

prise in such matters, and pin pricks of this kind should be avoided.

Mr. RAPHAEL: The member for Kataning exaggerated the position when he said that as many as 12 unions were represented in one industry. That could not be the case in Western Australia. At present it is in many cases impossible for a trade union secretary or trade union representative to go on works even to collect the dues of members or intending members. In a factory situated in West Perth a number of the workers desired to form a union. Representatives of the Trades Hall unsuccessfully attempted to enter the premises and address the workers. Then workers came outside to interview the Trades Hall representatives with a view to establishing an organisation that would ensure reasonable conditions to the workers. The fight went on for some time. This case should enlist the sympathy of the member for Subiaco, because most of the employees were girls who were greatly underpaid. The effort to establish a union proved unsuccessful, because workers who attempted to organise their fellow-workers got the order of the boot. It is going a step too far to suggest that workers should not be interviewed by union representatives during the lunch hour or in the workers' own time. A boss should have no right to prevent employees from using portion of their lunch hour for the purpose of being addressed by a union representative. Moreover, union representatives visit establishments to ensure that employers observe the conditions granted to their employees. Again, an employee residing outside the city has little opportunity to meet his union representative except during the lunch hour. Working conditions are improved when union representatives have the right to police the Act.

Amendment put and negatived.

Clause put and passed.

Clauses 27, 28, Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 10.36 p.m.

Legislative Council.

Tuesday, 20th September, 1938.

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

QUESTION—ABATTOIRS AND SALE YARDS.

Hon. G. B. WOOD asked the Chief Secretary: What was the profit, if any, derived by the Agricultural Department during last financial year from the operations of—1, the Midland Junction saleyards; 2, the Midland Junction abattoirs?

The CHIEF SECRETARY replied: For the Midland Junction abattoirs and saleyards the profit for last financial year was £4,647 18s. 2d. and the capital expenditure for the same period £3,390. Owing to the expenditure being so interwoven between the abattoirs and saleyards both are treated as one concern.

MOTION—ABATTOIRS ACT.

To Disallow Regulation.

Debate resumed from the 14th September on the following motion by Hon. C. F. Baxter (East)—

That No. 34 of the regulations made under the Abattoirs Act, 1909-1931, as published in the "Government Gazette" on the 14th April, 1938, and laid on the Table of the House on the 9th August, 1938, be and is hereby disallowed.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.35]: The motion to disallow this particular regulation is a rather

serious matter. A similar regulation has been in operation since 1914. It lays down that all meat killed in the abattoirs area shall be killed at the abattoirs. Certain exceptions are made in the case of calves and pigs. In view of the recent proclamation under the Abattoirs Act, this regulation had to be brought up to date. If the House carries the motion, we shall revert to the position prevailing previous to 1914, when butchers were allowed to kill anywhere they liked, under any conditions they liked, and on premises that were a disgrace to themselves and to the district. That would have a very damaging effect. I am advised by the department that it would constitute a menace to the general health of the community, a statement that can quite easily be accepted as the truth when we consider the conditions that did prevail before the passing of the Abattoirs Act. In all the capital cities of the Commonwealth a similar regulation can be found, and the area is 25 miles or more. In some cities the area is considerably more than 25 miles, but in no instance is it less. If such a regulation is required in other capital cities of the Commonwealth, and in all the cities of the Old Country, where more stringent regulations are in force than have been enforced here, surely we should have some regard for that fact, and take the necessary precautions to ensure that all cattle slaughtered in the abattoirs area are slaughtered under hygienic conditions. Mr. Baxter, when moving for the disallowance of this regulation, did not speak at great length. I think he said he would not dwell on the motion, but suggested it should not be disposed of until another motion had been finalised by the House. This Chamber can please itself in that matter, but I do think I should tell members what the effect of carrying this motion would be.

The argument regarding the inspection of meat has been before us on several occasions. Mr. Baxter, and some other members, have stated at various times that the inspection at the meat markets is just as good as is the inspection at the metropolitan abattoirs. That is not strictly accurate. The inspection at the meat markets is in the circumstances as thorough as possible. That will be admitted. Unfortunately, the inspectors at the meat markets are called upon to deal only

with portions of the carcasses, and even then, the portions so inspected are those that do not generally indicate whether disease was present in the animal before slaughter. I refer to the hindquarters. Very frequently the forequarters are disposed of before the rest of the carcass is sent to the market for sale.

Hon. L. Craig: Did you say that happens very frequently?

The CHIEF SECRETARY: Yes, it happens very frequently, according to the advice tendered to me. The excuse usually advanced is that the forequarters have been sold to people in the district where the beast was slaughtered.

Hon. L. Craig: You could overcome that by insisting on the whole carcass being dealt with.

The CHIEF SECRETARY: I do not know that that would get over the difficulty. It is necessary to have more than the hindquarters if there is to be a thorough inspection to determine the possibility or otherwise of the animal having been diseased. From the information supplied to me, I gather that in many instances the forequarters of beasts have not been sold but have been fed to pigs, while the hindquarters have been sent to the meat markets for sale. It has not been possible to do anything in those instances, but I think the inspectors will bear out my statement.

Hon. C. F. Baxter: The meat inspectors say there are very few such instances.

Hon. L. Craig: There should not be any.

The CHIEF SECRETARY: It would be interesting to know why. The inspectors complain that at the markets, the examination cannot be properly carried out as the organs are not attached and often the glands that usually show signs of disease are mutilated by supposedly bad slaughtering. There is another point made by the inspectors, according to the departmental report I have received. With regard to the declared abattoirs area and the radius of 25 miles fixed in the metropolitan area, I am reminded that in other parts of the Commonwealth, notably in South Australia, not only is there a very strict regulation to the effect that cattle must be slaughtered at the abattoirs, but for any animal slaughtered away from that institution, an inspection fee must be paid equivalent to the cost of inspection at

the abattoirs. I understand the regulations in Sydney are even more stringent. The abattoirs area there comprises the County of Cumberland, the extent of which I cannot say, but the area is certainly much larger than the proposed area here.

