

Legislative Assembly.

Tuesday, 25th August, 1914.

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

PAPERS PRESENTED.

By the Premier: 1, Report of Treasurers' Conference, 1914. 2, Report of Interstate Conference, 1914.

By the Minister for Mines: Amended regulation under the Mining Act, 1904.

By the Attorney General: Amended regulations under the Education Act.

By Hon. W. C. Angwin (Honorary Minister): 1, Amended regulations of Fremantle Harbour Trust. 2, Report of Health Department for year ended 31st December, 1913. 3, Game Act Royalty Return (ordered on motion by Mr. McDonald).

QUESTION—POLICE FORCE, DISCIPLINE.

Mr. E. B. JOHNSTON (for Mr. O'Loughlin) asked the Premier: 1, Did Inspector Drewry on the 10th and 12th August, 1912, read a document several times to the Perth Police in which they were described as a low lot of drunkards, and their conduct a public scandal, or words to that effect? 2, Was the Commissioner of Police the author of that document? 3, Were the police incensed at being so described, and was a written request, signed by 40 of them, made for a copy of that document? 4, Is this a copy of the request signed by those 40

policemen:—"Metropolitan District, Central Station, 12th August, 1912. Inspector Drewry. On the 10th and 12th inst. you read a message to the members of the Perth constabulary purporting to come from Mr. Connell, the Acting Commissioner of Police, in which serious aspersions were cast on the characters of the members of the whole of that body. Now, we, the undersigned members of the said constabulary, beg to request that you be good enough to supply us with a true copy of the document referred to."

(Names of 40 members of the Force follow.) 5, Did the Commissioner omit to supply a copy of the document? 6, About a week after lodging the request were the 40 signatories to it lined up and severely reprimanded? And were they told that the Minister upheld the Commissioner in his action, and that the action of the police was a gross act of insubordination which must be severely repressed, and that the Minister further authorised the Commissioner to tell them that if any constable was found in an hotel while on duty he would be instantly dismissed, and any non-commissioned officer who found him there and failed to report it would be reduced in rank? 7, Did that not imply that the alleged drunkenness and disgraceful conduct that had become a public scandal (if the Commissioner is to be believed) were rampant throughout the Perth Force, and it was only by such drastic measures they could be checked? 8, Was the conduct of the police so bad at that time that it was intended to abrogate trial and dismiss without it? 9, Subsequent to that incident did Constable Campbell protest against junior men being promoted over him, and was he told in answer to his protest that he had drawn up a document which was characterised as insubordinate by the Minister, and he (the Commissioner) could not promote him for that reason? 10, Did Constable Campbell then ask the Commissioner to send the file containing his protest to the Minister and ask him if he even did characterise the request signed by the 40 policemen, drawn up in Campbell's handwriting, as

insubordinate, did he mean that anyone should be punished in consequence? 11, Did the Commissioner refuse to send the file on to the Minister; if so, does not the Minister consider he was wrong in refusing to do so in such circumstances? 12, Will the Minister explain where the insubordination lies in the document signed by the 40 members of the Force, or in their action in trying to protect their honour?

The PREMIER replied: 1, No; it is a gross fabrication. 2, No; there was no such document. 3, A petition, at the instance of and written by Constable Edward Campbell, and signed by 39 constables at his request, was received. 4, Yes. 5 and 6, After consideration of the request mentioned in No. 3 the Acting Commissioner of Police was authorised by the Minister to repeat certain general instructions issued to the metropolitan police on 9th August, 1912, which, in the Minister's opinion, were couched in unobjectionable terms and had for their aim the discontinuance of visits to licensed houses by any members of the City force whilst on duty and solely for obtaining drink. The order, thus repeated on 21st August, also pointed out the liability of the officers committing such breaches. 7, No. 8, No. 9, In reply to this protest Constable Campbell was informed that his advancement depended on his submission to discipline. 10 and 11, The file was not re-submitted to the Colonial Secretary, as the question of drawing up an insubordinate document had already been dealt with and no fresh matter had since arisen in connection therewith. The Minister approves the action of the Commissioner. 12, Throughout.

BILL—MELVILLE TRAMWAYS.

Council's Amendment.

Amendment made by the Legislative Council now considered.

In Committee.

Mr. McDowall in the Chair; Hon. W. C. Angwin (Honorary Minister) in charge of the Bill.

Clause 3 (Subclause 2)—Strike out the words "and shall not be subtracted from seven times the average revenue of the Board in making such estimate":

Hon. W. C. ANGWIN: This amendment will not affect the principle of the Bill in any way, and I move—

That the Council's amendment be agreed to.

Question passed, the amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Council.

BILL—ROAD CLOSURE.

Second Reading.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon) [4.41] in moving the second reading said: This is a measure providing for the closure of certain streets, chiefly at the request of the various municipal councils concerned. The first closure proposed is that of a portion of Lefroy-street in the municipality of Collie. The Collie council has applied for this closure in order that the land affected may be included in the adjoining park reserve. The matter was submitted to the Lands Department, and, on investigation by the surveys branch, no objection was raised. The second closure is that of a portion of High-street in the municipality of Fremantle. This portion is included in the survey of land required for railway purposes; and, as that portion of High-street is now fenced, it is necessary that the portion should be closed, seeing that it forms part of the railway land. The third closure proposed is that of a portion of Kensington-street in the municipality of Perth. The Perth City Council are desirous that a portion of Kensington-street shall be closed for the purpose of a new siding to be run to the gas works, subject, however, to the provision of a temporary pathway to the river. This matter also was submitted to the surveys branch, and the closure was agreed to. I move—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex) [4.44]: I wish to draw the attention of the Minister to the fact that the Bill also provides for a closure in the municipality of Northam, which he has not explained to the House. That closure is in the schedule. Perhaps the Minister in replying will explain what that Northam closure is. With regard to the closure of a portion of Kensington-street, Perth, I would like the Minister to inform the House whether the Perth City Council has been consulted on the matter.

The Minister for Lands: They have asked for that closure.

Hon. FRANK WILSON: In that case, of course, no objection need be taken.

Hon. J. MITCHELL (Northam) [4.45]: The Minister should give us some information in regard to this closure at Northam. I would suggest to the Minister that we adjourn the debate until that information is available. It is wrong for the Minister to endeavour to force through a Bill containing this clause unless he is prepared to give the information, which none of us have. I have heard nothing of this proposal. Probably it is some suggestion from the Railway Department. I do not wish to offer any opposition to the Bill except to protest against the closure of this street without any information from the Minister.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon, in reply) [4.46]. The Colonial Secretary introduced this measure in another place, and he told me that the papers had been sent down to the Honorary Minister (Hon. W. C. Angwin) in this Chamber. In order that I might be able to supply members with this information, I asked that a copy be supplied me. However, I have the details of three, but not those of the Northam closure. I will therefore ask hon. members to put the second reading through and we will leave the Committee stage until another sitting.

Question put and passed.

Bill read a second time.

BILL—SPECIAL LEASE ENABLING.

Second Reading.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon) [4.47] in moving the second reading said: This Bill provides for the ratification by Parliament of a special lease which has been entered into by me, as Minister for Lands, with Mr. Heckley William Cole, as representative of a Melbourne syndicate who are desirous of embarking upon tropical agriculture in the northern part of the State. In the early part of the year Mr. Cole communicated with us and stated that through the personal knowledge which he had of the area in question, he was convinced that various forms of tropical agriculture could be successfully established on a commercial basis in that part of the State, and that he was desirous of securing a holding under the ordinary terms of the Act, that is, under our terms providing for conditional purchase. On inquiry it was found that this provision could not be made, and after negotiations I offered Mr. Cole a special lease under the powers given by the present Act. But it was found that these were inadequate, and that, in order to provide for a lease which would give the syndicate reasonable security of tenure for the expenditure of their money, it was essential that such a lease should receive the ratification of Parliament. If hon. members will turn to the schedule, which is really the main portion of the Bill, they will see that it provides for the lease of an area of 20,000 acres in the Kimberley division.

