

Mr. Chesson: I thought this was intended to protect the pensioner.

The PREMIER: So it does. We are helping the old age pensioner, but have no right to help him at the expense possibly of some other old man or at the expense of the municipality. It would be wrong to strike out these words.

Mr. MONEY: A misconception has arisen. The member for North-East Fremantle put the case clearly. The object of the Bill is to protect the pensioner. There is nothing, and there was nothing, in the Bill to prevent the mortgagee from protecting himself. This amendment represents an advantage to the pensioner in that it gives security to the mortgagee. To strike out the words would be wrong. If the mortgagee's rights were lessened, he would realise on his mortgage. The amendment should be agreed to in toto.

#### Point of Order.

Hon. W. C. Angwin: I rise to a point of order. The Bill as presented to the Legislative Council was not worded as it was worded when it left this Chamber. There was an amendment moved in Clause 2, to strike out "shall," and insert in lieu "may claim to." That amendment was carried. The object was to allow such old age pensioners as preferred to do so, to pay their rates, instead of letting them stand on the property.

The Chairman: It appears to me that an error has been made; but as the reprint of the Bill has gone forward to the other place and passed that Chamber with that mistake in the Bill, I do not see how the error is to be rectified unless in some way the Bill can be recommitted.

Hon. W. C. Angwin: When the Bill went through its third reading here, it did so on the certificate of the Chairman of Committees. There is no blame attaching to members.

The Chairman: Quite so. I shall be glad to hear any suggestions as to what course should be taken. If hon. members desire it, I will refer the question to the Deputy Speaker.

Mr. Lambert: I think that, in the circumstances, to report progress would be the best course.

Progress reported.

*House adjourned at 11.47 p.m.*

## Legislative Council,

*Tuesday, 16th January, 1923.*

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

### ASSENT TO BILLS.

Message from the Governor received and read, notifying assent to the following Bills—

- 1, Dairy Industry.
- 2, Esperance-Northwards Railway Extension.

### PRIVILEGE—RECORD OF MEMBERS' ATTENDANCES.

Hon. J. CORNELL (South) [4.35]: I rise to a point of privilege, and also a personal explanation. I observe that the Minutes of the last meeting of this House do not show my name as that of a member who attended the sitting, which is an obvious error, as other members can certify.

The PRESIDENT: The alteration will be made as a matter of form. I am sorry the error has occurred, and I shall endeavour to take steps to prevent the recurrence of such an error.

The MINISTER FOR EDUCATION: The usual form is to set out the names of members present during a sitting. In this House the opposite course has been adopted, of mentioning the names of members who were not present.

Hon. J. Daffell: I think the method previously adopted was more satisfactory to everybody, and I think we should revert to it.

The PRESIDENT: I have not the Minutes before me, and therefore am not in a position to say.

### BILL—KOJONUP AGRICULTURAL AND HORTICULTURAL SOCIETY'S LAND.

Read a third time and passed.

# SELECT COMMITTEE—FISHING INDUSTRY.

To adopt Report.

Hon. F. A. BAGLIN (West) [4.42]: I move—

That the select committee's report be adopted.

The report has been drafted in accordance with the evidence tendered. The select committee endeavoured to gain all necessary information for placing the fishing industry on a good foundation, with a view to its being fostered and developed. The report has been before hon. members a few days, and if they have not already done so I hope they will read it, together with the evidence, in their spare time. The select committee seek the assistance of the House in the form of suggestions. To the select committee it seems peculiar that for many years one of our primary industries should have been so sadly neglected, and that past Governments should have made no effort to develop and foster it. The reason for that neglect the select committee have not attempted to assign. Western Australia has a coast line of about 3,000 miles, and the fishing industry should flourish here. The select committee's report, while not attempting to explain the failures of the past, seeks to put up reasonable suggestions.

Hon. J. J. Holmes: What about the efforts of the Labour Government?

Hon. F. A. BAGLIN: The Labour Government can look after itself. I thought that this was a non-party House. If there is any member who attempts to make it a party House, it is the hon. member who has just interjected. I may add that I have always received courtesy from all members of this House except the hon. member in question. Had the select committee's report referred to wheat growing, or to the pastoral industry, that hon. member might have given it more attention. We for our own part recognise the importance of those industries, but we consider that there are also other industries to be developed. Possibly certain members, or a certain member, can see only one industry. All that the select committee ask for is a frank and full discussion of their report. Possibly various members will not agree with the report in its entirety, but will consider that it contains errors and should be amended. Here at our doors is an old established industry languishing for want of development. It is the duty of hon. members to give it some attention.

Hon. J. Duffell: Trawlers have been tried.

Hon. F. A. BAGLIN: If trawlers have proved a failure, we should attempt to learn whether it was because of bad administration, or because the principle was not sound. If the principle be sound, we should not condemn trawlers because of indifferent administration in the past. At present the fishing industry is controlled by foreigners. There is no reason why it should not be controlled

by Australians and Britishers. There is something wrong when Britishers and Australians cannot compete against foreigners in the fishing industry. The select committee make suggestions that would, at least, improve the position. From the evidence before the select committee it is clear that some responsible officer in the Public Works Department has sadly neglected his duty in respect of the Fremantle fish market. The jetty is in a state of disrepair, and the building itself is practically falling down. The Fremantle Municipal Council at last night's meeting asked the town engineer for an estimate of the cost of repairs. It is considered that to put the building into condition would cost £2,000. The market was leased by the council at a rental of 1s. per annum, which has never been demanded. The council had to maintain the repairs of both building and jetty. It was the duty of some officer of the Works Department to see that that part of the contract was complied with. The council have spent scarcely any money at all upon repairs, and now they propose to hand back the dilapidated building and jetty to the Government.

