go to the Adelphi and pay fabulous sums for his supper and who therefore goes to Bernie's caravan to obtain refreshment. I do not wish to imply that the only people who go to Bernie's caravan are those who cannot afford to buy expensive meals, because my observations have convinced me that many well-known people frequent the caravan and conduct themselves in a perfectly orderly manner. As a matter of fact the number of people who visit the place is an

indication that there is nothing wrong with it and that it is performing a useful service. I hope the motion will not be carried.

**MR. TONKIN** (North-East Fremantle) [9.10]: I move—

That the debate be adjourned.

Motion put and a division taken with the following result—

Ayes	..	..	..	..	21
Noes	..	..	..	..	14

Majority for .. .. . 7

#### AYES.

Mr. Berry	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Panton
Mr. Fox	Mr. Rodoreda
Mr. J. Hegney	Mr. F. C. L. Smith
Mr. W. Hegney	Mr. Tonkin
Mr. Holman	Mr. Willcock
Mr. Johnson	Mr. Wise
Mr. Lambert	Mr. Withers
Mr. Leahy	Mr. Wilson
Mr. Millington	

(Teller.)

#### NOES.

Mr. Abbott	Mr. Raphael
Mr. Boyle	Mr. Sampson
Mrs. Cardell-Oliver	Mr. J. H. Smith
Mr. Latham	Mr. Thoru
Mr. McDonald	Mr. Watts
Mr. McLarty	Mr. Willmott
Mr. North	Mr. Doney

(Teller.)

#### PAIRS.

AYES.	NOES.
Mr. Hawke	Mr. Hill
Mr. Syme	Mr. Stubbs
Mr. Sleeman	Mr. Patrick
Mr. Collier	Mr. Keenan

Motion thus passed: the debate adjourned.

### BILLS (4)—RETURNED.

- 1, Financial Emergency Tax Assessment Act Amendment.
- 2, Coal Mines Regulation Act Amendment.
- 3, Mine Workers' Relief (War Service).
- 4, Mine Workers' Relief (Payments Authorisation).  
Without amendment.

### RETURN—MINISTERS AND PUBLIC SERVANTS.

#### *Visits to Eastern States.*

Debate resumed from the 28th August on the following motion by Hon. W. D. Johnson (Guildford-Midland):—

That a report be prepared giving information regarding the visits made to the Eastern States by Ministers and public servants on

public business from the 1st July, 1939, to the 30th June, 1940, such return to indicate—

- 1, Department concerned;
- 2, Reason for the visit;
- 3, Period of absence from office;
- 4, Expenses of visit over and above ordinary salary;
- 5, Whether a full report of the business was prepared for direct submission to Parliament.

**HON. W. D. JOHNSON** (Guildford-Midland—in reply) [9.13]: In closing the debate I wish to say that I was disappointed that the Premier did not give closer attention to the subject matter of the motion. I did not complain either in the motion or when speaking to it about trips made to the Eastern States. I do not oppose such visits, but I want to know what matters are discussed during these visits. Members ought to know more about this sort of thing than they do. I have been a member of Parliament for a long time and I know less about the general administration than I have ever done. That is due to the fact that so much of our administration is either directed or influenced by discussions and consultations with people in other parts of Australia. That may be necessary; but I submit that we should have a record of the discussions. It is not right to argue, as the Premier has done, that there is a record in the Press. Surely members of Parliament have not to go to the files of the Press to refresh their memories in regard to matters which Ministers or public servants are called to the Eastern States to consider. Actually what I want, and what Parliament should ask for is a yearly record of the discussions that take place outside Western Australia, in order that comparisons may be made. We should be able to decide whether we are expanding in the right direction, and whether other authorities are encroaching too much upon matters that are still a State responsibility. We want a record of that kind. I have asked for a return concerning the visits of departmental officers. The main department concerned would be the Treasury. We know the Loan Council directs the Treasury by constitutional authority. The representatives of other departments are also called to the other States for consultations and discussions. We want to know the extent to which those departments are involved in discussions outside the State. We should have a record, not in the public Press, but in this House, showing the reasons for

these visits. We should have the names of the departments and the reasons why their officers were called away to the Eastern States, and the subjects under discussion. We are also concerned about the period of absence from the State. Questions may arise as to whether administrative officers are devoting more time to discussions outside the State than they are devoting to discussions inside it, and whether there is not some reason for Parliament taking official notice of such a thing. We want to know what it is costing the State which, because of its isolation, is obliged to send its representatives on frequent visits to the Eastern States. From the disabilities point of view we should know what these costs are each year, so that by getting returns annually we can from time to time make comparisons of the amount of money expended by the State over and above ordinary salaries and allowances on trips of this kind.