Mr. Male: Can you tell us whereabouts?

The MINISTER FOR LANDS: To the eastward of the area set apart for the Presbyterian mission to the aborigines. I have here a map. Hon. members will have some recollection of the fact that a year or two ago the Presbyterian authorities were granted a considerable area of land, a portion of which was secured to them as a reserve, while the other portion was retained under temporary reservation in order that, later on, they might extend their operations and provide for an abor-

igines' reserve where the aborigines could be kept apart from the influence of the whites, and could cultivate that area. At first Mr. Cole was anxious that the Presbyterian authorities should be asked to declare the area which they proposed to retain, and that the temporary reservation should be made available for leasing; but on consultation with the Colonial Secretary and the authorities of the mission, it was found desirable to retain the whole of the temporary reservation in order that the aborigines might be secluded and kept apart from contact with the whites and coloured races; and in further consultation those connected with the mission in the district were able to point out to Mr. Cole that another portion of the reserve would be just as suitable for his purpose. It was then decided that land to the eastward of the mission reserve should be made available for this purpose, and Mr. Cole has entered into some arrangement with the Presbyterian authorities by which portion of the foreshore may be utilised at a later date, granting that facilities for getting away their produce are required. The total area provided for in the lease is 20,000 acres. For the first seven years the rental is the nominal one of a peppercorn rent, subject to the payment by the lessees of all the necessary survey fees and other charges incidental to the lease. From the seventh to the twentieth year, the annual rental is to be £125, representing $2\frac{1}{2}$ per cent. on the capital value, which is set down at £5,000. After the twentieth year, and for the remainder of the lease of 99 years, the rental is to be on a basis of $2\frac{1}{2}$ per cent. of the assessed unimproved value, but I have fixed the maximum value which may thus be imposed at 10s. per acre, representing a rental of £250 a year. The lessees are required to clear 500 acres of land in the first two years and to cultivate the said 500 acres during the third year; and during and after the fourth year to plant and cultivate the said area with some form of tropical agriculture or horticulture, and after that to clear 250 acres annually until a total area of 1,000 acres has been cleared and cultivated. This ap-

pears to me to be a measure which gives reasonable encouragement to a venture of this kind, and at the same time safeguards the interests of the State. The question as to the successful establishment of tropical agriculture in the North-West is, in my opinion, entirely dependent on securing those who have a knowledge of it, and who therefore are satisfied with the feasibility of establishing such tropical agriculture in Western Australia on a commercial basis, and who having that technical and expert knowledge, are prepared to venture in this direction. It appears to me that if the lessees under this agreement carry out the terms of the lease—which they must do in order to retain it—and embark on this plantation, it will be an excellent way of testing the capabilities of the North-West in the direction of tropical development. Should they be successful it will undoubtedly lead to others embarking on similar ventures. I do not think hon. members can take exception to the granting of this concession, seeing that the conditions surrounding it make it essential that the lessees shall show their bona fides by engaging in tropical horticulture. I move—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex) [4.55]: I do not think any hon. member will oppose an arrangement of this description, but I think hon. members will be justified in complaining that there is not a proper plan produced that they might thoroughly grasp the situation of the land to be granted. I trust the Minister will not think me offensive, but we ought to have a proper plan here by which we could grasp the position and decide whether it is advisable to grant this particular area. We are all very anxious that tropical agriculture should be commenced in the far North of our State. We are still more anxious that whoever undertakes the operation should carry it to a successful issue, and any assistance which either the Government or Parliament can give to enable these operations to be successfully carried out will be readily appreciated by hon. members. It strikes me

that the area of 20,000 acres is hardly commensurate with the area it is proposed to cultivate under the agreement. It is proposed that the total area to be cultivated should be only 1,000 acres out of 20,000 acres. Where is the necessity of granting the other 19,000 acres, or at any rate a great portion of it? The member for Northam (Hon. J. Mitchell) interjects that it will be required to run stock on. They probably will require to do something of the sort, and they may propose to pick out portions of that area for their cultivation, but it does seem rather out of proportion to grant 20,000 acres for this purpose when we only specify that 1,000 acres in all shall be ultimately cultivated. The Minister said something about the aborigines at this Presbyterian station—which for the moment I cannot locate, although I remember the grants—being kept separate from the whites. Does it not strike one that they are going to do the very thing they objected to in the first instance, going to bring the whites next door to the aborigines? Or is it proposed not to use whites in this tropical agriculture?

The Minister for Lands: They will not be up against the mission, because the mission has about 20,000 acres which they are utilising; and surrounding that area is a larger area of 60,000 acres which has been constituted a reserve.

Hon. J. Mitchell: It belongs to the Presbyterian authorities?

The Minister for Lands: I have consented, at the request of the Colonial Secretary, to retain it as a reserve in order to protect the mission.

Hon. FRANK WILSON: Will 60,000 acres keep them sufficiently far from the mission?

The Minister for Lands: I think so.

Hon. FRANK WILSON: But we are told the mission are going to exchange some of their land, and so the argument that we are keeping the aborigines separate from the whites who will be employed on this venture, falls to the ground. However, I do not see very much harm in the measure myself. We have any amount of land in that portion of the State which we shall be glad to see culti-

vated in any shape or form. I am sorry the Government saw fit to get rid of the services of the Director of Tropical Agriculture. No doubt he did a great deal towards the making of this very proposal. I do not think there is anyone with better knowledge of what is required than he had. However, we cannot help that now, he has gone. I do not propose to oppose the second reading, but again I say I think the Minister would be wise in delaying the Committee stage until we get a proper plan of the locality before us.

Mr. MALE (Kimberley) [5.2]: I have pleasure in supporting the second reading of this Bill. Like the leader of the Opposition, the first thing that struck me was the very big difference between the area required to be cleared and cultivated and the area which was being granted under the lease. A special lease such as this has to be granted for a special purpose, and the special purpose of this lease is for agricultural and horticultural purposes, yet it seems to me the Minister is going to allow 19,000 acres of this land to be used for any other purpose, not necessarily for agricultural or horticultural purposes. If that is the case, it seems to me rather a weakness, and should be looked into. The number of people who are willing to come along and start tropical agriculture in an experimental way I think should be encouraged in every possible way. Personally, I am not in favour of the Government spending money themselves in experimenting or developing tropical agriculture. I think they would be only courting failure as they have been doing in other enterprises.

The Premier: If you are looking for fight you can get it. You had better keep to the Bill. These are not contentious measures, but if you make them contentious we shall do likewise.

Mr. MALE: I am in favour of the Bill.

The Premier: Why raise contentious matters? If you do, we shall raise them also.

Mr. MALE: I say that I support the Bill for the reason that it is encouraging people to come along and start tropical agriculture in an experimental manner.

Mr. Bolton: You are opposing it.

Hon. Frank Wilson: He was asking for certain information.

Mr. MALE: I am pointing out that a special lease of this nature is to be granted for a special purpose and that special purpose is defined in the schedule, for agricultural and horticultural purposes, and I point out that above that the lease specifies that it is only necessary to cultivate and clear 1,000 acres out of the 20,000 acres, and I ask for what purpose is the 19,000 acres to be used. This area must be used for agricultural and horticultural purposes, yet it seems to me that further on the Bill allows this area to be used for some other purpose or prevents that area being used at all. I think I am justified in asking for information on that point.

The Premier: That is not the point I took exception to.