On motion by Hon. A. Lovekin, debate adjourned.

## BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

In Committee.

Resumed from 11th January.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 2, an amendment having been moved by Mr. Kirwan to insert after "1924" the words "and no longer."

Hon. J. W. KIRWAN: I wish to withdraw the amendment with a view to moving a new clause.

Amendment by leave withdrawn,

Clause put and passed.

New clause:

Hon. J. W. KIRWAN: I move—

That the following new clause be added to stand as Clause 3:—"The principal Act and its amendments shall continue in force until the 31st December, 1924 and no longer."

On two occasions have I explained the reasons why I think it desirable that the board should be wound up and its work carried on by the Agricultural Bank, which would practically mean the amalgamation of the two institutions. Anybody who has read the evidence taken before the select committee will find therein ample reasons for my proposal. The board was instituted to assist necessitous agriculturists suffering from drought. None of us thought the board was going to continue from year to year. If it be neces-

sary that the board should be continued, it ought to be made a permanent institution, and a Bill introduced for that purpose. Alternatively, the board ought to be wound up. In the interests of Ministers, as well as of the State, it is undesirable that power to say what money shall be granted to individual clients of the board should remain in the hands of a Minister. For many years have hon. members chafed against the passing of the annual Continuance Bill. My proposal is not a drastic one, but is merely an indication to the Government that in the opinion of the Council the board ought to be wound up.

The MINISTER FOR EDUCATION: I have already told the Committee that the Government are giving consideration to the report of the select committee to which Mr. Kirwan has referred, and are considering it with a view to adopting it as far as possible. But I must ask the Committee not to agree to the new clause, for it is impossible to contemplate the extent to which it might not only embarrass the Government but endanger the securities of the State. Advances have not been confined to agriculturists, but have been made to persons engaged in mining and other industries. Whilst the Committee might very properly emphasise its desire that no advances should be made after a certain date, it is obvious that the machinery of the Act must remain in force until something be done to provide for the board's abolition. It would be dangerous to tell the Government not only not to advance further money, but within a certain period to square up the whole business, because after that period their securities would go. It is due to the Government that the Committee should accept the assurance that the report of the select committee is being considered with a view to carrying out its recommendations as far as practicable and as quickly as possible. I do not think anyone could come to any other conclusion than that the I.A.B. has been of very great value to the State. I agree it is well to consider the question of winding up the board, and the Government are considering it.

Hon. J. MILLS: The I.A.B. is so interwoven with the workings of the Agricultural Bank that it would be almost impossible to separate the two. The Agricultural Bank aims at setting up on the land people who have no commercial credit and are unable to stand alone. The intentions of the bank are to clear the land, water it if possible, find implements and money, and it stops there. The prospective farmer, having obtained a loan from the bank, would probably do the work of development himself. Having arrived at the point when he has 200 acres fit for the plough, to whom can he turn except to the Government for seed, super., spare parts, horse feed, sustenance, etc.? If the board will not help him what is the use of the bank lending him the money? If the I.A.B. is cut out it will be a sprag in the wheel of the farming industry, or else the Government should place upon the land only those people who can stand alone. There are also 4,000 or 5,000 soldiers who have gone on the land, and whose funds are

not sufficient to enable them to put in and take off crops. We have not by any means done too much for the soldiers, to whom we owe such a great deal, and there is still an obligation cast upon the people to do more for them. I hope the amendment will not be pressed.

Hon. J. W. KIRWAN: There is a printer's error in my amendment. When I framed it it provided for the I.A.B. continuing for 12 months to March 1924. The amendment as printed on the Notice Paper provides for December.

The CHAIRMAN: I will have the alteration made.

Hon. J. W. KIRWAN: The last paragraph in the report of the select committee is as follows:—

The board has been in existence for seven years and during that period the farmers should have been able to make some recovery from the loss sustained during the 1914-15 drought. Conditions have again become normal and your committee is of opinion that no new clients should be taken by the board. Steps should be taken to finalise the accounts of the board and the board should cease to exist after its accounts have been finalised. In the event of any difficulty being experienced in finalising the accounts the administration should be handed over to the Agricultural Bank trustees, and if necessary the Agricultural Bank Act should be amended so that all assistance to land development should be granted under that Act. If this were done it would enable the security to be watched more closely, and the funds of the State to be protected better than is possible under the Industries Assistance Act with its wide and open provisions.

The proposal of the select committee should meet the views of Mr. Mills. If any farmer is in need of immediate assistance it can be granted under Government guarantee by the Agricultural Bank. No hardship would be effected by my amendment, which would simplify the whole system of assisting agriculturists. It would considerably lessen the number of those engaged in the work of giving that assistance, prevent duplication of staff, produce general efficiency, and be of benefit to the State as well as to the industry.

The MINISTER FOR EDUCATION: Even if it were decided to-morrow to shut up the I.A.B. and hand it to the Agricultural Bank, the bank would still require the machinery and securities and other things set up in the Industries Assistance Act. The only way this could be done would be to amend this Act in such a way as to make it suitable for handling by the bank. We cannot destroy the Act and get our money back.

Hon. J. W. KIRWAN: Evidence is given in this report showing that the two institutions have not always worked together as they should. There are cases of farmers who have secured clearances from the I.A.B.

whilst owing money to the bank. The work should be carried out by the one institution.