Hon. G. B. Wood: So it should be, considering the population of Sydney.

The CHIEF SECRETARY: Population has very little to do with the matter.

Hon. G. B. Wood: A few miles out of Perth, you are into the country.

The CHIEF SECRETARY: The extension of the abattoirs area has been delayed for some considerable time, and repeated complaints have been received from those engaged in the livestock and meat trades and also from the health authorities. Because of this, records have been kept of the sources of supply of meat forwarded to the markets for sale. These show quite definitely that the producers are not so much affected by the regulation as are the stock-dealers. Information supplied to me shows that the stock-dealers have been supplying 84 per cent. of the beef carcasses and 50 per cent. of the pork carcasses that have been sold in the meat markets. Mr. Baxter raised the plea that he had taken action in the interests of the producers. As a matter of fact, the producers have been supplying only 16 per cent. of the beef carcasses and 50 per cent. of the pork carcasses. The producers within the extended abattoirs area have been supplying only 6 per cent. of the beef carcasses, and 30 per cent. of the pork carcasses. So much for the plea that Mr. Baxter moved the motion in the interests of the producers. The assertion has been made that the proposed extension of the abattoirs area will, according to the meat market records, penalise thousands of producers. The fact is overlooked, however, that calves up to 150 lbs. in weight are exempt under the regulation, and can be slaughtered within the abattoirs area. A considerable number of producers forward their calves to the meat markets, and that would tend to inflate the number of those who rely upon the meat markets as an outlet for their produce.

Members have been assured on more than one occasion that there is no desire on the part of the department or the Government to interfere with the producers in their desire to dispose of their calves in that way. The fact has also been made clear that we

raise no objection to that being done. A large number of permits have been issued for the slaughtering of pigs, and the department has gone out of its way to make it convenient for the producers to slaughter their pigs under the permits granted to them. Members who know anything about the subject will agree that something had to be done to curtail the slaughtering of such a large number of cattle at places where no inspection could be made at the time the beasts were killed. According to my information, livestock have been transported to slaughter-houses over greater distances than would have been involved had they been taken to the public abattoirs. There must be a very good reason for action of that description. Surely dealers would not go to the expense and trouble of purchasing livestock in the metropolitan area and transporting the beasts considerable distances beyond the public abattoirs, unless they had a definite reason for so doing. We can only assume what that reason was. I am advised that stock were being purchased in the sale yards adjoining the abattoirs and then being transported elsewhere for slaughtering. I think the numbers show that very few indeed of the stock slaughtered in those places were produced in the district. In fact, the number produced in the district is infinitesimal. This statement, I have been assured by the department, can be easily proved. The abattoirs area is principally a dairying area and very few cattle are produced in that area for any purpose other than dairying.

Hon. L. Craig: I suppose that old and culled cows are sold at the meat markets.

The CHIEF SECRETARY: They are not produced in the area, though they might be sent there.

Hon. L. Craig: But in the dairying area there must be old and culled cows every year that would be sold for meat.

The CHIEF SECRETARY: I was about to point out that that is another reason why there should be rigid regulations governing the sale and slaughter of such stock.

Hon. G. B. Wood: It is not merely a dairying district. Quite a lot of cattle are fattened in that area.

The CHIEF SECRETARY: In the abattoirs area?

Hon. G. B. Wood: Yes.

The CHIEF SECRETARY: My statement was that generally speaking it is a dairying area, and for that reason the regulations should be stringent, and cattle from the area should be inspected at the time of slaughter. I have been informed that such inspection is of benefit to the producer because if any stock is found to be diseased he will, if the disease is transferable to the progeny, get rid of the progeny. In that way the producer is enabled to build up a herd free from disease. There is logic in that statement and experience bears out the truth of it. Another important point that must not be overlooked is that producers have complained bitterly of stock losses. Agricultural societies have endeavoured to devise means to prevent such losses, and I am told that when the stock has to be slaughtered at central abattoirs, some protection is afforded against the losses that have been suffered for years.

Hon. G. B. Wood: You have a Police Department to attend to that matter.

The CHIEF SECRETARY: The hon. member knows how difficult it is to prevent such losses. I have been informed that stock lost in that way have been slaughtered and the carcasses have been forwarded to the meat markets. The departmental officials assure me they have proof of this from recent inquiries. The statement may appear to be a strong one.

Hon. L. Craig: There is something in it.

The CHIEF SECRETARY: The abattoirs were established in 1914 and an abattoirs area was then declared. As a result all other slaughter-houses in the area were closed. Some of the slaughter-houses had been established by large producers of stock, who are still conducting their business as wholesale butchers at the abattoirs. I believe they welcomed the establishment of public abattoirs because it permitted of the whole of the meat trade of the metropolitan area being placed on an equitable footing. Those people engaged in the meat trade agreed that modern abattoirs were essential and that we should endeavour as far as possible to ensure that competition between the various interests was fair. We should not do anything that would give one section a marked advantage over another section. The meat trade appreciates the conveniences provided at the metropolitan abattoirs, and while the cost is a little higher than it was previously, the trade is prepared to meet the additional

cost, believing that it permits of the supply of meat to the public in far better condition than would be possible in other circumstances. After the regulation has been in force for 24 years—

Hon. C. F. Baxter: What has become of the old regulation that was in operation for 20 years or more?

The CHIEF SECRETARY: The old regulation has been repealed. Apparently the hon. member has read only the new regulation and has not investigated the matter any further.

Hon. C. F. Baxter: I will tell you all about that under the next motion appearing on the Notice Paper.

The CHIEF SECRETARY: Apparently the hon. member took the view that here was something on which he could have another go in regard to the meat supply of the metropolitan area.

Hon. C. F. Baxter: That is a most unfair way of putting it, and you know it.

The CHIEF SECRETARY: I am sorry if the hon. member regards my statement as unfair. I think I have explained the position clearly; I have told the hon. member what the disallowance of the regulation will mean.