Mr. MALE: The point I made was that I support the Bill for the reason that the Government are going to encourage people to go to the North and experiment in tropical agriculture, and I point out that I am in favour of that as against the Government—not this Government or any other Government—doing this class of work.

The Premier: That is not what you said, or anything like it.

Mr. MALE: That is my opinion and that is what I meant.

The Premier: What you mean is a very different thing.

Mr. MALE: Further than that, I do not think there is anything in the Bill to which I wish to call attention. I shall support this or any other Bill of the same nature that has for its purpose the encouragement of people going to the North to experiment in tropical agriculture there.

Hon. J. MITCHELL (Northam) [5.7]: I welcome the suggestion that tropical agriculture is to be tried in the North-West. I agree that it is better to allow private enterprise to do this. It is good to find the Government coming down authorising work to be done by private enterprise. Years ago we had in Western Australia the most capable man on the

subject of tropical agriculture that Australia contains. Unfortunately, we have not that officer now, because we left office, and as soon as the new Ministry got control of affairs they dispensed with the services of Mr. Despeissis, and closed down on tropical agriculture. Now the Minister comes down with a Bill to lease 20,000 acres to a syndicate so that they shall make a trial of tropical agriculture in the North. The Bill contains some provisions that require explanation. More than once to-day the Minister for Lands has failed to supply the House with a plan explaining the lands referred to. The agreement states that the lease is to be of 20,000 acres and that only one thousand acres is to be cultivated, but I believe the rest will be utilised to run stock to keep the place going. Then the lease contains a provision that the lessee during the first two years may select other lands anywhere he pleases and in any area that he pleases. The lessee can select 10 blocks of 20,000 acres scattered through the Kimberley district.

The Minister for Lands: Only with the approval of the Minister.

Hon. J. MITCHELL: Yes, he can do it with the approval of the Minister. I should like to know if the block referred to in the lease is fed by any stream, or where the country is situated, and if in the opinion of the departmental experts it is suitable for the experiment to be tried there. I have no desire to object to this Bill. I think the Government should see that Mr. Cole gets the best land, so that he will be as successful as possible. But the Premier must understand that when the House discusses a Bill it will do so in its own way. We are prepared on this occasion to let the Premier down as lightly as possible, yet we have a perfect right to discuss the measure; but if the Premier desires to adopt a different attitude he may have some trouble with his measure. If the Premier thinks that he can brow-beat members he is making a great mistake.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon—in reply) [5.10]: In regard to the question of having a plan, I was under the impression that members

opposite, being the Ministry who granted the reserve to the Presbyterian mission, would have known the locality of the particular area referred to.

Hon. J. Mitchell: Do you think we can carry every boundary in our heads?

The MINISTER FOR LANDS: The member for Northam assured us in the House once that he remembered everything he had done.

The Premier: That is not much.

The MINISTER FOR LANDS: And he took exception because I did not remember a certain thing I had done.

Hon. J. Mitchell: Your part is not in remembering. You should have had the plan here. It is a neglect of your duty.

The MINISTER FOR LANDS: The delay of a day is not much in regard to a Bill of this nature, and I can assure hon. members that we will have the plan here. In regard to the area of the lease and the amount provided under the agreement that they should cultivate, members will agree with me that if this syndicate in order to retain and hold and cultivate one thousand acres with plants suitable for tropical agriculture—and I may state the first experiment is to be made with cocoanuts—that the syndicate will be doing very well and embarking on a fairly ambitious experiment in tropical agriculture.

Hon. Frank Wilson: Is this on the coast border?

The MINISTER FOR LANDS: Yes. The syndicate wanted me to embody in the agreement some proposal by which they would be enabled to bring out either Spanish or Italians who had been accustomed to tropical agriculture in order to employ them in this industry, but I pointed out that that was entirely a matter for the Commonwealth, and we could not include, and we had no business to include, such a thing in the agreement. They pointed out to me that if they launched out in this expenditure they ought to have some security as to extending their operations, that is to say, they should not be confined to the particular area they set out to cultivate, and in the

area taken in one block the whole of it might not be suitable for the purpose, and they might have to select certain spots throughout the area to provide suitable land with provision for irrigation in some directions in order to carry out the agreement. What they want is security, so that when once they have carried out their undertaking as to the first 1,000 acres they have territory to extend their operations, because it was pointed out that if they could not make a success of the 1,000 acres they are not likely to hold the country, because as a pastoral proposition the area would be too small. If on the other hand they can succeed in successfully establishing tropical agriculture on 1,000 acres that will be an inducement to extend their operations. Further, they wanted a reasonable area to carry out that extension later on. I regard that as a very reasonable and a very legitimate argument. At the outset they asked for a very much larger area, which I was not prepared to grant. I think 20,000 acres is quite reasonable and I told them if they carried out tropical agriculture on the terms specified in the agreement, over 1,000 acres, they would be doing an act of very great advantage to Western Australia, and one which should lead to extension. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Message.

Message from the Governor received and read recommending the Bill.

Second Reading.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon) [5.17] in moving the second reading said: This is a measure to provide for an increase in the capital of the Agricultural Bank to the amount of £5,000,000. During the financial year ended 30th June, 1914, the amount auth-

orised by the bank was £457,718, which was to be utilised for the following purposes:—To pay off liabilities, £16,698; for the purchase of stock, £52,702; for the purchase of implements, £8,179; and clearing, ringbarking, fencing, blackboy eradication, clearing poison lands, drainage, water conservation, fallowing and irrigation, accounted for £380,139. The total amount actually advanced during that period, namely, for the financial year ending 30th June last, was £506,638, making, with the amount previously advanced a total disbursement of £3,890,575. The repayments during the same period amounted to £58,635, making the total amount repaid £757,616, and leaving a balance outstanding, as representing the net amount of loans made by the Agricultural Bank, of £2,331,959. Hon. members might like to hear how that total of £2,331,959 has been divided and what work has been carried out with it. The liabilities taken over, that is the liabilities to other institutions, and under some circumstances to private individuals, amounted to £251,882. For the purchase of stock £300,493 was allotted, and for the purchase of plant £6,494. For the purchase of implements £22,707 was paid, for the purchase of fertilisers £3,278, and for developmental purposes £2,504,719. The total amount authorised by Parliament was four million pounds. The loans approved by the trustees have amounted to £3,736,820, and the amount available for further loans is £263,180. The amount advanced was £3,890,576 and the amount repaid £757,716. The amount, therefore, outstanding is £2,331,960. The amount which the Treasurer is committed to find to meet present undertakings is £627,244. This sum of half a million mentioned in the Bill will not be more than sufficient to carry the bank on until the new Parliament reassembles, and a further authorisation can then be secured to increase the capital of the bank. I move—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex) [5.21]: I desire to support the proposed increase in the capital of the Agricul-

tural Bank, recognising that the work which it has done in Western Australia is excellent and that the assistance derived by the settlers has been enormous. I would like to refer to some rumours which are going around and to complaints which have reached my ears. It is said that applicants who are entitled to draw money on the certificates from the bank are only being paid 50 per cent. of the amounts due under those certificates. Perhaps the Minister will let us know if there is any truth in these complaints, or not. The work has been done under contract in most instances and, notwithstanding that the money is due, orders have been given, I understand, that only 50 per cent. of it is to be paid. I think we ought to endeavour to keep faith in all our actual engagements, but we might restrict payments on future arrangements. I think we should have an assurance from the Government on the question, and if they tell us that they are going to meet all their liabilities in this respect that are actually due at the present time, it will restore confidence to a very great extent.