The next question is the one to which the Premier devoted most attention. He said I required reports placed on the Table of the House concerning all these questions. The motion does not say that. What I want is a return showing whether reports were prepared. I want the House to know the subjects discussed and by what departments they were discussed, and I want to ascertain whether we have been taken into consideration at all, and whether Parliament has been thought of. We want to know whether a full report of the business was prepared for submission to Parliament. We know that at present reports are not submitted, that we have been ignored, and are not part of the administration outside the State. I want members to realise how much of the business done on behalf of the State is done under the direction of this Parliament, and of how much of the affairs of the State we are losing control. When this return is furnished, as I hope it will be, we shall know that no special report was made for submission to Parliament. I venture the opinion, however, that that will not be the position next year. It will be brought home to us that so much was done, and that very little was recorded from the Parliamentary point of view. That will cause the Government of the day and its officers to realise that Parliament must be taken into consideration, that members have a responsibility, that part of their responsibility is to understand and keep track of all the

activities associated with the administration of the State. I am not complaining. All I want is the record. We should know what is being done, and only by getting a record of this kind from year to year can we compare one year with another, know how far we are going and where we are going. I hope the Government will not oppose the motion, and that this valuable information will be available to members and the general public.

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

Ayes	..	..	..	..	15
Noes	..	..	..	..	20

Majority against .... 5

AYES.	
Mr. Abbott	Mr. McDonald
Mr. Berry	Mr. McLarty
Mr. Boyle	Mr. North
Mrs. Cardell-Oliver	Mr. Sampson
Mr. J. Hegney	Mr. Watts
Mr. Johnson	Mr. Willmott
Mr. Latham	Mr. Doney
Mr. Mann	

(Teller.)

NOES.	
Mr. Coverley	Mr. Raphael
Mr. Fox	Mr. Rodoreda
Mr. W. Hegney	Mr. Shearn
Mr. Hobnan	Mr. F. C. L. Smith
Mr. Lambert	Mr. Tonkin
Mr. Leahy	Mr. Warner
Mr. Millington	Mr. Willcock
Mr. Needham	Mr. Wilson
Mr. Nuisen	Mr. Wise
Mr. Pantou	Mr. Cross

(Teller.)

PAIRS.	
AYES.	NOES.
Mr. Patrick	Mr. Sleeman
Mr. Hill	Mr. Hawke
Mr. Stubbs	Mr. Styanis
Mr. Keenan	Mr. Collier

Question thus negatived.

## MOTION—HEALTH ACT.

### *To Disallow By-law.*

Debate resumed from the 28th August on the following motion by Mr. J. Hegney (Middle Swan):—

That the new by-law 1A, Section C, Part IX., made by the Bayswater Local Board of Health under the Health Act, 1911-1937, and published in the "Government Gazette" on the 24th day of May, 1940, and laid on the Table of the House on the 30th day of July, 1940, be and is hereby disallowed.

**THE MINISTER FOR HEALTH** (Hon. A. H. Pantou—Leederville) [9.26]: Initially I may say that Section 185 of the Health Act reads:—

A local authority may, of its own motion, and shall when the Commissioner of Public

Health so requires, make by-laws with respect to the following matter:—Defining localities in the district within which the keeping of swine or pig-sty is forbidden.

As stated by the mover, pressure was put on the local authority to make such a by-law by the Commissioner of Public Health, and the reasons for doing so in my opinion quite justified his action. I think hon. members will agree that there is always some nuisance from time to time inseparable from pigsties, whether they be well kept or not, and even when they comply with the by-laws. The area in which the two piggeries in question are situated is now definitely a residential area, from which offensive trades should be excluded, as their presence undoubtedly retards residential development. The question is not new by any means, as the Commissioner of Public Health has been dealing with it over a considerable period. Complaints have been received as far back as March of 1939, following the announcement by the Bayswater Road Board of the establishment of a "mixed area" which included the piggeries complained of. As a result of the complaints the piggery which has been causing most of the trouble was inspected, and the inspector's recommendation was that the only solution would be for the Bayswater Health Board to declare the area in which the piggery was situated a locality in which swine must not be kept, and give the owner 18 months to vacate the premises. The Bayswater Road Board was instructed on these lines by the Commissioner of Public Health in April of 1939, and the Town Planning Commissioner concurred in the action taken. On the 9th January of this year, further complaints having been received, the Commissioner of Public Health advised the board that the period allowed for the vacation of the piggery premises would be extended to the 1st July, 1941, and no longer, and a resolution to this effect was approved by the Lieut.-Governor on the 15th May, 1940. So that in fact 18 months was allowed for the purpose. There is no doubt that the by-law is warranted, as since these piggeries were established residential areas in Bayswater have expanded. The member for Middle Swan has himself admitted that there is a bus service in the district, and I feel quite sure that the bus service would not be running if the number of people resident in the district did not warrant it. The hon.