Hon. J. J. HOLMES: I support the amendment. It will enable us to reach finality. It is generally admitted that the I.A.B. has been allowed to drift too long. Unless we put a sprag in its wheel it will continue to drift on. I do not understand the Minister's attitude when he says this would harass the Government.

The Minister for Education: I am speaking of the Government as protecting the finances of the State.

Hon. J. J. HOLMES: The Government have achieved a fine record in the matter of protecting the State's finances. If we insert this amendment it will mean that someone will be detailed to set things in order. If we close up the board, apparently the Government could still enable the Agricultural Bank to carry on settlers. The bank holds one portion of the security and advances on certain items, and the I.A.B. possibly has no security at all for the other advances that are made. Will the Minister state the necessity for the two institutions? One is all that is required. Mr. Kirwan aims at forcing the hands of the Government to deal with the agricultural industry through one channel. It is not too much to ask that reform should be made before 1924.

Hon. J. MILLS: The money advanced by the bank is advanced for 20 or 25 years, and that advanced by the board is only a temporary loan. There is no security in the land until the bank creates it. It is usually bush land valued at about 15s. an acre, and until it is developed is not worth more. If money is advanced under the Industries Assistance Act, as is done now, it is still necessary to have supervision to see that the money is properly spent. Whether the work is done by the bank or by the board, there must be some machinery to see that the money is not thrown away. The only alternative is to put settlers on the land who can afford to stand alone.

Hon. F. E. S. WILLMOTT: The Industries Assistance Board was of the greatest help to those who were suffering in 1914. The board was created for a specific purpose and it would be wrong to close down that board before that specific purpose has been accomplished. Many of the men who were helped by the board have made good and they have not only paid back the board's advances but have paid every penny off to the Agricultural Bank as well. Now we want to give a chance to others who have followed. There will still be the man whose accounts are not paid, but doubtless he will approach the Agricultural Bank for further assistance. Under ordinary banking rules such a person would not be able to get that assistance. Then having destroyed the Industries Assistance Board, this man will approach the Minister and obtain an advance through him. Under what head? At present he gets it from the Industries Assistance Board. He would then

get it from the Agricultural Bank with the guarantee from the Minister, which would be a more cumbersome method. The hon. member's desire would have the effect of making confusion worse confounded. If we close down the Industries Assistance Board in 1924 we shall do one of two things: We shall ruin a certain number of people who will pull through if the board continues, or we shall force the bank's hands to advance money to those settlers with the approval of the Minister only. Knowing what I know of the working of the board since 1914, I agree with Mr. Mills that it would be disastrous to close down the Industries Assistance Board as proposed by Mr. Kirwan.

Hon. A. LOVEKIN: It seems to me to be common ground that the Industries Assistance Board should cease to exist as soon as possible. The select committee which reported on it thought so and apparently the Government are of the same opinion. It must be common ground because when I look at the report of the select committee I find this:—

For the year ended 31st March, 1922, the amount was £1,018,085, and from March to the 31st August an additional £396,354 was advanced. The total amount owing to the board on the 31st August, 1922, was £1,460,941. The amount written off as bad debts totals £48,946. Your committee is of opinion that the amount of bad debts will be largely increased, as many of the clients who have drawn fairly heavily on the board have little security. According to the evidence of the assistant manager, Mr. Grogan, experience shows that when properties are put on the market for sale, there is little, if any money left after the Agricultural Bank mortgage is paid. The report goes on to quote what the Auditor General says about it—

Balance sheet cannot be passed. In my opinion the balance sheet does not show the true position of the board and the settlers' affairs at 31st March, 1922, and I cannot pass the accounts. I have therefore followed the course I have previously adopted and have not signed the statements.

This shows it is necessary that something should be done as soon as possible. All Mr. Kirwan has in view is to intimate to the Government that something should be done quickly. The hon. member wants the clause inserted only to emphasise the fact that we, in conjunction with the select committee, think that the board should be terminated at the earliest possible date. The Government will be able to bring in a new Bill to merge the Industries Assistance Board into the Agricultural Bank so that the finances may be better safeguarded than is the case under the existing system. In the interests of the Government the amendment should be passed. If we negative the amendment it will be taken that this House is not averse to the continuance of the Industries Assistance Board, and that we may have a Bill

next session to continue the operations of the board.

**THE MINISTER FOR EDUCATION:** I am not concerned as to whether these two institutions are necessary. That matter has been gone into by the select committee and the report is being considered by the Government. The effect of the amendment will be to destroy securities created under the Industries Assistance Act. It will not have the effect Mr. Lovekin suggests. The Bill will prevent any further advances after March, 1924.

**Hon. A. Lovekin:** Unless an amending Bill alters it.

**THE MINISTER FOR EDUCATION:** When Parliament passed the Industries Assistance Act, it limited to 12 months the operation of the section relating to advances, and from time to time it has altered that date, always limiting it to 12 months. Even if, as a result of the select committee's report, the Government decided they could get rid of the Industries Assistance Board and place it under the Agricultural Bank, the Government would then have to make a slight amendment of the existing legislation giving the Agricultural Bank the Industries Assistance Act.

**Hon. J. W. Kirwan:** My amendment presupposes further legislation.

**THE MINISTER FOR EDUCATION:** It anticipates it, which is dangerous. Whatever attitude banking institutions generally might take in matters such as this, they certainly would not start by tearing up their securities.