Mr. E. B. JOHNSTON (Williams-Narrogin) [5.23]: I would like to say a few words in regard to this Bill. I am pleased to see that the Government are, in this amending Bill, seeking to obtain authority to increase the capital of the Agricultural Bank to a total sum of 4½ million pounds. That is a very fine sum to be placed at the disposal of the farmers of this country, but at the same time I am sorry that, whilst the Government are bringing this Bill in, they do not make provision for an increased capital of one million pounds, instead of only half that amount, and so increase the capital of the bank to five millions.

The Minister for Lands: There is not much advantage in flying kites.

Mr. E. B. JOHNSTON: No, and I am well aware that the Government may have difficulty in raising money at this time. Everyone in Australia is aware of that. At the same time I say now, as I said the last time when a Bill for increasing the capital of the bank by half a million came before this

Chamber, that it is a pity the Government do not make provision for increasing it by a million pounds at a time, instead of only half a million.

The Premier: Where is the difference, so long as you make provision to meet requirements from time to time? You might as well make it 10 million pounds. It would not make any difference in the amount that we provided, so long as we met requirements.

Mr. E. B. JOHNSTON: At the present time we find that the bank is in difficulties. I have every confidence, of course, in the Government, but every Government in Australia has the same difficulty to contend with at this time.

The Premier: The bank does not suffer at all; it is I who suffer.

Mr. E. B. JOHNSTON: The bank is in difficulties at the present time, inasmuch as it has had to issue a circular to the country Press, to the newspapers in the farming districts, saying that for the present settlers can only get 50 per cent. of the amounts named on the certificates they send in.

The Premier: They are rushing in to get their certificates back.

Mr. E. B. JOHNSTON: I do contend that the Government ought to have power to get such capital for the Agricultural Bank as is necessary. If they have an opportunity of getting an extra million capital of the Agricultural Bank, at a time like this, they ought to have power from this Parliament to do so.

Hon. Frank Wilson: They have no hope. So long as there is sufficient to cover present requirements, that is all that is needed.

Mr. E. B. JOHNSTON: The leader of the Opposition mentioned the fact that to-day people are only getting 50 per cent. of their money. We all know the reason why this is so, but we have confidence in the Government and we know that they cannot help it. At the same time I want to point out to the House the position of settlers who have let contracts, and the position of men who have taken contracts for clearing and other work, and who are completing these

contracts, but who cannot get their money owing to this European crisis. The point I wish to make is that this is the time when the Government should try and keep the people who are on the land on the land, and to keep the farm hands and others working for the farmers also on the land. They can only do that if the bank has enough money to meet its obligations as they come along. This half a million pounds, if obtainable, will not be enough to carry the bank on over the next year. This is the time when the policy of the Agricultural Bank should be liberalised and when they should have more money to lend. Of course there may be a difficulty in getting the money, but if the money is obtainable it should be advanced for the purpose of assisting in the cultivation of the land for next season, and the provision of seed wheat and fodder, which are not obtainable from the Agricultural Bank to-day, and for the purpose of assisting those people on the land who at present are suffering under great disadvantages through this unfortunate financial position. I think that this is a matter which ought to have had the sympathy of the Government, and that the Government should try and see that the bank adopts a more liberal policy, if it is possible to do so, so as to give the settlers more facilities for getting advances.

Mr. S. STUBBS (Wagin) [5.27]: I desire to support the measure now before this Chamber, but I would like the Premier to know the position that many of the settlers are in with regard to their obligations. There are a great number of men who have just completed their contracts for clearing and other work. If it is possible to make the other 50 per cent. advances, that are now being held in abeyance, available at an early date, I am sure it will be to the credit of the Government and everybody concerned.

The Premier: I hope there will be no difficulty in doing that at an early date.

Mr. S. STUBBS: That is very satisfactory. At the same time I think there is a £2,000 limit on the part of the Agri-

cultural Bank trustees, as to the money that they can give to individual holders of farms. I think, however, there has not been one instance, at all events in the Great Southern districts, where a greater amount than £800 has been advanced. It has had this affect: that there are plenty of magnificent tracts of wheat-growing land at the present time that could, if the Premier could see his way to liberalise the provisions of the bank by making more money available, instead of lying idle be put to proper use, namely the cultivation of wheat. In connection with this I would like to say that there is a feeling abroad that the Government are only paying 10s. in the pound. In fact, one of the country journals advertised the fact that the Western Australian Government was almost insolvent, and could not pay more than 10s. in the pound to the farmers.

Mr. Lander: They knew that they were stating a deliberate lie. They knew the Government will pay 20s.

Mr. S. STUBBS: The sooner the Premier can see his way clear to make the other 50 per cent. available, the sooner will the country gain the advantage, and if Ministers can see their way to induce the trustees to increase the amount, it would also be a very good thing, for I know that loans have been turned down recently on account of the shortage of money. I hope that state of affairs will not continue long because it will give a decided check to the agricultural industry, and I am sure no member of this Chamber desires to see that come about. I commend the measure.

Mr. LANDER (East Perth) [5.30]: I intend to support the Bill. I think the Government have done really good work under the existing circumstances in paying 50 per cent., and members must realise that the Government will pay the full 20s. in the pound. In Mr. Paterson, the manager of the Agricultural Bank, we have a man in whom everyone has confidence and who has done a wonderful lot of good. Of course there are many grievances against the bank, but these are always from the speculative men. I know men who hold two blocks; they pay the Government no money, but they are able

to take up other blocks. The man we want to assist is the one-block man. If the farmers speak the truth they must say that not only this Government, but other Governments, have helped them. No other industry in Western Australia has been helped to the same extent as the farming industry. I am confident that if the Government can carry the farmers successfully for a few months until this crisis is over they will be doing very good work. Hon. members in country districts know that in connection with work which is done, not much more than 50 per cent. is paid at any time because you have to wait until after the burning-off season. I have been about a good deal amongst the settlers and I can say that the one-block man is not the man who is grumbling at what is taking place at the present time; it is the exploiter.

Mr. S. Stubbs: You are wrong.

Mr. LANDER: The one-block man is the man that the Government should assist. We hear yarns in the street as to what the bank is doing, but we know how much reliance to place upon them. We know well what good work the bank has done and is doing. At the same time there are many farmers who do not acknowledge the security which the Agricultural Bank gives them. Let the farmer do his share. We know there are thousands who are doing their share, but there are many who are not.

Hon. J. MITCHELL (Northam) [5.33]: Last year when we were increasing the capital of the bank I think we changed the system and made the capital available for all time. This £500,000 will be under that system and not the system which will require a vote year by year. I want to be certain we are going on the lines adopted last year. It is unfortunate that the Premier has not been able to give the bank the capital necessary to take up the whole of the certificates, but I would point out it is advisable that it should be done as soon as possible. In some cases the men are not doing their own work, and if they let contracts and only get one half from the bank the contractors must go short. The payments are required for the work which has been done, not so much

in connection with the work to be done. The Minister does not anticipate that it will be long before he completes the payments, and that he will fulfil the terms of the Act and continue the advances as he has always done. It would be a pity if this bank were not allowed to offer employment in the broadest possible way. We shall want employment for many men soon and I know of no better way than employing them on the land.

The Premier: There are other people in the community to be considered.