Hon. C. F. Baxter: I am not taking exception to that; I took exception to your previous remark.

The CHIEF SECRETARY: The hon. member did not tell the House the effect of disallowing the regulation—that we would revert to the conditions that prevailed previous to 1914, and that all butchers would be able to slaughter their stock where they liked and under whatever conditions they liked. I cannot believe that any member of the community would agree to that proposal. The hon. member said he wanted the House to rest assured that he was not taking action with a view to preventing the inspection of stock. He said he had always advocated that stock should be inspected at the place of slaughter, except in certain instances in the outer areas where producers had only one or two head of stock to deal with, and in those instances he considered that the meat markets were the places where the meat should be inspected, and that the inspection there was as good as the inspection at the metropolitan abattoirs. I repeat a statement I made on the previous motion that this agitation, if it is an agitation, arises not from the producers so much as from the meat market interests.

Hon. C. F. Baxter: The meat market has nothing to do with it, as far as I am concerned.

The CHIEF SECRETARY: The hon. member told us last week that he had gone to the trouble of getting two friends to visit the metropolitan abattoirs and investigate the method of inspection adopted there.

Hon. C. F. Baxter: Did I say friends? I said men in the meat trade. One man I did not know, except to speak to casually, and the other I knew only slightly.

The CHIEF SECRETARY: I have no ulterior motive in using the word "friends," but I believe the hon. member used it.

Hon. C. F. Baxter: I did not.

The CHIEF SECRETARY: I accept the hon. member's assurance. He went to the trouble of getting two men versed in the business to investigate the method of inspection adopted at the Midland abattoirs. When he was asked to furnish the names of those gentlemen it turned out—I believe I am right in stating—that one is very much interested in the meat markets of the metropolitan area from a selling point of view, and that the other is, if not the biggest, one of the biggest clients of those particular meat markets.

Hon. C. F. Baxter: You say their statements are wrong. That is the point. It does not matter what the men are.

The CHIEF SECRETARY: The inspection at Midland Junction is as thorough as it is possible to be.

Hon. C. F. Baxter: That has not been disputed.

The CHIEF SECRETARY: If it was not disputed, why did the hon. member try to show that the inspection at the meat market was just as good as it is there?

Hon. C. F. Baxter: I have never said that.

The CHIEF SECRETARY: I listened carefully to the hon. member, who made more than one statement to the effect that no fault could be found with the inspection at the meat markets, and that for this reason he had seen that two persons well acquainted with the meat trade had gone to Midland Junction to prove this very point. However, after 24 years we now reach the stage where the hon. member desires that the regulations shall be disallowed—in other words, that the butchers shall have a free hand to do just as they please. In my opinion, the meat markets interests have

gone just a trifle too far in their agitation on this subject. I am told that up to date there has been little if any diminution in the quantity of meat sold through the meat markets as the result of the extension of the abattoirs area. I am told also that the meat markets are selling quite a quantity of meat which has already been slaughtered at Midland Junction under proper conditions, and that such meat brings a higher price in the markets than other meat not because of better quality but because it is prepared in a better way, has been chilled for 24 hours, and therefore is presented to buyers in a better condition than meat coming from other sources. Let me ask this question: If it was necessary in 1914 to have an abattoirs area of 12 miles in the metropolitan area, is it not desirable, in view of the great extension of the metropolitan area since then, that the abattoirs area should be extended, and should not such extension have taken place some time ago? It must also be remembered that in 1914 transport was slow. Nowadays, with the acceleration of transport, surely the extension which the regulation asks for is not too great?

An argument used by the mover is that the extension of the area has been brought about in order to build up the abattoirs revenue. I may admit that one reason for the extension is to protect the abattoirs revenue. But that is not the only reason. Let us examine just what the protection afforded means. Take last year's returns of carcasses slaughtered outside the abattoirs and forwarded to the meat markets. If the abattoirs charge had applied to those carcasses, it would have meant only £1,500 additional revenue. If calves were not exempt—and of course they are exempt—additional revenue of £2,200 would have accrued. I wonder what would be the outcry if those who slaughter in the abattoirs decided to slaughter outside? Who would be responsible for the loss on the working of the abattoirs? The general public would have to find the money. In view of the experience of other capital cities, it does seem to me that for many years we have been especially generous in that regard. I am told that the last extension of the abattoirs area, which took place in 1935, was made when a prominent city butcher left the abattoirs and established his own

slaughter house in the Chittering district. The butcher was, of course, supplying his own retail shops in the city, and as a consequence the meat markets were not affected and there was no outcry. That extension went through without comment.

Hon. A. Thomson: I presume the meat was examined?

The CHIEF SECRETARY: I believe that the extension of the abattoirs area will be for the benefit of all concerned—for the benefit of producers, and certainly for the benefit of those people who purchase meat in the metropolitan area. The regulation has been in force for about 12 weeks, and I can repeat what I have already said, that so far as we can gather from information supplied to us there has been little if any diminution in the quantity of meat sold through the meat markets. In fact, the department states—

The extension was not intended to place any hardship on the genuine producer who cannot conveniently market his stock or have them slaughtered at the public abattoirs. To avoid any hardship it has been made known amongst producers in the area that if they wish to slaughter a cow or pigs for the meat market a permit to slaughter can be had on application, stating the numbers to be slaughtered and dates of market to which the carcasses will be forwarded, also giving the location and lot number of their property. By granting these permits we will be in a position to deal with the dealers and assist the producers. The permit states that the beef carcass must have the head, tongue, lungs and liver forwarded for inspection. The pig carcass must have the head, lungs and liver attached to the carcass. As producers have only one cow or four pigs to forward at one time, the inspector at the market can identify the organs as belonging to the carcass. When 10 to 16 carcasses were forwarded, even had the organs accompanied them, the puzzle was to identify the organs to the right carcass.

I am informed by the department that producers claim that the permit is satisfactory to them.