**Hon. A. Lovekin:** This would be a transfer from one bank to another.

**THE MINISTER FOR EDUCATION:** Nothing of the kind. If this House passed a resolution or could bind the Act, which it cannot do, it would be a different thing altogether. But what is proposed is to say that after 1924 all securities set up under the Industries Act and all obligations shall cease.

**Hon. A. Lovekin:** No.

**THE MINISTER FOR EDUCATION:** The effect of the amendment would be to annul the Act, and if after the date specified a farmer sold the proceeds of his crop and put the money into his pocket, nothing could be done.

**Hon. A. Lovekin:** You would have an amended Agricultural Bank Act.

**THE MINISTER FOR EDUCATION:** We do not know what that would be. The proposal will certainly have the effect of destroying securities.

**Hon. J. J. HOLMES:** To say that the passing of the amendment would destroy the security of the board is utter nonsense.

**The Minister for Education:** It will destroy the Act.

**Hon. J. J. HOLMES:** It will place on the Government the obligation of introducing an amendment to some other Act.

**The Minister for Education:** And that might be passed in any form.

**Hon. J. J. HOLMES:** We destroy the taxation Act every year.

**Hon. J. W. Kirwan:** If the continuance Bill were not passed every year, the Act would come to an end.

**Hon. J. J. HOLMES:** The Leader of the House must adduce stronger arguments before he can convert me. Mr. Mills says the Agricultural Bank creates the security, that the land is no good until the Agricultural Bank finds the money.

**Hon. J. Mills:** That is correct.

**Hon. J. J. HOLMES:** But when the Agricultural Bank has advanced so far as it is considered safe to go, the board comes in and makes advances which the bank cannot or will not make.

**Hon. J. Mills:** There is no provision in the Act for the bank to make such advances.

**Hon. J. J. HOLMES:** Then provision could be put in the Act. The result is that when a settler is wound up by the bank, there is only sufficient to pay the bank, and not the board, clearly showing that the bank is working on safe lines, but not so the board.

**Hon. J. Mills:** That could not be obviated.

**Hon. J. J. HOLMES:** I am informed that a lot of clients who are solvent remain on the board's books because, if they took their clearance from the board, their creditors would get the money they are entitled to. So long as they remain on the board the creditor cannot get their money. I understand that many thousands of pounds was owing to country storekeepers who supported the farmer up to the time the Industries Assistance Act was passed. Some of the settlers who were almost down and out in 1914, are still on the board although they are solvent and could well afford to pay their creditors. The most astounding part is the announcement by Mr. Willmott, an ex-Minister, that if we wiped out the board, the bank would have no power to make advances unless a Minister ordered the bank to do so.

**Hon. F. E. S. Willmott:** Unless a Minister authorised the expenditure.

**Hon. J. J. HOLMES:** Surely no Minister would dictate to the Agricultural Bank as to whether money should be advanced or otherwise!

**Hon. F. E. S. Willmott:** The bank cannot advance it, but it can be advanced from a separate account on the authority of the Minister.

**Hon. J. J. HOLMES:** If a Minister can tell the Agricultural Bank, "You refused Jones an advance; I recommend you to make an advance"; we shall be putting the bank in a very rotten position.

**Hon. F. E. S. Willmott:** I said the Minister would authorise a separate advance, which is quite a different thing.

**Hon. J. J. HOLMES:** Mr. Latham, the Deputy Leader of the Country Party, was a member of the select committee, and it is the wheat growing community which have had all the assistance. Mr. Latham recommends that the board be wound up.

The Minister for Education: He does not recommend that the Act be repealed.

Hon. J. J. HOLMES: Neither do we.

The Minister for Education: Yes, you do.

Hon. J. J. HOLMES: No; we say it is someone's business to face the position. By passing the amendment someone will have to face the position before March, 1924. A sum of one and a half millions has been distributed by the board, and the Auditor General refuses to certify to the correctness of the accounts. Surely this justifies us in saying that this board must come to an end. The report of the select committee states that some of the clients are hopeless, and should have been taken off the land years ago. Yet the Government and the board allow them to remain. While one and a half millions is still owing by these clients, who have enjoyed a period of unequalled prosperity, the board have written off only £48,000.

The MINISTER FOR EDUCATION: For the information of the Committee, I shall read the opinion of the Solicitor General. It states:—

Section 15 of the Industries Assistance Amendment Act, 1917, provided that no commodities should be supplied or moneys advanced under the principal Act after the 31st March, 1918. That limitation of the operation of the Act has been extended from year to year, and the object of the proposed Bill is to extend the period until the 31st March, 1924. By the Hon. J. W. Kirwan's new clause, the Act as a whole will continue until the 31st December, 1924, and no longer, and, therefore, will stand repealed on that date. Although the authority to supply commodities or to advance moneys is by this Bill limited in time to the 31st March, 1924, the principal Act and its amendments must necessarily continue in force after that date until all the operations thereunder have been wound up and the advances under Part II. thereof as well as the advances under Part III. thereof, by way of assistance to mining and other industries, are repaid. Although the operations of the Act as regards further advances may be limited so as not to continue after the 31st March, 1924, it is obviously necessary that the Act should not be repealed until all the securities for advances have been realised; and the effect of the Hon. J. W. Kirwan's amendment would be to make it obligatory on the part of the Government to realise the securities before the 1st December, 1924, which apparently would be impossible. The Act must necessarily continue in force until assisted settlers and other persons engaged in assisted industries have discharged their obligations or the securities have been realised. The proposed new clause therefore should not be added to the Bill.