member, however, also stated that there were not many residents in the area in question. Now an argument is put up by him that certain people made complaints that the local health officer was not doing his duty. My information is that no complaints were made about the local health officer. The complaints were about the offensive smell from the piggery. It may be inferred that in view of that offensive smell the health officer could not have been doing his job; but the fact remains that no complaint at all was made against the health officer, and that the complaint was against the offensive smells from the piggery.

The mover also stated that the complaint was made by a certain individual who desired to get rid of someone else. I took the trouble to visit some of the people in that area. After talking the matter over with these people, my opinion is that there was nothing personal about the matter at all, and that it was a simple case of complaints against the offensiveness of a piggery. My belief is that there is no question of any individual whatever. In fact, a remarkable thing is that an election was fought on the question of the removal of the piggery. The contest took place on the 15th April, 1939. I have been fortunate enough to secure a manifesto issued relatively to that election. The president of the local progress association was the retiring member, and he was opposed by Mr. Willoughby Lance. I will quote Mr. Lance's manifesto.

Mr. Sampson: Will you not read the first paragraph of it?

The MINISTER FOR HEALTH: There is a great deal of the manifesto.

To the Ratepayers of the North Ward: All industries that were in existence in the residential area of the ward when such was gazetted, are adequately protected by that scheme (see Gazette 12/4/35). That scheme now in existence gives justice to all. The majority of the residents in the residential area are residents only, and there is nothing in the present scheme to prevent farming of any kind other than those classed as offensive or requiring a special license, being carried on; and there is ample provision in the present general purposes area for these. It would be a grave injustice to the present residents to depreciate their property and spoil their homes by imposing offensive trades in their midst. I have no hesitation in opposing any proposal that is likely to prevent the healthy development of our district northwards from Inglewood, Bedford Park and Streatley Park, which is already at the boundary of the north ward. Do not believe those who tell you that this ward is only suitable for pigs, dairies and

similar trades, or sand pits. This question is of outstanding importance at the present moment, and you may rest assured that I stand for the healthy development and the general welfare of a better Bayswater and the north ward in particular.

A very excited election, evidently! That candidate won by five to three. That gentleman had a mandate to get rid of the piggery, and was justified in moving as he did. He has the credit of fighting a strange election and winning by five to three.

Mr. Needham: How many ratepayers voted?

The MINISTER FOR HEALTH: This gentleman beat the president of the progress association, and that is sufficient, irrespective of the interjection. The Health Department has the responsibility of conserving the health of the people; and where we, as a department, believe that in the best interests of the people of the State or of a district an offensive trade should be moved further on, we have never hesitated to say so. That is the position in this instance. Surely members are not going to argue that because somebody set up a piggery 14 years ago, that piggery has to remain until the district grows all around it. As a matter of fact, when I built my home in 1914 the sanitary depot at Mt. Lawley had been removed. If that had not been done, there would be no Mount Lawley to-day.

Mr. J. Hegney: And it took a lot of shifting.

The MINISTER FOR HEALTH: But the depot was shifted, and Mount Lawley is a particularly fine suburb to-day. The Minister for Works lives in another desirable suburb from which piggeries were removed long ago, and they are now located at Wanneroo. That is what is happening at Bayswater. I am surprised that the member for Middle Swan (Mr. J. Hegney) should endeavour to have the regulation disallowed. If I had my way the piggeries there would be shifted straight away, but they have till July, 1941, before they need be moved. Parliament owes a responsibility to the Health Department to assist in the conservation of public health. People who have already erected homes should receive protection from any nuisance that is apparent. The persons owning the piggeries can secure over 600 acres in a part of the district not so very far away from where they are now operat-

ing. As residential areas expand, piggeries must be moved further back.