Hon. G. B. Wood: What does the department tell you about the small butchers in small towns whom it affects very much?

The CHIEF SECRETARY: Which small towns?

Hon. G. B. Wood: Small towns within the 25-mile area—Mundaring, Armadale, Gosnells, Kelmseott.

The CHIEF SECRETARY: I am told there are only three slaughter houses in that area, and that there is only one health

inspector in the whole of the districts included in the enlarged abattoirs area. Of the three districts which have slaughter houses, two have already been given permits, and a permit will be granted in the case of the third when the premises are brought into a proper condition. To support my statement that the producers regard the permits as satisfactory, I may mention the department reports that the number applied for during the 12 weeks of the extension is 30, and that the producers who applied had a cow or a few pigs to market, the total being 10 cattle and 53 pigs. Taking this as an average, I question whether there will be 50 producers in the abattoirs area who have at any time forwarded their surplus odd beasts to the meat markets. The department claims this is definite proof that the producer is not being penalised. Again, the question was raised—if not especially on this motion, certainly on a previous motion for disallowance—whether abattoirs could not be established in districts so that producers might slaughter meat for the markets. I think Mr. Wood advocated the establishment of small abattoirs in various districts. Can members name a district in the extended abattoirs area where sufficient stock is produced within a 10-mile radius to warrant abattoirs without having to transport stock from the metropolitan markets?

Hon. G. B. Wood: No one wants that, and no one has ever suggested it.

The CHIEF SECRETARY: The department suggests that there is no district which, within a 10-mile radius produces sufficient cattle to warrant the establishment of small abattoirs of the kind the hon. member advocates.

Hon. G. B. Wood: What about Wanneroo and Armadale? That is a ridiculous statement for the department to make.

The CHIEF SECRETARY: The hon. member has suggested that the local health inspector should carry out the inspection. As a matter of fact, there is in the extended abattoirs area only one road district which has a health inspector, and that is Armadale. The cost of modern abattoirs and the salary of a meat inspector could not be met by a local authority without levying fairly heavy abattoirs charges. This would mean that if an inspection at the time of slaughtering was enforced, settlers having stock to

slaughter would rather market them on the hoof than pay inspection fees and run the risk of condemnation. Another argument against the establishment of small local abattoirs is that from April to October the metropolitan beef supply is mainly from shipped cattle, which can only be slaughtered under quarantine conditions, as members already know, at Fremantle. Those cattle would not be allowed to go into outlying districts to be slaughtered at the proposed small abattoirs.

Hon. C. F. Baxter: I do not know who gave you that information about the metropolitan beef supply and shipped cattle. That refers to a state of affairs which ceased to exist long ago.

The CHIEF SECRETARY: The hon. member must realise that there has to be an outlet for cattle from the north.

Hon. C. F. Baxter: Quite so.

The CHIEF SECRETARY: And he knows full well that they come down here in hundreds to be slaughtered under quarantine conditions at Fremantle, and have to be absorbed in the metropolitan area.

Hon. C. F. Baxter: I am not referring to that aspect at all. I am referring to local cattle, of which you said there were none between April and October. You said that all the cattle for the metropolitan area during those months came from the North-West.

The CHIEF SECRETARY: At no time have I said that there is any period during which no local cattle are slaughtered here. What I said, or rather, what I think I said, is that from April to October the metropolitan meat supply is mainly derived from the North.

Hon. C. F. Baxter: Mainly!

The CHIEF SECRETARY: I am pointing out that those cattle would not be allowed to travel to the smaller abattoirs, as has been suggested. In fact, producers would object.

Hon. L. Craig: They would object very strongly.

Hon. C. F. Baxter: So would we.

The CHIEF SECRETARY: That is the only way in which the smaller abattoirs, if they were established by local authorities, could possibly obtain enough cattle to make the abattoirs payable.

A meeting of protest was held against the extension of the abattoirs area, and there has been some correspondence regarding the matter. The correspondence would lead one to think that the meeting at which a certain

resolution was passed was a big and representative meeting of the producers. As a matter of fact, seven producers were present—very small producers indeed—and two representatives of the marketing interests.

Hon. C. F. Baxter: I have not heard of that meeting.

Hon. G. B. Wood: Neither have I.

The CHIEF SECRETARY: Mr. Wood has pointed out that the local producers have no opportunity of disposing of their stock except by the means that have been suggested; in other words, they must send their cattle to the metropolitan saleyards for sale, and to the abattoirs for slaughter. As a matter of fact, there are saleyards in these areas where sales are regularly held.

Hon. G. B. Wood: That is absolutely incorrect. No sales are held in some of the areas I have mentioned. I mentioned Mt. Helena and Sawyer's Valley.

The CHIEF SECRETARY: My information is that throughout the districts affected by the extension, stock agents hold monthly sales of stock. These sales are well patronised by producers, stock prices are always firm and competition keen. The sales are advertised in the Press. There are many stock markets to which the producer can send his cattle. He need not send his stock to Midland Junction.

Hon. G. B. Wood: That is wrong, I am sorry to say.

The CHIEF SECRETARY: Of course, everything the department says in this connection is wrong.

Hon. G. B. Wood: It is wrong.

The CHIEF SECRETARY: I will allow the hon. member to have his own opinion. I have submitted to the House what I consider is a good case in favour of the retention of this regulation. I shall conclude my remarks by quoting a letter which I have to-day received from the West Australian Livestock Buyers' Association, a perfectly reputable body. The letter states—

At a meeting of members of this association held last night, I was instructed to forward on to you their strong protest against the proposed disallowance of the regulations extending the metropolitan abattoirs area. The members of this organisation, which contains practically all of the wholesale butchers operating in the metropolitan area, have no objection to permits being issued to legitimate producers to kill their own stock within the enlarged area, but they consider it only fair that dealers should be compelled to kill under Government supervision. Most of the meat, apart from pork and veal, coming into the metro-

politan area, other than that from the Fremantle and Midland Junction abattoirs, is being sent in by dealers and not by producers and there is ground for belief that dealers have sent in a thousand head of cattle in the last 12 months. Before the new regulation was made, these persons could kill outside the 12-mile radius, and there were cases of men operating just outside that area, and they were able to bring carcasses into the area at cheaper cost than those killing at the abattoirs. A return to this state of affairs must certainly react to the disadvantage of the producer selling his stock at the Midland Junction sale-yards.