Hon. J. W. KIRWAN: The Leader of the House will persist in repeating what

ought to be understood by every member. No one expected that the amendment would not be followed by legislation on the part of the Government to deal with the situation which would arise from the termination of the board. What the Solicitor General says is true assuming that no legislation is passed meanwhile. The difficulty could very easily be overcome by legislation. The Minister has put up an extraordinarily weak case. The Solicitor General may as well say that if we do not pass the continuance Bill, the Act will come to an end. We merely ask that at the end of 14 months the board shall cease. If the Industries Assistance Board is necessary, let the Government introduce fresh legislation and put it on a permanent basis, but let us not be fooled as we have been year after year by requests to continue what was said to be a temporary institution. Unless we take action the board will continue indefinitely.

The MINISTER FOR EDUCATION: The hon. member has twice said that if we refused to pass the continuance Bill, it would bring about the same result. Nothing of the sort. If the Council refused to pass this Bill, it would mean that after the end of March no advances could be made to agriculturists or to mining companies under the Act. The Act, however, would continue in operation until the whole business was wound up.

Hon. J. W. Kirwan: Cannot the case be met by amending legislation?

Hon. A. LOVEKIN: The Minister is fighting a point in which there is very little substance. The amendment should be helpful to the Government, in that it will direct them to get on with the business of terminating the board. The select committee in its report stated:—

Your committee finds that many of the clients are in a hopeless position. Many of the settlers' accounts are in such a condition as to make the Board's position a very difficult one. If the accounts are closed, it will mean certain loss to the State. If the further assistance is granted there is a remote possibility of loans previously granted being reduced. It appears to your committee that to make further advances in some cases would be throwing good money after bad.

Now we say that this state of things must cease. The only way we can force our opinion is, as Mr. Kirwan suggests, by intimating to the Government that the board shall continue until March 1924 and no longer. In the meantime the Government can come in as they ought to come in, and legislate to meet the cases which may arise. The Solicitor General's opinion does not touch the point at all.

Hon. A. BURVILL: If Mr. Kirwan's amendment were carried and no other Bill were introduced, it would practically mean the repeal of the principal Act, and the difficulty mentioned by the Solicitor General would then occur.

Hon. J. W. Kirwan: Certainly.

Hon. A. BURVILL: I should like to move an amendment on the amendment for the striking out of the words "and no longer" and inserting in lieu "and a Bill shall be introduced to amalgamate the Act with the Agricultural Bank Act." That may seem ludicrous, but it represents Mr. Kirwan's intention. I oppose the amendment.

Hon. J. DUFFELL: The amendment represents a valuable aid to the Government towards giving effect to the sentiments expressed by the Leader of the House this afternoon. The more one studies the position, the more one is forced to the conclusion that the present position of the Industries Assistance Board is an index of the internal condition of many Government undertakings. The Government have advanced money here, there, and everywhere, so that even the Auditor General cannot unravel the mystery. The Auditor General says he cannot see his way to sign the report and balance sheet of the Industries Assistance Board. In the face of that, are we going to continue the muddle? I must support the amendment.

Hon. J. CORNELL: I do not intend to discuss whether or not the principal Act should ever have been passed. It is generally conceded, however, that when the direct losses are placed against the direct and indirect gains, the Industries Assistance Act has been of great benefit to the State, and has been the means of keeping on the land hundreds of men who otherwise would have been obliged to go off. The benefit of the Act has been extended not only to people who held land when the measure was passed, but also to some 900 discharged soldiers. Mr. Kirwan, I understand, does not oppose the granting of advances for another year, but desires that after that other year has elapsed the principal Act, and with it the board, should go out of existence, the board's affairs then to be taken over by the Agricultural Bank. Is that the right method? Members who think so should refuse authority to grant any advances after the 31st March this year, because during the proposed year of extension the existing bad debts might be increased and the existing confusion intensified. The carrying of the amendment will be a direct mandate to the Government to preserve the security of the State and other creditors. What would be the position if in spite of this amendment the Government next session failed to bring in the necessary Bill? The Government need only bring down a measure to extend the operations of the Incoming trustee of the Agricultural Bank, who is anee Board, says that some scheme of amalgamating trustee of the Agricultural Bank who is also general manager of the Industries Assistance Board says that some scheme of amalgamation should be adopted. Amalgamation, however, is not so simple a matter as some members think. When the parent Act was introduced, proof was given that the machinery of the Agricultural Bank did not admit of the doing of the work required under the

Industries Assistance Act. If the solvency and the stability of the Agricultural Bank are to be maintained, heavy writing down of the debts owing to the board would be necessary upon the taking over of its affairs by the bank. I am not inclined to support an amendment which necessarily means the repeal of the principal Act and the destruction of the credits created under it. Members who favour the amendment should put up a concrete scheme of amalgamation. If the amendment is carried, this House should appoint a select committee of its own to go into the question.

Hon. J. A. GREIG: Speaking on this subject two years ago, I said that in my opinion the time had arrived when the Industries Assistance Act and the Agricultural Bank Act and the Discharged Soldiers Settlement Act should be consolidated into one measure, because the Government were finding under three separate Acts the money with which to cheaply finance the people on the land. Those Acts ought to be consolidated. The Government have not yet done anything by way of the proposed amalgamation. I do not like the form of the amendment.

Hon. J. W. Kirwan: It is the only form in which it could be inserted in the Bill.

Hon. J. A. GREIG: It means that the Act will have to be carried out until the date named. Some members are in favour of closing up the board altogether. That would be disastrous. The board has done excellent work, conferring many real benefits on the State. It ought to be made a permanent institution, but I agree that its work should be amalgamated with that of the Agricultural Bank and of the Soldier Settlement Scheme. What I want to see is a Bill amalgamating the three institutions.