I have been astounded at the attitude adopted by some local governing bodies, including the Perth City Council. During the short time I have been Minister for Health, I have had occasion three times, in conjunction with the Commissioner for Public Health, Dr. Atkinson, to step in and take charge of operations. A little while back I looked at one depot in Subiaco that had been vacated by the Nedlands Road Board. It was one of the most disgraceful places I have ever seen. The rats there were almost as big as rabbits, and no one seemed to care. A three-wire fence had been established around the place. I do not know whether the object was to keep the rats in or out. However, the department had to step in and take action. Then, again, the Kent street school, which is a very fine building, was recently erected in Victoria Park. I was asked to inspect the place the other day and I found that 2,000 sanitary pans pass the door during the day, not during the night. The City Council authorities thought it was all right, but it was not all right.

Mr. Sampson: This motion does not deal with sanitary matters.

The MINISTER FOR HEALTH: But it is just as bad. I am giving members some idea of what local governing authorities will do. Should the central health authority become lax, the local governing bodies become lax too. The conservation of the health of the people is my first job and my big job.

Mr. Mann: It is of first rate importance.

The MINISTER FOR HEALTH: In these times when we have large aggregations of men in camps, we must be particularly careful. Epidemics are apt to start in and out of camps, and we must guard against possibilities. Every precaution should be taken, and I appeal to the House not to disallow the regulation but to allow one piggery to be shifted.

MR. SAMPSON (Swan) [9.40]: The Minister said that he had discussed this matter with certain people. Has he visited the area? Can he say from his own knowledge that the action taken was thoroughly justified? No one will deny that conditions surrounding piggeries are not always pleasant, but we must give consideration to the position as it exists to-day. The Minister read the mani-

festos issued by Mr. Willoughby Lance and the first paragraph of that document is of importance. It reads as follows:—

To the ratepayers of the North Ward. All industries that were in existence in the residential area of the ward when such was gazetted are adequately protected by that scheme (see Gazette 12/4/35) that scheme now in existence gives justice to all.

I desire to read the regulation as it existed at that date.

The Minister for Health: Read the lot.

Mr. SAMPSON: Very well.

Mr. DEPUTY SPEAKER: Those regulations are really not under discussion. I hope the member for Swan will link them up with the motion.

Mr. SAMPSON: Yes, they were referred to by Mr. Willoughby Lance in his manifesto. The regulations which appeared in the "Government Gazette" on the 12th April, 1935, read—

(a) No portion of the road board district shall be used for industrial purposes, except those lands coloured purple, and excepting the areas defined in the schedule. Industrial purposes shall mean any work, manufactory or industrial enterprise not included in a shopping or business area.

(b) No noxious trade as defined by the Health Act shall be established in any residential or shopping area, and shall be confined to the gazetted industrial area, and in such location as the road board may deem best in the interests of the ratepayers and public health.

(c) Any noxious trade must provide for drainage disposal and the elimination of smoke and odours which the road board may consider detrimental to residential areas of the general amenity of the road board district.

Next is the paragraph that I desire particularly to read as being of special significance—

(d) Where an industry is established at the date of the gazettal of the town planning scheme, the land shall not be used for any other industrial purpose or change of purpose without the approval of the road board in terms of the scheme.

The Minister for Health: The town planning scheme!

Mr. SAMPSON: Yes.

The Minister for Health: You do not suggest that piggeries are included in a town planning scheme?

Mr. SAMPSON: I shall quote a statement by the Town Planning Commissioner himself. This matter concerns two piggeries, one carried on by a man named Hatch and his family and the other by the

brothers O'Neil. The reference by the Town Planning Commissioner was made during the course of his evidence before the Joint Committee that considered the alternative sites for the erection of public buildings.

The Minister for Health: But he is not the Commissioner of Public Health by a long way.

Mr. SAMPSON: No, but the Town Planning Commissioner is a very observant man, and the Minister himself has not hesitated to quote the remarks of that officer.

The Minister for Health: I said he concurred.

Mr. SAMPSON: The member for Middle Swan has the support of the Town Planning Commissioner.

The Minister for Health: I bet he has not.

Mr. SAMPSON: During the course of the evidence given before the Joint Committee the following question was asked of Mr. Davidson by Mr. Patrick—

The huge stores in Sydney are miles apart?