A return to the old conditions will also mean that a proper inspection cannot be made in accordance with the Public Health Department's regulations. This is obvious when it is remembered that the carcasses are brought in sometimes without the head, and invariably without the organs and viscera being present. The inspection at the Government abattoirs made by the Health Department's inspectors is most stringent and complete and the inspectors set a very high standard in the interests of the health of the consuming public. With this our members are in thorough agreement, but, naturally, the cost by way of loss, as well as the inspection costs, are a factor which places the outside killer in an undeservedly advantageous position.

For the above reasons this association considers that the disallowance of the new regulations would be a retrograde step, and it strongly urges the Government to oppose any action in this direction.—Yours faithfully (sgd.) H. B. Halvorsen, Secretary.

We have now reached the stage where apparently one section desires that there shall be no abattoirs area, and another section, which has had to comply with the regulation for years past, desires that the regulation shall be continued, and that any possibility of unfair competition arising from the opportunity of slaughtering under conditions that have been already described shall be prevented. A tremendous amount of capital is invested in the Midland Junction abattoirs, and it is but reasonable to suppose that the people of the metropolitan area, who naturally are desirous of obtaining their meat supplies in the best possible condition, will expect the Government to maintain those abattoirs in the best way possible. That certainly cannot be done if butchers are allowed to please themselves whether or not they use the abattoirs. Before the House commits itself to the disallowance of the regulation, it should realise what the result will be. Instead of a forward move, it will be a retrograde move, one entirely out of keeping with modern

abattoirs practice, and certainly one that would not be tolerated in any other capital city of the Commonwealth. I oppose the motion.

HON. J. J. HOLMES (North) [5.24]: I desire to say a few words on the motion. Having some considerable experience of the trade, I feel compelled to do so. No one is more anxious than I am to help the primary producer. I know he is faced with all sorts of difficulties—difficulties that are almost insurmountable, but we have the public to consider also, and when a Minister tells the House that cattle are purchased in the metropolitan area and taken out of that area to be slaughtered, then I ask myself this question: Why is that done? A reason that may be suggested is that the producer of such cattle can have them slaughtered cheaper than at the abattoirs, but I am quite certain that when he comes to sell the carcass, slaughtered under bush conditions by a man who probably does not understand the work, and carted into the metropolitan markets in a cart that may or may not be clean, he will not get anything approaching the price that he would get for the carcass had it been slaughtered at the abattoirs under proper conditions. It would be foolish for him to do otherwise, unless he had some ulterior motive. Again, I understand there is a condemnation allowance at the Midland Junction abattoirs. Vendors or agents make payments into a pool to compensate the owner for condemned meat. If I were a dealer and there was a possibility of my cattle or pigs being condemned, I certainly would not send them to the Midland Junction abattoirs to be slaughtered, if I could send them to the bush and get them slaughtered without supervision. I might get better results in that way than if I sent them to the abattoirs.

I refer members to "Hansard," 1937, page 2107, where they will find a series of questions that I asked regarding the condemnation of cattle at the Midland Junction abattoirs. I shall not go into that matter again; members can read "Hansard" for themselves. I repeat that if the animal is healthy, the dealer would get a much better price for it if he had it slaughtered at the abattoirs under proper conditions than he would obtain if it were slaughtered in the bush and then carted into the markets. The

Minister says that permits have been given to certain slaughteryards to operate outside the Midland Junction area. I hope proper supervision is being exercised over them, because I think the Minister stressed the point that numbers of pigs were slaughtered at those abattoirs.

The Chief Secretary: Special arrangements are made regarding the slaughtering.

Hon. J. J. HOLMES: If the slaughtering of any animal should be strictly supervised, it is the pig. I have in mind an instance that came under my notice at the Sydney abattoirs, where I saw scores, perhaps hundreds, of carcasses of pigs hanging up. They had been slashed with big knives and kerosene had been poured over them, so as to prevent them from going into consumption. They had to be sent to the boiling-down works. I repeat that while I am anxious to assist the primary producer to get the best possible price for his products, we have the health of the community to consider. In view of what I know of the trade, therefore, I am doubtful whether I can vote for the defeat of this regulation.

On motion by Hon. G. B. Wood, debate adjourned.

BILLS (2)—FIRST READING.

1. Fair Rents.
2. Industrial Arbitration Act Amendment.

Received from the Assembly.

BILL—GERALDTON SAILORS AND SOLDIERS' MEMORIAL INSTITUTE (TRUST PROPERTY DISPOSITION).

Read a third time and *passed*.

MOTION—PAPERS TABLED, FACE SHEETS.

HON. C. F. BAXTER (East) [5.33]: I move—

That this House requests that Ministers of the Crown instruct the responsible officers in their respective departments that all papers laid on the Table of the House be under cover of a face-sheet correctly describing the contents thereof.

I regard this motion as one of the most important that could be brought before Parliament. Members are returned to Parliament

to legislate for the State in general. A Government is formed from the strongest party and is empowered, under the Constitution, to carry out the administration of the State. On Parliament devolves the duty of passing legislation necessary for governing the State. Under that legislation, proclamations, regulations, by-laws and resolutions are made. After regulations or by-laws have lain on the Table of the House for a certain time, they become part of the Act to which they apply. Consequently, all regulations and by-laws should be so laid on the Table that members have no difficulty in acquainting themselves of the fact that they are there, of their value and of the effect they are likely to have on the State generally. We have had some heated debates in this Chamber on meat regulations. We heard a most extraordinary speech this afternoon from the Leader of the House. Some of the statements made by him were supplied by people who exaggerated, to a very large extent, and in some instances did not know what they were talking about. The Minister was quite sincere, but there were many inaccuracies in the information supplied to him. In referring to Regulation 34, made under the Abattoirs Act, the Minister spoke also about other regulations that had been tabled.