Hon. J. MITCHELL: This would be reproductive work in the broadest sense. It will produce work for all time, as well as wealth. There is no money spent more thoroughly than that which is expended in clearing and improving land. I do not wish to criticise unduly the action of the Premier, but some hardship will be occasioned, and I am glad to have heard the Premier's assurance that he will complete these payments just as soon as funds are available. It ought to be the first work done. It would be a pity if the payments were allowed to stand over. I know some inconvenience has been caused. The Premier knows that wages are due and if obligations are not fulfilled workmen will not be able to get all they are entitled to.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon—in reply) [5.38]: I may state in reply to the remarks of hon. members who have addressed themselves to this measure that the notice stating that immediate payments by the Agricultural Bank would be 50 per cent. of the advances approved was only a temporary expedient. It is our intention at the earliest opportunity to make the full payments, because these are contracts which the bank has entered into and the clients of the bank have in their turn entered into contracts with workers to carry out improvements. At that particular time we had in the first instance a number of depositors drawing their money from the Savings Bank, the kind of thing one naturally expects when there is something in the nature of a mild panic amongst people. There was also the intimation that we received that, so far

as the usual source of our supplies, that is loan moneys, was concerned, it was cut off from the time the crisis first developed in the old country, and we would have to depend entirely on our own resources in order to meet our engagements. The State Government, as hon. members know, is not in control of the currency or the machinery for meeting a crisis of this kind. We are not in the same position to act as the authorities at Home are through the Bank of England or the Federal Government are through the Australian Notes Act, and through the power given by the Commonwealth Bank, and we were, therefore, in a position of having to husband our resources to make them go over the whole of the various activities until we were in a position to know how the Commonwealth Government were going to meet the situation. Up to the present stage before we can draw notes from the Commonwealth we have to provide a certain amount of gold, and the provision of that of which we have knowledge so far is limited. If that is inadequate for the requirements of the Commonwealth and States combined, they will have to find some means out of the difficulty and take such necessary powers as will enable them, as the controlling authority over the currency, to meet their difficulties and those of the States. At the earliest opportunity we will fulfil our obligations and enable the clients of the bank to meet theirs.

Hon. J. Mitchell: Can you give a written undertaking in connection with the balance owing.

The MINISTER FOR LANDS: The Treasurer is hopeful at an early date that the difficulty, which, of course, is only one amongst others we will have to encounter, will be met. In regard to the remarks about increasing the capital by a larger sum, it is little use for us at a stage such as we are faced with at the present time to fly kites, and submit a Bill for the increase of the capital of the bank to an amount which we know we will not be able to obtain. As the member for Northam has pointed out, this is in addition to the amounts which were paid under the amending measure passed last

year, and although it is small, we hope with the access of better times to be able to provide an increased sum for the requirements of the bank. I can assure hon. members if the Government were the possessors of an Aladdin's lamp, and could utilise it in the same way as that lamp was utilised, we would increase the capital of the bank by one or two millions. Under existing circumstances we are submitting a measure which will give us the necessary authority to carry on until Parliament again meets, and to provide capital for the development of the agricultural industry.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Read a third time and transmitted to the Legislative Council.

BILL — COTTESLOE MUNICIPAL RATES VALIDATION.

Returned from the Council without amendment.

BILL—KINGIA GRASS TREE CONCESSION CONFIRMATION.

Second Reading.

The MINISTER FOR LANDS (Hon. T. H. Bath—Avon) [5.47] in moving the second reading said: This matter has been before the Lands Department for a very considerable time. When the hon. member for Northam was Minister for Lands, the applicant mentioned, Emanuel Francis Benjamin, made application for the right to take the Kingia grass tree and other species of blackboy from the large areas of land in the South-West on which these trees are growing. Mr. Benjamin has for quite a number of years been experimenting in connection with the fibre which he obtains from this particular tree, and has been able to manufacture various articles, such as brushes, brooms, portmanteaus, and bags of various descriptions, and has

proved that there is a possibility of securing very considerable commercial advantage out of what has hitherto been regarded as a waste product, and what has been destroyed wholesale during the past history of the State. At that time the then Minister for Lands was evidently anxious and willing to encourage this enterprise, which was likely to develop into a new industry, and a draft agreement was drawn up under which Mr. Benjamin was to be permitted to operate. That agreement provided for the lodging of a deposit and for the expenditure of certain sums of money in order that the lessee might be permitted to continue his operations. Mr. Benjamin at that time had secured the assistance of a small syndicate in Western Australia, but, unfortunately, they were not able to back him up to the extent he wished, and when I came into office the completion of the agreement was then pending; that is to say the lessee had not been able to put up the deposit specified. The syndicate negotiated with me, and having some knowledge of the concession which had been given for the blackboy in the past—I refer particularly to that of Dr. Black, which was going to be of such immense assistance to Western Australia—I was rather chary of doing anything unless the deposit was put up, and I quite agreed with the wisdom of the hon. member for Northam as to the basis of further negotiations. After a considerable time I agreed to modify it to this extent: that the amount must be put up either in cash or by way of bank guarantee, but that after Mr. Benjamin or those associated with him had shown their bona fides and had erected machinery and spent £1,000 I would be prepared to make the deposit available for their further operations. Mr. Benjamin at that time was unable to complete the arrangement, and although he secured extensions of time, he was ultimately unable to fulfil the agreement and the concession was forfeited. Since then Mr. Benjamin, who has spent a considerable sum of money and has devoted a considerable amount of time to this particular work, has been able to secure very substantial backing in Melbourne. A company there are prepared

to provide capital of £20,000 to £30,000, and have expressed their willingness, on the ratification of this agreement by Parliament, to put up the deposit immediately, and at present they are urging the ratification of this measure in order that they may be able to get to work. I have recognised all along that Mr. Benjamin is deserving of every encouragement in this enterprise, and having had an opportunity to see for myself the manufactured goods which he has produced for exhibition, and which I believe other hon. members have seen, we ought to give him every encouragement, particularly as this will mean the establishment of an altogether new industry in Western Australia, and will mean the use of a product which in the past has been merely wasted and is regarded by landowners as of no practical utility whatever. The agreement as it now stands provides that Mr. Benjamin has the right to cut the *Kingia* grass tree alone over an area of 500,000 acres in the south-west of this State; that is in the country covered by the Wellington and Melbourne land districts.

Mr. S. Stubbs: All Crown lands?

The MINISTER FOR LANDS: Yes, that is roughly speaking the blackboy is growing. He will merely have the right to occupy the land in order to secure *Kingia* grass tree and when this is done he will have no further right. There is no bar to selection, but I have assured him that as far as possible we shall give him the opportunity to take off any of the *Kingia* grass tree.

Hon. J. Mitchell: Is that ordinary blackboy?

The MINISTER FOR LANDS: I can give the hon. member the botanical name but I must confess that I am not able to tell the difference between the two. My intention is either to give him notice that particular areas are sought to be selected so as to enable him to remove the trees or to make the selection available to the settler, the State retaining the *Kingia* grass tree thereon and give the lessee the right to remove it without unduly interfering with the operations of the selector. In most instances I presume the selector will

be glad to have the assistance of Mr. Benjamin to clear this *Kingia* grass tree from the ground.

Hon. J. Mitchell: What will he produce from it?

The MINISTER FOR LANDS: He will make a variety of articles. I went along to his rooms in King Street on one occasion and saw quite a variety of articles — portmanteaus, despatch cases, soles of boots, and many other articles which I cannot now particularise. It is most amazing to learn that such pliable and apparently durable articles can be prepared from such a tree. The provision now is that a deposit of £500 is insisted upon. The lessee must make a substantial start within six months, £2,500 is to be expended within nine months, and another £2,500 within twelve months, and the first annual rental is to be paid within twelve months from the ratification of the agreement.

Hon. J. Mitchell: Is there a royalty?

The MINISTER FOR LANDS: Yes. There will be a royalty of 6d. per ton on the blackboy. Although Mr. Benjamin sought to secure the right to take the ordinary blackboy as well, I reserved the right to this particular kind, because we have another gentleman in Perth in the person of Mr. Rowley who has met with considerable success in deriving marketable products from the ordinary blackboy and the *Zamia* palm, and it is our intention to give Mr. Rowley the right to secure these products on considerable areas of land in future, as I am satisfied that there is the germ of possibly a very big industry therefrom. Hon. members will agree that if Mr. Benjamin carries out the conditions which are embodied in this lease and expends this money in the erection of plant and machinery we will wish him the very greatest measure of success in his enterprise. I move—

That the Bill be now read a second time.