The Town Planning Commissioner replied—

Now you are beginning to get to it. We will have a store in Victoria Park like Grace Bros.'

The evidence continues—

And at Inglewood?—Never at Inglewood. There are swamps through Bayswater, and the topography of Bayswater definitely prevents any type of ordinary development. You will have your dairy and pig farms there for the next 25 to 40 years. That has been sworn to in the High Court action, the Taxation Commissioner v. Gold Estates.

The Minister for Health: The fact remains that houses are being built there today.

Mr. J. Hegney: No, they are not.

The DEPUTY SPEAKER: Order!

Mr. SAMPSON: I hope the Minister has not failed to note what the Town Planning Commissioner said.

Mr. Mann: He is not the greatest authority in Australia.

Mr. SAMPSON: He is one of the authorities in Western Australia; there is no question about that. How can anyone, in face of that evidence, say that these men should be deprived of their livelihood? Having heard the speech of the member for the district, I considered the position a most unfair one, and felt I would like to ascertain for myself what the conditions were. By means of my speedometer, I



found that from the extreme point of settlement at Inglewood—or what might be termed the extreme point—the distance to these piggeries is two miles.

Mr. Cross: Are you supporting the motion?

Mr. SAMPSON: Of course I am.

Mr. J. Hegney: Any common-sense man would.

Mr. SAMPSON: I have sympathy for people who live in the vicinity of a piggery. Something is to be said on their behalf; but what of those who have put their money into a piggery, after having obtained a license to carry on the trade? The evidence given by the Town Planning Commissioner cannot be overlooked. Let us consider what the Minister has acknowledged. He told the House that the local authority may, and, when instructed by the Department of Public Health, shall, issue a regulation preventing persons from carrying on a noxious trade. It appears to be a fact that the local authority in question has no desire to close down these piggeries.

The Minister for Health: Some local authorities have no desire to do many things.

Mr. SAMPSON: I do not want the Minister to contradict what he said. He said the local authority, the Bayswater Road Board, was instructed to take this action.

The Minister for Health: It was.

Mr. SAMPSON: The board did not see the justification for the action. What is the Department of Health going to do for these unfortunate people, who were granted a license to carry on this business?

The Minister for Health: Fourteen years ago.

Mr. SAMPSON: No; I understand the O'Neill Bros. have been carrying on their piggery for four or five years. The piggery is, so to speak, situated in the bush. How long does the Minister say they have been established there?

The Minister for Health: One of them has been there 14 years.

Mr. SAMPSON: No. These men came from the goldfields.

The Minister for Health: One has been there 14 years.

Mr. SAMPSON: These men came from the goldfields with such money as they possessed and purchased a piggery. I do not know exactly how long it has been established.

The Minister for Health: Fourteen years.

Mr. SAMPSON: I am very doubtful.

The Minister for Health: Thanks very much.

Mr. SAMPSON: Not at all. Is the Minister positive that this piggery has been established for 14 years? I do not believe it has.

The Minister for Health: The member for Swan said so.

Mr. SAMPSON: I looked at the fences which subdivide the piggery conducted by O'Neill Bros. and the timber did not look as if it had been exposed to the weather for 14 years. As I say, these two men came from the goldfields, where they had saved enough money to establish themselves in this business. I believe the piggery is conducted in accordance with the requirements of the Health Department; but, if not, what is the department doing? Why does it not issue an order? No; it sits back and directs that these people shall be evicted. That spells ruin for them. I repeat, they should be granted compensation. The department has power to prevent them from carrying on their business after the 1st July next. That is all very well from the standpoint of the Minister, but what of those directly concerned? The matter is serious. One man has a wife and family. In the other instance, two single men are struggling to build up a business. Now, without justification, they are being compelled to move out, notwithstanding the local authority is of opinion that they should be allowed to continue their business. They are ordered to leave, despite the fact that the Main Roads Department constructed a road from the piggeries—I think the locality is named Morley Park—to the abattoirs at Midland Junction. Does the Minister say that that must be thrown away? As I said, I have sympathy for those whose homes are close to a piggery. I admit I have had something to do with pigs in my life.

Mr. Watts: Two-legged or four-legged pigs?

The Minister for Health: Did they smell any sweeter than these?

Mr. SAMPSON: I shall not be personal. This case requires—

The Minister for Health: Drastic action.