[Resolved: That motions be continued.]

Quite recently a regulation regarding meat inspection in the metropolitan area was disallowed by this Chamber. In that connection, other members as well as myself heard the Minister in this Chamber and the Minister in another place state that if the regulation were disallowed, the position would be worse. Although the Leader of the House made reference to regulations, at no time did he take the House into his confidence and say straight-out that the regulations had been tabled previous to the amendment which was disallowed. If the work of Parliament is to be facilitated, the representative of the Government in this House should not allow a debate to continue when members are under a misapprehension that he can dispel.

The Chief Secretary: I could not have told you any plainer.

Hon. C. F. BAXTER: The Minister could have made the position much plainer. The Minister said the position would be worse if that regulation were disallowed, and re-

ferred to another regulation. Before the tea suspension last Wednesday, the regulations were disallowed. On my return to Parliament House after tea, I noticed the egotistical complacency of the Minister for Agriculture, who was holding a discussion with friends in the lobby. The Leader of the House and his friends also seemed very pleased with themselves, with the result that I was suspicious.

Hon. G. Fraser: They would not have been told.

Hon. C. F. BAXTER: I understand that Mr. Fraser did deal with the position, but I was busy at the time.

Hon. G. Fraser interjected.

Hon. C. F. BAXTER: The hon. member will get it all in a minute. We have arrived at the stage where this House should take a stand and put things in order before a condition of chaos is reached in parliamentary procedure, particularly as it affects the tabling of papers and regulations. Previous to Wednesday, I had searched through the papers on the Table on three occasions to discover the regulations hinted at, but was unsuccessful. The Clerk of the House made a search, and could not find them. After having noticed the attitude of various people, I felt there must be something, and went through every paper to ensure the regulations were not hidden somewhere. After hunting through all the "Government Gazettes" and records this is what I found: File 23 headed "Health Act, 1931-37, Amendment of By-laws." The file deals with 59 different matters affecting by-laws, regulations, proclamations, resolutions and Orders-in-Council. It sets out alterations to the Pharmacy and Poisons Act, the Foods and Drugs Act, and the Nurses Registration Act, and also deals with many road board by-laws. After going through this file and turning over about 14 different papers, I discovered the health regulation for which I was searching.

How is it possible for members to know what the Leader of the House said we should know when regulations are contained in parcels like that? How are we going to protect the interests of constituents? Ministers, I feel sure, are unaware of the position. The officials of Government departments can put over this kind of thing, but ultimately we are responsible for regu-

lations. These regulations are presented in such a manner that we are unable to find them, so that the official mind prevails, and not the will of Parliament. Frequently a regulation becomes the most important part of an Act, and members have been elected to legislate and watch the interests of the public. If the present state of affairs is to continue members will not be able to do their duties properly and I appeal to the House to support my motion.

Files that are tabled should be indexed on the cover so that we can see at a glance what they contain and so that the Clerk can register the papers in a proper manner. Several regulations have been included as by-laws. Members looking for those regulations would not expect to find them under a heading of "by-laws." Under the present system the Clerk cannot prepare a satisfactory record. There is no reliable record of what has passed through the House. Not only should files be indexed, but all the papers relating to a particular file should be affixed to that file. Here are 59 items, some of them of a most vital and far-reaching nature, and they are all loose. Anything could happen to them. Surely that is a light and airy way of treating important matters of State? The papers should be firmly affixed to the file and each should be numbered so that any discrepancy could be discovered immediately. Had these regulations been tabled under cover of "Regulations" instead of being hidden in a file of this kind, I would certainly have taken action, not on the one regulation but on the two. I discovered one regulation, but, having searched in vain for the other, I was puzzled to know why it also had not been tabled. How could I be expected to find it in such circumstances? I hope hon. members will support me in the stand I take. Ministers should also welcome the motion. A dangerous position has been created by carelessness.

Hon. J. J. Holmes: The alternative is a scrutiny before the papers are laid on the Table.

Hon. C. F. BAXTER: I feel that I am justified in bringing the matter before members; I am not challenging Ministers, but I am challenging the carelessness of officials of the various departments. I submit the motion.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.46]: I have no objection to the motion. It is a request that Ministers shall give certain instructions to their officers. I assure the hon. member there has been no departure from the practice that has always been observed in laying papers on the Table of the House. There have been many occasions when the hon. member himself has laid papers on the Table in exactly similar circumstances.

Hon. A. Thomson: That does not make it right.

THE CHIEF SECRETARY: Whether it be right or wrong, the hon. member tried to paint a very serious picture. He suggested that there was chaos as to the laying of papers on the Table, and that if it had not been for two or three searches which he made, and which he said were also made by the Clerk, he would not have known of the existence of the particular regulation. I told the hon. member, and the House as well, of the existence of that regulation a week or a fortnight ago.

Hon. C. F. Baxter: No. It was only a suggestion.

THE CHIEF SECRETARY: The hon. member had a discussion with me on the subject of these regulations; and not only with me, but with other members; and he is aware that Mr. Nicholson took the regulations and spent an hour or two discussing them with him.

Hon. C. F. Baxter: Excuse me, there was no discussion on this particular regulation; I did not know it existed.

THE CHIEF SECRETARY: Three regulations were pointed out to the hon. member, and no one could have been more straightforward than I was in making it clear that what the hon. member was doing would not effect the purpose he desired. I went further, and produced the "Government Gazette" containing the regulations.

Hon. C. F. Baxter: Did you say you discussed the matter with me?

THE CHIEF SECRETARY: It is futile for the hon. member to say that he did not know there was another regulation.

Hon. C. F. Baxter: Then why have I taken this stand?