Hon. J. MITCHELL (Northam) [5.57]: I have no objection to offer to the Bill. If we can get an industry of this description going, it is right that we should do so. The Minister, however, has not been very clear as to which blackboy

he is going to give to Mr. Benjamin, and which he is going to reserve for Mr. Rowley. Mr. Rowley has done a lot of experimental work in connection with blackboy. He has managed to extract considerable quantities of spirit from it, and he can make varnish, and, I believe, paper and other articles. I doubt if there is a more valuable plant growing in Western Australia than blackboy and *Zamia*, but it has not been used although years ago the late Mr. Harper did some experimental work which proved that blackboy had a value. If Mr. Benjamin can be encouraged to work up this industry, much good will result to the State. Apart from the direct benefit the Crown will receive, the royalty will produce a fair revenue and the land will be cleared and the settlers helped and much employment will be found and considerable wealth will be extracted from a product which now must be burned by the selector. The terms of the agreement with Mr. Benjamin seem to be quite in order, but I should like to see the plans showing where these blocks are located.

The Minister for Lands: I would have to spread them all over the walls of the House.

Hon. J. MITCHELL: Reference is made to Melbourne Locations 414 and 415 and to Wellington Locations 355 and 356. The Minister could have produced a plan showing generally where these concessions are.

The Premier: We are not giving him concessions of land but only the right to this tree.

Hon. J. MITCHELL: The Premier should keep quiet. We are entitled to have this information and the Minister for Lands apparently does not object to supplying it. It is important that the whole of the blackboy growing along the railway frontage in the South-West should not be given exclusively to one man if other companies are likely to operate. The good which will result from this venture will largely be due to the clearing of the land for the selector because every blackboy growing will be rooted up and the product will be utilised. Benefit will result to the State in this

direction. I have no intention of putting any difficulty in the way of granting this lease. I may say that I admire the change which has come over Ministers. I am glad to see that they are ready to allow private enterprise to do something. They are wise in recognising that in many directions private enterprise can do much for the State in providing employment and developing industries.

Mr. S. STUBBS (Wagin) [6.1]: I desire to support the Minister as regards this Bill. I have had considerable experience of the good qualities of the material which is obtained from the grass tree, and I may say that the number of articles which can be manufactured from that material will prove the best advertisement for Western Australia that this State has had for a long time. One of the principal articles that I think will be manufactured on a large scale from this product of the grass tree is the bass broom for sweeping yards. The material is so tough that to break it is impossible; it can be bent and twisted in every conceivable direction without breaking in two. Another important article which will be manufactured from the produce is the travelling trunk. Compressed cane is at present used largely in the manufacture of travelling trunks, but in my humble opinion this material from the grass tree has twice the value of compressed cane, being much lighter and much tougher. One can positively jump on a trunk made from grass tree material and it will not break. I commend the Minister for having granted the concession, and the terms, while they seem to me to be in favour of the Government, yet will open up an absolutely new industry, and one which, I am sure, will be the means of providing employment for a large number of men.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

Mr. Holman in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Schedule:

Mr. TURVEY: Reference has been made to the fact that, under the agreement, lands will be cleared to a certain extent by the removal of these grass trees. Is provision made in the agreement for the cutting of the grass tree or for the grubbing of it?

Hon. J. Mitchell: Cutting effectually clears it.

The Minister for Lands: The agreement says "to clear and remove."

Hon. J. Mitchell: That is perfectly right. One cannot do more than that.

Hon. H. B. Lefroy: "Clear, grub, and remove" is in the agreement.

Mr. TURVEY: It speaks of licenses to other persons to cut and remove. The word "grub" does not appear.

The MINISTER FOR LANDS: The reason for the reservation is that there are various other directions in which the grass tree and blackboy—two entirely distinct plants—are utilised in a small way. For example, they are used for the flooring of stables, for which purpose they have some advantage, and they are also used to a small extent for firewood. Further, I understand there are several other uses to which small quantities of these plants are applied. In order that these various other uses may be protected, the reservation was included in the measure. However, there is no detailed specification to the effect that the lessee shall dig out the grass tree; the agreement says that he shall have the right to clear and remove and utilise the grass tree.

Bill reported without amendment, and the report adopted.

Read a third time, and transmitted to the Legislative Council.

BILL—PLANT DISEASES.

In Committee, etcetera.

Mr. Holman in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 to 13—agreed to.

Clause 14—Power to require owner or occupier of orchard to take steps to prevent spread of disease:

Hon. J. MITCHELL: This clause was objected to last year, and was debated at considerable length. It is certainly a most unfair clause, providing as it does that a perfectly clean orchard may be destroyed in order to prevent the spread of disease, and that without any compensation to the owner. Does the Minister think that fair? Very valuable property may be destroyed, and not a penny compensation paid. We have encouraged people to plant orchards and to keep them clean; but, under this clause, if disease is found in an orchard adjacent to a clean orchard the Minister proposes that the clean orchard shall be destroyed.

The Minister for Lands: The clause does not give that power.

Hon. J. MITCHELL: I am afraid the Minister has not read the clause. It certainly does give that power.

The Minister for Lands: Where is that specifically mentioned?

Hon. J. MITCHELL: The clause says—

An inspector may, with the approval of and subject to an appeal to the Minister, serve on the occupier and owner of any orchard or place where any plant is growing, or on either of them, a notice requiring them or him to take any measures or to do any acts which the inspector may deem necessary to prevent the spread of any disease, and in such case, even although the orchard or place is not infected any person on whom any such notice is served shall, as soon as practicable after the receipt thereof, comply with the requisitions thereof.

The inspector may order the destruction of trees. This measure contemplates the destruction of trees in certain cases.

Mr. Turvey: So it should.

Hon. J. MITCHELL: Yes; but it is quite another matter to destroy a perfectly clean and well cared for orchard.

Mr. Turvey: The inspectors are sane men.

Hon. J. MITCHELL: If the hon. member were as the inspectors are, he would see that a perfectly sane man might want to prevent the spread of dis-

ease, even to the extent of destroying an adjacent orchard.

Mr. TURVEY: Do you expect the inspector to destroy clean trees?

Hon. J. MITCHELL: I do not know what the inspector will do. I know what the clause will give him power to do. If a clean orchard is destroyed, then the owner is entitled to compensation.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. MITCHELL: I was endeavouring to convince the Minister that under Clause 14 the inspectors have power to destroy an orchard. The Minister is asking the owner of an orchard that has been well kept to suffer for the sins of another, without any idea of compensating the man who has grown his trees under the regulations set up by the department. Every requirement of the department may have been satisfied and yet the owner of a clean orchard be compelled to destroy his orchard in order that disease may be prevented from spreading. The Minister may say it does not apply to the trees, but I say it does.

The MINISTER FOR LANDS: This clause does not give power to order the destruction of trees as suggested by the hon. member. The previous clause deals with the destruction of plants or fruit, and is only exercised in cases where trees or fruit are infected.

Hon. J. MITCHELL: That is a totally different matter.

The MINISTER FOR LANDS: That is the clause to which the hon. member should turn his attention, the provision in which he imagines some power is given to destroy trees not infected. The only provision in the Bill under which trees not infected can be destroyed is Clause 18, dealing with neglected or abandoned orchards, and in that case certain procedure is necessary before such action can be taken. The clause with which we are dealing is necessary to enable the officers to exercise the utmost promptitude in coping with an outbreak of disease in any part of the State, as, for instance, the recent outbreak of codlin moth at Katoanung. It was only by such prompt action

in that case that we were able to prevent the spread of the disease beyond a certain restricted area. Under the old section we had power to act in a somewhat similar way, except that before action could be taken a proclamation had to be issued. We recognised however that in an outbreak of codlin moth even that delay would be undesirable, and therefore the clause, which is only a small modification of the power which has existed since 1898, becomes necessary; but it does not give power to destroy trees that are not infected.