Hon. J. W. Kirwan: The amendment will have that effect.

Hon. J. A. GREIG: No, I am not in favour of the amendment.

Hon. J. W. KIRWAN: Mr. Cornell has very much exaggerated the difficulties of the proposed amalgamation. It would be a relatively simple thing to bring it about at the end of 14 months. I agree with Mr. Greig that all three bodies should be amalgamated. Mr. Greig objects to my amendment, but does not suggest any other to take its place. I assume that if the amendment be passed the board will not go ahead with new business, as feared by Mr. Greig, but will pave the way to its winding-up.

Hon. J. CORNELL: If the proposed new clause be carried, it will not only be a mandate to the Government to wipe out the Industries Assistance Board, but it will mean that in any consolidation the Industries Assistance Board must make no further advances. The only function of the consolidated board will be to wind up the business of the board. Personally, I think the work of the Industries Assistance Board should be continued, for it has been, and will continue to be, of very great service to the State.

Hon. G. W. MILES: The object of the amendment could be achieved in another way. We could indicate to the Government that we want this amalgamation brought about. If Mr. Kirwan were to withdraw his amendment we could recommit the Bill and amend Clause 2, inserting in place of "1924" the words "30th September, 1923." In view of the report of the select committee, and of the refusal of the Auditor General to sign the Industries Assistance Board's report, and having regard to the very large sum of money at stake, I think we should notify the Government that a change is desirable.

New clause put and a division taken with the following result:—

Ayes	..	..	..	..	9
Noes	..	..	..	..	14

Majority against .. 5

#### AYES.

Hon. R. G. Ardagh	Hon. G. W. Miles
Hon. J. E. Dodd	Hon. G. Potter
Hon. J. J. Holmes	Hon. H. Seddon
Hon. J. W. Kirwan	Hon. J. Duffell
Hon. A. Lovekin	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. R. J. Lynn
Hon. H. Boan	Hon. J. M. Macfarlane
Hon. A. Burvill	Hon. J. Mills
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. Corneli	Hon. A. J. H. Saw
Hon. J. A. Greig	Hon. F. E. S. Willmott
Hon. E. H. Harris	(Teller.)
Hon. J. W. Hickey	

New clause thus negatived.

Title—agreed to.

Bill reported without amendment and the report adopted.

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

### BILL—AGRICULTURAL SEEDS.

#### Assembly's Message.

Message received from the Assembly notifying that it had agreed to the amendments made by the Council.

### BILL—DOG ACT AMENDMENT.

#### Assembly's Message.

Message received from the Assembly notifying that it had agreed to amendments Nos. 1, 2, 3, 5—13, inclusive, made by the Council, but had amended amendment No. 4, in which amendment it desired the concurrence of the Council.

### BILL—JARNADUP-DENMARK RAILWAY.

#### Further recommittal.

Bill further recommitted for the purpose of considering Clause 2, the Schedule and the Title.

In Committee.

Hon. J. Ewing in the Chair; Minister for Education in charge of the Bill.

Clause 2—Authority to construct:

The MINISTER FOR EDUCATION: I move an amendment—

That all the words after "maintain" in line 1 be struck out and the following inserted in lieu:—"the sections described in paragraphs (a) and (b) of the schedule to this Act of a proposed railway from Jarnadup to Denmark, with all necessary, proper, and usual works and conveniences in connection therewith along the lines described in the said schedule."

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

Schedule:

The MINISTER FOR EDUCATION: I move—

That the schedule be struck out and the following be inserted in lieu:—Description of Section of Railways—(a) Commencing at a point in the Jarnadup Station Yard on the Bridgetown-Jarnadup Railway, and proceeding thence along the route of the Jarnadup-Pemberton Saw Mill Siding to Pemberton, about 16½ miles; thence in a generally South-Easterly direction for about 28 miles; as more particularly delineated and coloured red on a map marked "P.W.D., W.A. 22173," deposited pursuant to 2 Edward VII., No. 47, sec. 96. Total length about 44½ miles. (b) Commencing at a point in the Denmark Station Yard on the Albany-Denmark Railway, and proceeding in a generally Westerly direction for a distance of approximately 35 miles; as more particularly delineated and coloured red on the said map marked "P.W.D., W.A., 22173," deposited pursuant to 2 Edward VII., sec. 96. Total length about 35 miles.

Amendment put and passed; the new schedule agreed to.

Title:

The MINISTER FOR EDUCATION. I move an amendment—

That after the words "construction of" the words "sections of" be inserted.

Amendment put and passed.

Hon. J. J. HOLMES: I move a further amendment—

That the word "from" be struck out and "between" inserted in lieu, and "to" be struck out and "and" inserted in lieu.

The MINISTER FOR EDUCATION: I agree to the amendment.

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

Bill further reported with amendments.



## BILL—FEDERAL REFERENDUM.

## Second Reading.

Debate resumed from the 11th January.