Mr. SAMPSON: —fair consideration. O'Neill Bros.' piggery is practically in the bush. I think there are either four or five houses near the piggery carried on by Mr. Hatch. Both piggeries are licensed; and if they were not conducted properly,

then it was the duty of the Department of Health to insist that they should be so conducted. Is the Minister for Health going to sit quietly by and allow the department to throw these men out of the business they have built up without giving them any consideration whatever? Has the Minister inspected these places? I hesitate to ask him the question for fear that you, Mr. Deputy Speaker, will object, but since he has remained silent I can only imagine he has accepted reports made to him.

Mr. Thorn: Is it the Minister's job to inspect these places?

Mr. SAMPSON: It is the Minister's job to make sure that justice is done. These people are to an extent the subjects of the Minister inasmuch as he is one of the Cabinet, and he should see that they receive the consideration which the member for the district says they should have.

Mr. Raphael: There are a couple of fowl-yards on the Albany road he should have a look at.

Mr. SAMPSON: Yes, they will be the next places to be closed if the Minister has his way or if someone recommends to him that they should be closed. We may find that the poultry-yards at Morley Park will be closed down though they have received no notice yet. Some of those poultry-yards were previously piggeries. Keeping pigs is not the easiest way of making a living. Anyone who has been engaged in that industry, either for a short or a long period, will agree with me that it is difficult. I appeal to the Minister to give these men—who are citizens of the State and are striving to make a living—some consideration, either by way of compensation or by allowing them to continue on their holdings. Why should they not have compensation? Why should they be thrown out, seeing that at long last a road that enables the pigs to be carted to the abattoirs has been constructed by the Main Roads Department? Would that road have been made but for the primary industries that are carried on at Morley Park? Is the Minister concerned about what will happen to these people? The O'Neill brothers are fine young Australians who are engaged in this work, at no great detriment to anyone else. It seems that when anyone tries to do something a restraint is placed upon him. If these men are not allowed to continue we should give consideration to providing them with a fair and reasonable com-

penensation for depriving them of their living. If these people are compelled to go, what about the buildings, the fences and all the equipment they have gathered together to enable them to carry on? Is no consideration to be given to that aspect? Are these people national enemies or are they Australians, the same as we are? Is any justice to be found anywhere? These people will be thrown out. Why?

The Minister for Health: It is no use trying to work us up.

Mr. SAMPSON: If the Minister had visited these places I think he would feel a little more concerned. The regulation says—

Where an industry is established at the date of the gazettal of the town planning scheme, the land shall not be used for any other industrial purpose or change of purpose without the approval of the road board in terms of the scheme.

Now the road board, under duress, under instructions from a department which is determined to prevent these people from carrying on, has made a by-law which this House is being asked to disallow. I hope it will be disallowed, unless the Minister says he will take steps to introduce to Cabinet the matter of paying compensation to those who are to be unfairly deprived of the opportunity to earn their living in a business which has been approved by the department.

Mr. Raphael: A smelly one, though; you must admit that.

Mr. SAMPSON: Just so, but pigs are not the only animals to which objection can be raised. Thousands of pounds have been spent on these roads. They are very good ones, but I question whether a bus could make much money running out there. It is a nice bucolic or rural area.

Mr. Needham: That is very nice.

Mr. SAMPSON: Yes, and in time there will be developments. I think there are already signs of such development. There are houses near Mr. Hatch's piggery but the O'Neill brothers are practically in the bush. These people have done no wrong. All they have done has been to carry out their work in this industry. Licenses have been granted to them and now an agitation has been set up. I suppose as a matter of fact there is always a reason why a piggery should be removed; but I question the fairness of what is being done, and I ask the Minister especially to note the remarks made by the Town Planning Commissioner that for 25 to 40 years there would be no chance—

The Minister for Health: Of Grace Bros. going out there.

Mr. SAMPSON: He said nothing of the sort. He was speaking then about Victoria Park. He said that a company like Grace Bros. would establish itself in Victoria Park.

The Minister for Health: Someone asked him about Inglewood and he said, "No."

Mr. SAMPSON: He said—

There are swamps through Bayswater and the topography of Bayswater definitely prevents any type of ordinary development. You will have your dairy and pig-farms there for the next 25 to 40 years. That has been sworn to in the High Court action the Taxation Commissioner v. Gold Estates.

The Minister for Health: At one time there were swamps where the G.P.O. is now situated.