Mr. TURVEY: The provisions in the clause are necessary. Let us take the pest most dreaded by orchardists, namely, the fruit fly. The clause states that the department may require the owner of an orchard to take measures which the inspector may deem necessary to prevent the spread of disease, even although the orchard is not infected. It may so happen that fruit fly is very bad in a district, and even though a particular orchard may not be infected it may have in it some berries recognised by orchardists as hosts for the breeding of the pest. It is of little use cleaning out one orchard if there is a favourable host or carry-over for the disease in the next orchard, and therefore it may be necessary to ask an orchardist to destroy certain plants such as box thorn and other recognised carry-overs for the fruit-fly.

Hon. J. MITCHELL: Then you agree that they can destroy orchards?

Mr. TURVEY: I agree that the power should be given to inspectors to take the necessary action. Again, if the owner will not do it, surely it is right that the department should be empowered to do the necessary work. When we recognise the great havoc that has been caused by fruit fly, we should be ready to grant every power to the inspectors, who in the past have not had sufficient power. The main object of the Bill is to give to the inspectors the necessary power to combat disease. It is the genuine orchardist, and not the owner of a week-end orchard, who ought to be considered.

Hon. J. MITCHELL: Are you against the week-end orchardist?

Mr. TURVEY: Yes, if he is going to neglect his duties. In that case the sooner he is wiped out the better for the State. Our fruit-growing industry will never be on a proper basis until those engaged in it are adequately protected. In the past our inspectors have been hampered for want of power. Although this power is to be given to inspectors, it does not follow that they will always take such drastic steps as the member for Northam fears. Our inspectors are sane men and they are not likely to do anything which will injure the industry.

Hon. J. MITCHELL: The clause gives exceptional powers, as for instance the power to destroy trees.

The Minister for Lands: That is not correct.

Hon. J. MITCHELL: The member for Swan agrees that it is.

The Minister for Lands: No. The member for Swan did not say the clause gave that power. He argued that such power was necessary.

Hon. J. MITCHELL: He said it gave the power. He referred to carry-overs. I do not question the wisdom of the inspectors, but I question the wisdom of passing a Bill which says the orchardists are to be entirely at the mercy of the inspectors. The clause provides that if an inspector finds it necessary to destroy the trees the orchardists will have to pay the Government for destroying his property. Is that a fair thing? Is it right that an innocent man should suffer the loss of his property without compensation?

The Minister for Lands: That power has existed since 1898, and the fruit growers themselves say it is necessary.

Hon. J. MITCHELL: If this is to be done there should be compensation.

Mr. Turvey: You are stating a most extreme case.

Hon. J. MITCHELL: If the Minister found disease in the midst of the orangeries at Harvey, would he think it right to uproot the adjoining lots in order that the spread of disease might be prevented, and to do that without compensation to the owners of clear orchards?

The Minister for Lands: That provision has existed since 1898.

Hon. J. MITCHELL: I do not think it has ever been exercised. However, it is futile to go to a division or even to discuss the position further. The orchardists will now know what is in store for them.

Mr. Bolton: They have asked for it.

Hon. J. MITCHELL: Who, the week-end orchardists?

Mr. Turvey: No, the genuine orchardist.

The Minister for Lands: I can assure the hon. member that for the past two years they have been asking for this to be made an urgent measure.

Hon. J. MITCHELL: When the Minister introduced the Bill he said or inferred that I had been approached by Mr. Jacoby and asked to oppose the Bill.

Mr. Turvey: You got it from the man in the street.

Hon. J. MITCHELL: Certainly not. Whilst the man in the street is probably not good enough for the hon. member to speak to he is quite good enough for me to speak to. It was a most miserable display of meanness to suggest that Mr. Jacoby came to me. I only realised afterwards that it was probably for political reasons that the statement was made. I have entered a protest against this amending legislation, and having done so must rest content.

The MINISTER FOR LANDS: I made that statement because the statement that Mr. Jacoby had approached the hon. member for Northam had been made by those connected with the Fruit Growers' Association. As the hon. member had denied the statement I accepted the denial. I do not want him now to infer that it was made for any political purposes.

The Premier: Where did he get it from?

The MINISTER FOR LANDS: I regretted that the statement had been made.

Clause put and passed.

Clause 15—agreed to.

Clause 16—Young plants for sale not to be grown near trees in bearing:

Hon. J. MITCHELL: May I ask what effect this clause will have? Some nursery stock is already growing near trees in full bearing. Is there any power to grant permission to orchardists to grow trees in that way?

The MINISTER FOR LANDS: The purpose of the clause is to enable steps to be taken in future to define the distance from growing fruit trees within which a nursery shall not be carried on. It is not our intention where nursery stocks may be growing at the present time, and which will probably be disposed of in the near future, to take any drastic action in regard to them. After such stock is disposed of and where future nursery stock is being planted it is our intention to prescribe a reasonable distance beyond growing fruit-trees within which nursery stock shall not be planted. At the present time we have very great difficulty, and have to exercise much vigilance, in regard to nursery stock coming in from outside the State, owing to it very often being infected with disease. That stock has to be fumigated and the very greatest care taken to see that it is not made the vehicle for the dissemination of disease throughout the State. It is necessary also to take similar measures in regard to nursery stock grown within the State. It is not desired to offer any drastic discouragement in the way of growing nursery stock in the State; we desire in fact on the other hand to offer encouragement. We believe under an effective scheme of irrigation that there will be an opportunity for nurseries to be established in the State in an extensive fashion, but at the same time we wish to ensure that they are not made the vehicle for carrying disease to existing orchards throughout the State.

Hon. J. MITCHELL: I agree that the provision is a wise one. At the same time the officers of the department will tell the Minister that there are many nurseries which will be disqualified under the clause. Has the Minister considered the advisability of having nurseries specially registered in order that purchasers of trees may be protected? Many people, and indeed the State also, have lost a con-

siderable sum of money because trees have been supplied that have not been true to name, whether intentionally or not I do not know. So long a time elapses after the purchase of the trees before the mistake is discovered that it is impossible to get a conviction against the nurserymen. The purchasers of the trees have no chance of succeeding in any action against the nurserymen. It might be possible to arrange for the registration and disqualification, if necessary, of any nurseryman who had transgressed to the extent I have pointed out.

The MINISTER FOR LANDS: It has been recognised by myself and the officers of the department that there has been a considerable degree of deception in regard to trees being sent out which were not true to name. There is also great difficulty in fixing the liability for this upon the nurserymen, for the reason that a considerable time elapses before proof of the deception is available. We are taking power under the Bill to provide for the registration of nurseries and orchards, and it will be possible under that scheme and with the co-operation of fruit growers to perhaps take some steps which will afford them necessary protection; not only in the sale of trees, but in the sale of seeds there is a good deal of fraud going on. Seed is kept for years, and when persons buy and plant it they have found in many instances that only five or ten per cent. of the seed germinates. Mr. Crawford, the head of the Rabbit Branch of the Agricultural Department, has been carrying on a number of experiments and purchasing seed at his own expense, and testing it under the most favourable conditions for germination. In some cases there was not two per cent. of germination because the seed had been held in stock so long. In Canada they have an effective measure under what is known as pure seed legislation, and I am giving consideration to the question of bringing forward some such provision here in order that we may be able to have similar protection afforded in the State.

Clause put and passed.

Clauses 17 to 27—agreed to.