Hon. J. W. KIRWAN (South) [7.41]: I moved the adjournment of the debate in order to read Mr. Baglin's amendment. Having read it, I am not in favour of either the amendment or the original Bill. I feel inclined to move an amendment on the amendment. The hon. member proposes to substitute an expression of opinion of this Chamber in favour of the holding of a convention for the purpose of considering an amendment to the Commonwealth Constitution. I am in favour of holding a convention to consider amendments to the Commonwealth Constitution. Mr. Baglin, by his amendment, would limit the purpose of the convention to the financial clauses of the constitution. He particularly refers to Section 51. I know of no one having taken into account the Commonwealth Constitution, in the light of the experience we have had of it, who does not desire amendments in other directions. If Mr. Baglin will allow, I should like his amendment to be amended to make the terms of his motion wider so as to embrace whatever subjects may be considered necessary by the convention when considering the Commonwealth Constitution. It would be rather absurd to call a convention of the whole of Australia, and it would create a bad impression of this Chamber, if we recommended that the convention should consider only one section of the Constitution. I agree that Section 51 is worthy of consideration, but there is no member who does not think that at least half a dozen or a dozen sections of the Constitution should be considered with a view to amendment. I believe it is the opinion that exists pretty generally, not only in this State, but throughout Australia, that amendments of the Constitution are desirable. Whatever difference may exist as to what the nature of the amendments ought to be, I think we are all agreed that the reconsideration of the Commonwealth Constitution is desirable with a view of determining whether we can improve it in the light of the experience of the last 22 years. I have not had much time to write out an amendment on Mr. Baglin's amendment, but I would suggest that the following be substituted—

That in the opinion of this Chamber, it is desirable that a convention be held to consider what amendments, if any, should be made to the Commonwealth Constitution.

That considerably widens the scope of the amendment moved by Mr. Baglin and from my point of view it would be an improvement. I am not in favour of a convention which would include the States only, because a convention at which the Commonwealth was not represented would be a convention at which the State's point of view only would be expressed. It is extremely desirable, looking at it from the viewpoint of the whole of Australia, that when decisions are arrived at there should be representatives of the seven

Governments, no matter how strong the case for the States may be. If a convention of this kind is to be of any use we must have the views of the other side, because the amendments would have to stand the test of all the critics who would come forward. Furthermore, unless it was a convention to which the Commonwealth Government was a party, it would be quite impossible for the suggested amendments to be given effect to and submitted to the people, because unless we have a referendum subsequently, and the amendments are accepted by the people of Australia, it will be impossible to amend the Constitution. What chance would there be for amendments which had been dealt with only by the States? I can scarcely conceive of a convention that would be effective or of any use unless it was representative of the whole of Australia. Perhaps the better plan would be to dispose of Mr. Baglin's amendment and then I may be allowed to submit mine, an indication of which I have already given. I ask hon. members to vote against the amendment so that I may be given an opportunity of submitting mine.

The PRESIDENT: The question is that Mr. Baglin's amendment be agreed to.

Hon. A. LOVEKIN: No, Sir, the question is "That the Bill be read a second time," to which an amendment has been moved by Mr. Baglin, that all the words after "That" be struck out with a view to inserting other words.

## Point of Order.

Hon. J. Cornell: I rise to a point of order. I submit that the amendment moved by Mr. Baglin is out of order, that it is contrary to Standing Orders 184, 185 and 186, which deal with the second reading of a Bill. The first Standing Order refers to the Bill being read a second time. Standing Order 185 sets out that an amendment may be moved to such question by leaving out "now" and adding "this day six months," and 186 provides that no other amendment may be moved except in the form of a resolution strictly relevant to the Bill. I fail to see how the amendment moved by Mr. Baglin can be said to be strictly relevant to the Bill. I contend that it is not competent for the House to proceed with that amendment.

Hon. A. Lovekin: Let me read Standing Order 186 which says, "No other amendment may be moved to such question except in the form of a resolution strictly relevant to the Bill." I submit, Sir—

Hon. J. Cornell: I have asked for your ruling, Mr. President. Is the amendment now before the Chair relevant to the Bill in conformity with Standing Order 186? Then when we have had your ruling the question can be debated. I submit that until you have given your ruling the question cannot be debated.

Hon. A. Lovekin: It is quite competent for a member to draw the Presidents attention to any Standing Order on the subject in question before the ruling is given.

The President: So far as I am concerned the question is that the Bill be read a second time.

Hon. J. Cornell: But, Mr. President, I have submitted, on a point of order, that the amendment moved by Mr. Baglin is irrelevant.

Hon. A. Lovekin: I wish to draw your attention, Sir, to "May," 12th Edition, page 357.

The President: The question is, so far as I am concerned, that the Bill be now read a second time.

Hon. A. Lovekin: No, Mr. President, the question before the Chair is "That the words proposed to be struck out be struck out." The original question was "That the Bill be now read a second time," and Mr. Baglin has moved an amendment to strike out all the words after "That," with a view to inserting other words. Now you must put the question "That all the words proposed to be struck out be struck out."

Hon. F. E. S. Willmott: It is for the President to give a ruling, and if anyone disagrees with that ruling then he knows the proper course to take.

The President: Any hon. member can vote against the second reading of the Bill.

Hon. A. Lovekin: It is competent under the Standing Orders for any hon. member to move an amendment, and Mr. Baglin has moved an amendment. Therefore the question before the Chair is not that the Bill be now read a second time, but that the words proposed by Mr. Baglin to be struck out be struck out.

The President: The question is, so far as I am concerned, that the Bill be read a second time. All of that opinion say "Aye."—

Hon. A. Lovekin: But, Mr. President, I have the right to reply, and if I reply now that will close the debate.

The President: Will you kindly sit down.

Hon. A. Lovekin: If nobody else wishes to speak before you put the question that the Bill be read a second time, I wish to reply.

The President: Will you kindly sit down. I find by the Notice Paper that the Bill is set down for the second reading. The question is, "That the Bill be now read a second time."