THE CHIEF SECRETARY: Because—I am satisfied—the hon. member did not understand the position in the first place. He moved to disallow the regulation without considering what it meant. If he had possessed a knowledge of its meaning, he

would have known that it was essential for him to refer also to a previous regulation. The matter was discussed for hours, not for minutes, by hon. members outside the Chamber; and I provided the "Government Gazette" containing those regulations on which the discussion afterwards took place.

Hon. J. J. Holmes: Are you contending that the file was laid on the Table in the proper way?

THE CHIEF SECRETARY: There has been no departure from the usual practice. A number of regulations gazetted while the House was in recess was placed in the one envelope. That has been done year after year. With regard to my own department, when papers are laid on the Table I know what is there. I believe that every paper laid on the Table of this House has been correctly described. I am not taking exception to the motion; I am agreeing to it, but I cannot permit the hon. member to suggest that if it had not been for the searches he was compelled to make, arising from something he or another hon. member said, he would never have known about the existence of the particular regulation. It was the source of a fair amount of discussion by quite a considerable number of members. I have the documents here. One contains a regulation which is an extension by proclamation of the metropolitan district abattoirs area. This is the regulation the hon. member will move to disallow in a few minutes. Another one is Schedule B, and the third is an amendment of the schedule. These are the documents the hon. member had, and they are the papers also on which Mr. Nicholson based his opinion as a result of his investigation of them. Therefore it is no use the hon. member saying he did not know anything about the papers.

Hon. C. F. Baxter: You have not said straight out that the regulation was tabled.

THE CHIEF SECRETARY: The hon. member knows as well as I do that he has access to the papers just as any other member has. I provided copies of the "Government Gazette" which gave him the information regarding the three regulations.

Hon. C. F. Baxter: You did not.

THE CHIEF SECRETARY: I repeat that I have no intention of opposing the motion, but I do disagree with some of the statements made by the hon. member.

HON. J. CORNELL (South) [5.52]: I have no desire to join in the hurly-burly of the discussion, but I do say that Mr. Baxter directed my attention to a new regulation amongst, I suppose, about 20 others, and all on the one file.

Hon. C. F. Baxter: Fifty-nine others.

Hon. J. CORNELL: The hon. member called me out to ask my advice. He wanted to know whether I thought it was right that they should be jumbled up together. He was oblivious of the fact that the regulation existed in that file.

Hon. C. F. Baxter: That is correct.

Hon. J. CORNELL: It is not asking too much that the department should do what ordinary business people would do, and that is put up regulations of a specific character in the one file and rules in another file—not put up 59 of them altogether.

Question put and passed.

MOTION—HEALTH ACT.

To Disallow Rescission of Schedule to Regulations.

HON. C. F. BAXTER (East) [5.55]: I move—

That the amendment rescinding Schedule B of the regulations under the Health Act, 1911-1937, as published in the "Government Gazette" on the 15th July, 1938, and laid on the Table of the House on the 9th August, 1938, be and is hereby disallowed.

The object of the motion is really to disallow the regulation that has been the cause of the whole trouble. I was surprised to hear the statement of the Leader of the House that I discussed this particular regulation with him and that I saw the copy of the "Government Gazette" which he had. As a fact, I went through the "Government Gazette" several times, either alone or with the Clerk of the House. No one was more astonished that I was when I discovered last Wednesday the regulation now the subject of the motion in the bundle to which I have already referred. Those hon. members who have been in this House for some years are aware that I was always straightforward with them, and I am surprised that the Leader of the House should be the first to question my veracity. It should not be necessary for me to remind him that we are all working in the interests of the State. The regulation forming the subject of the

motion, except that it extends outside the 25-mile area, will take in the road districts that have been proclaimed under the Abattoirs Act, and it is a similar regulation to that which was disallowed last Wednesday. The speech the Minister made on that occasion really applied to the motion I am now submitting.

The Chief Secretary: Not at all.

Hon. C. F. BAXTER: Yes, it did. As the House has already discussed this matter over and over again, there is no occasion for me to labour it further. Therefore I merely submit the motion.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.59]: Like the hon. member, I do not propose to spend much time in discussing the motion. I have already had an opportunity of explaining to the House what the effect of the disallowance of all these regulations would be. The regulation in question makes no reference whatever to the abattoirs area.

Hon. L. Craig: It brings back the 12-mile area.

The CHIEF SECRETARY: In view of all that has been said, and the opinions expressed by several members, I would only be wasting time if I endeavoured to debate the matter further. I feel the House is likely to make a big mistake. More particularly would that apply if the motion moved previously by the hon. member was agreed to. The Government will take no responsibility for that; it must rest with the Chamber.

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

RESOLUTION—YAMPI SOUND IRON ORE DEPOSITS.

Commonwealth Embargo.

Debate resumed from the 15th September on motion by the Chief Secretary to concur in the Assembly's resolution as follows:—

That this Parliament of Western Australia emphatically protests against the embargo placed by the Commonwealth Government on the export of iron ore from Australia, in view of its disastrous effects upon the development of the State. We consider that the information available does not warrant such drastic action, and we urge the Commonwealth Government to remove the embargo.

HON. A. THOMSON (South-East) [6.1]: I cannot agree with some members that we should accept the Commonwealth's decision without a protest. The State Government would have been wanting in its duty, and the Premier would have been lacking in a realisation of his responsibility, if some effort had not been made to improve the situation in which Western Australia finds itself. I do think, however, that the motion now before us will lead nowhere. The Federal Government has stated definitely that it will not remove the embargo, and yet we are asked to join in urging that body to do so. I move an amendment—

That the following words be added to the motion for concurrence:—"provided the resolution be amended by striking out all the words after 'Western Australia' and inserting in lieu the following words:—"considers the embargo imposed by the Federal Government on the export of iron ore—which has been done in the interests of the whole of Australia—means a serious loss to the State of Western Australia in particular, and it is considered, therefore, that a substantial grant should be made by the Federal Government to compensate this State for the disastrous effect this embargo has caused in the loss of employment for its workers and the retarding of development in the Yampi area; such grant to be earmarked for the development of the northern portion of the State.'"