Clause 28—Person not entitled to compensation:

Hon. J. MITCHELL: This bears out all that was said in regard to Clause 14. It was specially provided that no compensation should be paid to any owner who suffers by reason of anything done to prevent the spread of disease. It is clearly set up in this clause.

The MINISTER FOR LANDS: This clause is taken word for word from the Act of 1898.

Hon. J. MITCHELL: It does not say so in the marginal note. The Minister argued against me when dealing with that clause.

The MINISTER FOR LANDS: This does not bear out your argument in regard to Clause 14.

Hon. J. MITCHELL: It is necessary that this clause should be set up if the Minister wishes to maintain the attitude he maintained in Clause 14, that he should incur no responsibility for anything done to prevent the spread of disease.

The MINISTER FOR LANDS: Ever since the Insect Pests Act which we are now converting into the Plant Diseases Act, and which was passed in 1898, this specific provision has formed part of that measure. At no time under the administration of that measure has compensation been paid? I do not wish at this stage to argue the question of compensation. Many schemes have been put forward, but none which formed a satisfactory solution of the trouble. We are merely continuing the provision so far as the question of compensation is concerned as it has existed since 1898. I do not think the hon. member for Northam could quarrel with me in regard to continuing a provision which was in force when he was Minister for Lands and to which he took no exception at the time.

Hon. J. MITCHELL: This is the first time that hon. members have had an opportunity of knowing what was in the Act the Minister refers to. If there was something wrong before in the Act there is no reason why that wrong should be continued now. Apparently the Minister holds the view that anything done in any time must be right.

The Minister for Lands: Only on the question of compensation.

Hon. J. MITCHELL: It is useless to endeavour to alter this clause. The department will have to control this business, and there is likely to be very much more strict control and inspection of orchards in the future. The Commissioner for the fruit industries will doubtless see that the Act is administered fairly, but at the same time he will have to give effect to any section which appears in it.

Clause put and passed.

Clauses 29, 30—agreed to.

Clause 31—Minimum penalty:

Hon. J. MITCHELL: There is provision here that the minimum penalty shall be one-tenth of the maximum penalty. Surely it should be left to the magistrate to say what the penalty should be.

The MINISTER FOR LANDS: The insertion of this provision is necessary owing to the fact that in prosecutions which have been instituted against different persons for breaches of this Act, the penalties have been of such a nominal character that they have not acted as a deterrent. It is felt that if we are to ensure this Act being faithfully observed, fruitgrowers will have to co-operate with the department and then we ought to have some penalty which will act as a deterrent against those who will not assist.

Clause put and passed.

Clause 32—Onus of proof:

Hon. J. MITCHELL: This clause provides that the prosecuted person must prove his innocence or be adjudged guilty.

The MINISTER FOR LANDS: This particular clause is really not so serious as the hon. member considers, because, after all, the defendant has the full opportunity of making the best case possible in a rebuttal of the sworn averment of the prosecutor.

Clause put and passed.

Clause 33—Proof of knowledge:

Hon. J. MITCHELL: Will the Minister state whether this clause is from the old Act? Here a man must prove that he has no knowledge of his business.

The MINISTER FOR LANDS: It does not mean that. It means that he must have a knowledge of an offence committed under the Act.

Clause put and passed.

Clause 34—agreed to.

Clause 35—Regulations:

Hon. J. MITCHELL: There is no provision for laying the regulations framed under this Act on the Table of the House.

The Minister for Lands: That is provided for in the Interpretation Act.

Hon. J. MITCHELL: The Interpretation Act is wrong. The Minister says that whilst one House could reject the whole of this Bill, both Houses have to disagree with its regulations, which have all the force of law. The position is ridiculous.

The Premier: Why did you not amend the Interpretation Act while you were over here for 10 years?

The MINISTER FOR LANDS: The position in regard to the regulations is not as the hon. member would have the Committee believe. Where one House has the power to veto legislation, it is because that legislation is new. It may be a new measure altogether dealing with a new subject, or it may be legislation providing drastic and far-reaching amendments to some existing measure, and in that case one House or the other has the power to veto, or amend, or defeat that particular provision. But regulations can only be made in conformity with a particular measure, and to carry out the specific provisions of that measure. The provision contained in the Interpretation Act is quite sufficient, and there is no necessity to cumber this measure. If we make regulations which are not in conformity with the Act they can be upset by a court of law.

Clause put and passed.

Clause 36—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time and transmitted to the Legislative Council.

BILL — PERTH MUNICIPAL GAS AND ELECTRIC LIGHTING ACT AMENDMENT.

Second Reading.

The PREMIER (Hon. J. Scaddan—Brown Hill-Ivanhoe) [S.17] in moving the second reading said: The Bill merely provides that power shall be given to the Perth City Council to expend the unexpended balance of the money they raised for the purpose of securing the interests of the Perth Gas and Electric Lighting Company, which was carrying on business in Perth. The council raised something like £525,000 and expended, in round figures, £470,000, and they have a balance of some £55,000 which, without some authority, cannot be utilised. It is now desired to give them authority to expend this balance of loan fund in and about the council's business of manufacturers and suppliers of gas and electric current. It will be noted that Clause 3 while it does not limit the power conferred by Clause 2 to expend the money as the council think best for the supplying of gas and electric light, gives them power to expend it in the direction of purchasing and supplying motors, lamps, and other electrical appliances without charge to the council's customers; the necessity of that being that, owing to the alteration in the current from direct to alternating, it is found that they will have to make an alteration in the motors and appliances generally for the utilisation of the current which will be supplied from the common power-house now in course of erection. It is desirable that they should apply this money for this purpose rather than use it in any other direction, and subsequently have to raise further funds. The city council approached the Government in connection with the matter, and we agreed that it was a fair and reasonable proposition; hence the Bill. I move—

That the Bill be now read a second time.

Hon. FRANK WILSON (Sussex) [S.20]: I have just seen this little Bill for the first time. It seems rather a sweeping one, but as the Premier points out that the council are of opinion that this money will be beneficially expended I do not

know that we ought to take exception to it. I notice that the expenditure of the money is limited to the equipment of motors and lamps and other appliances in connection with the undertaking. That being so it serves to safeguard the expenditure.

The Premier: It cannot be expended except in connection with the undertaking.

Hon. FRANK WILSON: I understand from what the Premier says it is necessitated by the contract entered into by the Government to supply current from the new power house. I see no objection to the Bill.

Question put and passed.

Bill read a second time.

In Committee, etcetera.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Read a third time and transmitted to the Legislative Council.

ADJOURNMENT—SPECIAL.

The PREMIER (Hon. J. Scaddan): I move—

That the House at its rising adjourn till Tuesday, 1st September.

Question passed.

House adjourned at 8.23 p.m.

Legislative Council,

Wednesday, 26th August, 1914.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Annual Report of the Bunbury Harbour Board for 1913. 2, Return of Exemptions granted during the year 1913-14 under the Mining Act, 1904.

QUESTION—POLICE PROTECTION AT WONGAN.

Hon. H. P. COLEBATCH asked the Colonial Secretary: 1, Has his attention been drawn to the frequent complaints of travellers and others in regard to the prevalence of drunkenness and disorderly conduct at Wongan? 2, Will he consider the necessity for affording police protection?

The COLONIAL SECRETARY replied: 1, No. A report will be called for. 2, Inquiries are being made with a view to establishing police stations on the Wongan Hills-Mullewa railway, but until this line is taken over by the Railway Department and the requirements of certain centres can be definitely ascertained, it is not considered desirable to proceed with the erection of buildings. Wongan Hills is frequently visited by the Goomalling police.

STANDING ORDERS SUSPENSION.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.33] moved—

That the Standing Orders relating to public Bills and the consideration of