Hon. A. Lovekin: If that is the question before the House, I am entitled to reply, as I moved the motion "That the Bill be now read a second time." I cannot be deprived of my right of reply because another hon. member has moved an amendment which you hold is not relevant.

The President: The question is "That the Bill be now read a second time." Now is your opportunity to reply.

Debate resumed.

Hon. A. LOVEKIN: If no other hon. member wishes to speak, I shall reply. The

amendment outlined seems perfectly relevant to the question "That the Bill be now read a second time." I direct attention to "May," page 357, which states—

It is also competent to a member who desires to place on record any special reason for not agreeing to the second reading of a Bill to move, as an amendment to the question, a resolution declaratory of some principle adverse to or differing from the principles, policy or provisions of the Bill; or expressing opinions as to any circumstances connected with its introduction or prosecution; or otherwise opposed to its progress; or seeking further information in relation to the Bill by committee, commissioners, etc.

Therefore Mr. Baglin's amendment seems to me to be quite in order and relevant to the question. I do not know whether it is my place to ask you, Sir, to consider your ruling, because it will affect us very materially in future.

The PRESIDENT: I shall be obliged if an hon. member will move the adjournment of the debate until I have had time to consider the point. So far as I can see, Mr. Baglin's amendment should be confined to a motion apart from the Bill.

Hon. J. DUFFELL: I move—

That the debate be adjourned.

Hon. J. EWING: Would it not be well to ask the hon. member to finish his remarks? If this were done, I should ask to be allowed to move a motion subsequently.

Hon. A. Lovekin: How can I finish? My reply would close the debate.

Hon. J. CORNELL: I move—

That Mr. Lovekin be given leave to continue his remarks at the next sitting of the House.

Hon. J. Duffell: I have already moved the adjournment of the debate.

Hon. J. CORNELL: I protest against doing business in that way. Mr. Lovekin has occupied five minutes in replying to the question "That the Bill be now read a second time."

Hon. J. Duffell: He has not yet touched on his reply.

Hon. J. CORNELL: He rose to argue with the President about being deprived of his right of reply. There is only one course to pursue under our Standing Orders, and that is to give the hon. member leave to continue his remarks at the next sitting of the House.

The PRESIDENT: The question is, "That the debate be adjourned."

Hon. J. Cornell: I protest against that procedure.

The PRESIDENT: The "ayes" have it. Debate adjourned.

# **BILL—INTERPRETATION ACT AMENDMENT.**

**In Committee.**

Hon. J. Ewing in the Chair; Hon. A. Lovekin in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 36:

Hon. A. LOVEKIN: To meet the suggestion made by the Minister last week, though I do not think it necessary, I move an amendment—

That after “by” in line 1 the words “inserting after the words ‘Subsection 2’ in paragraph (c) the words ‘and Subsection 4’ and is further amended by” be inserted.

Amendment put and passed.

Hon. A. LOVEKIN: I move an amendment—

That in line 2 “to” be struck out and the word “after” inserted in lieu.

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

Clause 3—Amendment of Section 37:

The MINISTER FOR EDUCATION: I do not understand the position regarding this clause. I have a copy of the Bill as moved on the second reading, and also another copy which differs from it.

Hon. A. Lovekin: There was a misprint and it was corrected.

The MINISTER FOR EDUCATION: The hon. member cannot move the second reading of a Bill and then substitute another Bill for it. The alteration should be made in Committee.

Hon. A. LOVEKIN: It was not my fault. After the Bill was distributed, the error was detected and attention was directed to it, after which the printer made the correction.

The CHAIRMAN: The Bill I have is the one which passed the second reading.

Hon. A. LOVEKIN: The change was made before the second reading was passed.

The CHAIRMAN: The way out is for the hon. member to move the amendment here.

Hon. A. LOVEKIN: I move an amendment—

That in line 2 the words “this section” be struck out, and the words “section thirty-seven” inserted in lieu.

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

Title—agreed to.

Bill reported with amendments.

*House adjourned at 8.12 p.m.*

# **Legislative Assembly,**

*Tuesday, 16th January, 1923.*

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

# **ELECTORAL—SWEARING IN OF MEMBER.**

The SPEAKER: I have received the return of writ for the Kalgoolie electorate by-election. From the endorsement thereon it appears that Mr. James Cunningham has been elected to serve that electorate in the Assembly. I am prepared to swear in the hon. member.

Mr. Cunningham took and subscribed the oath, and signed the roll.

# **QUESTION—ROYAL COMMISSIONERS ABROAD.**

Mr. PICKERING asked the Premier: 1. What Royal Commissions during the past nine years have visited the Eastern States in furtherance of their commissions? 2. Were the commissioners paid whilst absent from the State? 3. If so, what was the amount paid per diem to the chairman and to the commissioners?

The PREMIER replied: 1, 2 and 3: Payment was made in some instances. Particulars are as follows: Agricultural Industry Commission and Esperance Lands Commission: Chairman, £3 3s. per day, members £2 2s. per day, plus £1 1s. per day travelling expenses. Colliery Commission: Chairman only, nil. State Children and Charities Commission: Allowance of £30 to Mr. S. M. Roche for inquiries in New Zealand. Lunacy Commission: Members only, £2 2s. per day plus £1 1s. per day travelling expenses. Railway Commission: Sole Commissioner, £6 10s. per day (no travelling expenses). Forestry Commission: Chairman only, nil.

# **ASSENT TO BILLS.**

Message from the Governor received and read notifying assent to the following Bills:—

1. Esperance-Northward Railway Extension.

2. Dairy Industry.