Mr. SAMPSON: I am aware of that, but that does not concern this motion. I do not think the House will approve of the very harsh treatment being meted out to these hard-working people.

The Minister for Lands: I thought you were recommending this as a residential site?

Mr. SAMPSON: Not at all. As a rule the Minister for Lands is quick to appreciate anything that is said.

The Minister for Lands: You were referring to the bucolic outlook.

Mr. SAMPSON: Yes. It is a truly rural area, but it will grow, and particularly that part at Morley Park. I appeal to the Minister, in the hope that he will have some sympathy for those who are endeavouring to gain a livelihood by pig-raising.

Mr. Fox: And who are developing the State.

Mr. SAMPSON: Yes. What are we telling people all the time? We are trying to encourage decentralisation and are asking them to produce something. The people to whom I am referring have done so. What will happen to them if the regulation stands? They will be thrown out and ruined. They must be ruined because all their money is in the properties they have established. The Minister can smile and be cynical and have no consideration for these people. He can bring so-called arguments to this House with a view to preventing the disallowance of a by-law which should never have been framed.

The Minister for Lands: It is always bad to cloud argument with verbiage.

The Minister for Health: Or abuse!

Mr. SAMPSON: It took the Minister a long while to express that remark.

Mr. Raphael: Get on to bees: we have had enough about pigs for a while.

Mr. SAMPSON: The Minister for Health spoke of an offensive smell and said there had been cause for complaint. Difficulties frequently arise in regard to piggeries, but the department has full power to act if it is dissatisfied with the manner in which a piggery is conducted and to insist upon cleanliness. Pigs are not necessarily dirty animals. The Minister referred to a sanitary site in Victoria Park and to the fact of 2,000 cans being taken past a certain spot every day. That was a very unfair comparison, one apt to mislead members if they regarded it at all seriously. The Health Department should view the matter fairly. It should allow the local authority to conduct its own affairs and not interfere with its decisions. If there is interference with these piggeries, the owners should be compensated. I cannot too often reiterate that statement, and I hope that ultimately I shall succeed in making an impression upon the mind of the Minister. To pay compensation would be only fair. The Main Roads Department has recognised the need for providing a good road from Morley Park to the Midland Junction Abattoirs, and now the Health Department decides that these piggeries must be moved. I hope the by-law will be disallowed. It is the outcome of mistaken action by the Health Department in instructing the Bayswater health authority to submit the by-law, of mistaken action on the part of the Minister in endorsing it, and there would be mistaken action by members if the by-law were not disallowed.

MR. J. HEGNEY (Middle Swan—in reply) [10.7]: The reply of the Minister to the case for the disallowance of this by-law was ineffective because he had not been supplied with all the facts. I should be one of the last to plead for the disallowance of such a by-law if there was building activity in the locality indicative of progress. The Minister said that one house was being erected. Only the other day the erection of a house was begun. The party interested in a piggery asked the Town Planning Commissioner to have an area excised from a 10-acre block on which to put a building. There

was a desire to have a larger area for the piggery, but the person now building had some difficulty in convincing the Town Planning Commissioner that he should have an area of two acres on which to build a house. Since I have occupied a seat in this Chamber, I have pleaded for the expenditure of public funds on the construction of roads to assist primary producers, particularly those in the pig industry who wanted access to the Midland Junction Abattoirs. Soon after those roads have been provided civil servants seated in an office and not having to work as these producers do, tell them to go out a mile farther. To insist upon these producers moving at the present juncture would be quite unfair. Justice and equity should prevail, even if there are only three individuals concerned. The Minister mentioned the Mt. Lawley sanitary depot, but let me remind him that houses had been erected all around the old sanitary depot of the Perth City Council before it was removed. Admittedly it was not removed too soon. I live within half-a-mile of the sanitary depot belonging to the Perth Road Board, but no attempt has been made to close that.

The Minister for Health: When I try to get it closed the member for the district rushes in and objects.

Mr. J. HEGNEY: The fact remains that I live within half-a-mile of that depot. Further, is the Health Department aware of the fact that at my home the smell from the Midland Junction Abattoirs on a summer's evening is very bad indeed, and I am living two miles away?

Mr. Sampson: Is it proposed to close the abattoirs?

Mr. J. HEGNEY: Of course not. Only recently action was taken against the factory on the Welshpool-road known as Binny's Factory. There was population all round it, but it had retarded the development of the district for a long time. It was not due to any action by the Health Department that the residents got rid of that factory. We have no power to amend a by-law that has been tabled, and the only course to adopt is to disallow it. The unfairness of the by-law lies in its requiring these producers to leave in nine months. Had the department directed the local authority to allow them three years, probably in all the circumstances that could have been considered fair and reasonable,

but to stipulate so short a period of nine months is quite unjustifiable. One of these producers has been there for a long time, and other people went to live in the district knowing that piggeries were allowed there. The man who has made all the noise himself started a piggery.

The Minister for Health: Who is making the noise?

Mr. J. HEGNEY: Huggett.

The Minister for Health: He never had a piggery.

Mr. J. HEGNEY: He did; he went to the Health Department and the Town Planning Commissioner and objected. He got up a petition stating that piggeries were to be started all around, but we know that that was raised as an election issue in the hope of hoodwinking the people. The producers affected have spent a considerable sum of money in providing reticulation and building up their properties, and the short notice of nine months is not fair. They will have to move at least a mile further out. They asked for a road to give them access to the abattoirs; they asked for electric light service and for a school, and if they have to move a mile further out those services will not be available to them. At the present juncture that is not fair. I know the Bayswater Local Board of Health does not look upon the by-law as justifiable. As the Minister pointed out, the Central Board of Health directed that this by-law should be passed.

The Minister for Health: Only two men are left now.

Mr. J. HEGNEY: The others have gone out of the business.

The Minister for Health: The school will not have many children as both men are single.

Mr. J. HEGNEY: That is so. The Minister, however, was single once, and so was I. These men have to earn a living, and have not had much consideration from the Government so far as jobs are concerned. They are now in a service in which they are obtaining a living for themselves. They have been in the district for only three or four years. I should say it was due to the influence of an individual and to that of the Town Planning Commissioner and the Central Board of Health that this action was taken. I believe I am on right lines in mak-

ing that statement. It was made mandatory on the local board of health to pass this by-law. In my opinion the action was inopportune, though it might be justified say, three years hence, or 12 months after the war. These people are engaged in a small way in supplying cheap meat for the market, a most desirable contribution to the needs of the community. I will leave this matter to the House. I cannot amend the by-law in question in the way desired, but if it were disallowed a new by-law could be drawn up to the effect that in three years these men shall vacate their properties.

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

Ayes	..	..	..	..	18
Noes	..	..	..	..	15
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Majority for	..	..	..	..	3
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## AYES.

Mr. Berry	Mr. McDonald
Mr. Boyle	Mr. Needham
Mrs. Cardell-Oliver	Mr. Bodoreda
Mr. Cross	Mr. Sampson
Mr. Fox	Mr. F. C. L. Smith
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. Warner
Mr. Johnson	Mr. Waits
Mr. Lambert	Mr. Doney

(Teller.)

## NOES.

Mr. Coverley	Mr. Pantou
Mr. Holman	Mr. Raphael
Mr. Latham	Mr. Thorn
Mr. Leahy	Mr. Willmott
Mr. Mann	Mr. Wise
Mr. McLarty	Mr. Withers
Mr. Millington	Mr. Wilson
Mr. North	

(Teller.)

Question thus passed.

*House adjourned at 10.20 p.m*

## Legislative Assembly.

Thursday, 12th September, 1940.

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

### QUESTION—PERTH HOSPITAL.

#### Administration Costs.

Mr. NEEDHAM asked the Minister for Health: What were the administration costs of the Perth Hospital for the financial years ended June, 1937, 1938 and 1939?

The MINISTER FOR HEALTH replied: 1936-37, £7,589; 1937-1938, £8,764; 1938-39, £10,135.

### QUESTION—NEW ZEALAND "POLICE GAZETTE," 1921.

Mr. THORN, without notice, asked the Minister representing the Minister for Police: Will be make available to members privately, in the Clerk's room, the New Zealand "Police Gazette" for the year 1921, which should contain page 75?

The MINISTER FOR THE NORTH-WEST replied: This volume of the New Zealand "Police Gazette" being approximately 19 years old, I have to ask for time to ascertain whether it is available. I have no objection to making it available to members, if possible. I shall make inquiries in the matter.

### BILL—LAND TAX.

#### Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.34] in moving the second reading said: The purpose of the Bill is to fix the rate of land tax for the current financial year. It is not proposed to vary the rate, which has been in operation for 16