Both the Premier and Chief Secretary gave us sufficient information to enlighten us concerning the enormous disability that is being imposed on this State. The Premier estimated that in 15 years we would lose £250,000, that we would lose wages to the value of £1,000,000, that our share of the mining returns would have been £50,000, that harbour and lights would have brought in £60,000, and that the arrival and departure of ships, etc., would have meant the contribution of £90,000, making a total of £1,450,000. I estimate that this would represent an annual loss of approximately £96,000 consequent upon the imposition of the embargo in the interests of the whole of Australia. I would like to quote a parallel case. The sugar industry of Australia has been developed under the White Australia policy. Western Australia is paying more than twice as much for sugar as it would be paying if its requirements could be purchased elsewhere. If it is in the interests of Australia that the Queensland industry should be protected to the extent of approximately 2d. on every pound of sugar con-

sumed in Western Australia, it is equally fair that this State should receive compensation because of the embargo instituted by the Federal Government in the interests of Australia as a whole, more especially as such embargo is especially detrimental to Western Australia.

I hope my amendment will be accepted. The Premier will be leaving shortly to attend a meeting of the Loan Council. I feel that he would be better armed to protect the interests of Western Australia, particularly those of the northern parts, if he carried with him an amended motion somewhat similar to the one I have submitted to the House and placed it before the Prime Minister. It was not a crime that the late Minister for Mines and the Government should have negotiated with the company that was making preparations for the development of the Yampi iron ore, or that the company should have been able to interest Japanese in the project. The ore has been lying at Yampi for all time. Neither do I think the remarks made about Sir James Connolly were altogether generous. Although that gentleman may possibly have made some small profit out of the transaction, and others may have done so, too, he and others were able to induce the company to spend money in the development of this particular industry. Instead of cavilling at such proceedings I would willingly welcome the activities of many more companies of a similar kind, provided their operations were not endangering the safety of the State.

The Federal Government some time ago sent a goodwill mission to Japan. We were very perturbed when the Japanese practically boycotted our wool. They had been providing a good market for our wool and our wheat, and we desired to have the opportunity to continue selling those products to Japan. I feel sure that when the negotiations concerning the iron ore were first entered into, neither the Federal nor the State Government thought there was likely to be such a change in world conditions as to prompt the Commonwealth to impose an embargo upon the export of iron ore. After the satisfactory progress that was made in the establishment of the industry, it was unfortunate that world conditions did change and that the Federal Government deemed advisable, in the interests of Australia, the taking of such action. During the last war Japan played an important

part and was a faithful ally to Australia. We welcomed its co-operation. We should not deliberately go out of our way to antagonise a nation that has proved to be a good customer and helpful in protecting Australia's shores.

Hon. G. B. Wood: Did you read the statement in the Press the other day as to which side Japan was on?

Hon. A. THOMSON: I am dealing with the position as it was. Japan performed a useful service to Australia and the British nation during the last war. I admit that times have changed. Mr. Holmes dealt with the pearling industry. The Japanese, under Australian conditions, hopelessly outclass Australians in that industry. The conditions imposed upon pearlers place the Japanese, who are fishing outside the three-mile limit, in a particularly happy position. One may say that the white pearlers themselves first instructed the Japanese in the wonderful value associated with our pearling industry, and brought in men from Japan to work for them. As the Japanese are very wily they said, "We might as well do this for ourselves." Apparently within the law of nations they are now fishing in our waters, but outside the three-mile limit. I thought when the Japanese luggers were captured in the North all further poaching would be stopped. Apparently, however, so fair and just are the laws of the Commonwealth, our courts decided against the Federal officials. I cannot help saying we would probably not have received as fair treatment in Japan had the positions been reversed.

Hon. J. Cornell: Even judges are sometimes wrong.

Hon. J. J. Holmes: The captain of the patrol ship did not even take bearings.

Hon. A. THOMSON: That is so. As Western Australia is not able to develop its own North-West, I have for many years advocated, as have Mr. Holmes, Mr. Angelo and other members, its transfer to Federal control. The Commonwealth Government has more means at its disposal than has the State. In the interests of defence and safety generally that aspect should have received more consideration in the past. On the one hand Mr. Holmes said the Federal Government should take over the North, and on the other hand he conveyed the impression that it was not of much value.

Hon. J. J. Holmes: Except for cattle, sheep and minerals.

Hon. A. THOMSON: Yes. My mind goes back to 1922. At that time I was in London. Mr. Miles was also there, having been sent home specially by the North-West committee with a view to securing the opening up and development of portion of the North-West. The question of constructing railways was raised, and certain plans were exhibited. The plan in the hands of Mr. Miles came from Japan, and showed the different nations of the world on the margin.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. THOMSON: I was referring to the plan that Mr. Miles had obtained from Japan, which demonstrated to the outside world the enormous extent of Western Australia. It also disclosed how various nationalities were more or less established on the coastal fringe of the State. Comparing the remarks of Mr. Holmes with those of Mr. Miles, they appear so much at variance that I, for one, regret the absence of Mr. Miles from the State. Mr. Holmes's speech seemed, perhaps unintentionally, to decry the wonderful possibilities of the North-West. I am with him in his contention that the northern portions of Western Australia should be taken over and administered by the Commonwealth.

Hon. J. J. Holmes: I suggested that the Commonwealth should do in the Kimberleys what it has done in the Northern Territory.

Hon. A. THOMSON: I understood the hon. member to say that the rainfall in the Kimberleys was very light.

Hon. J. J. Holmes: Not light, but confined to a limited period.

Hon. A. THOMSON: I have secured some details.

Hon. J. J. Holmes: I do not want you to misrepresent what I said.

Hon. A. THOMSON: I have no intention of doing so. I have obtained particulars of the average rainfall in the North, and these show that in the North Kimberley district there is an average rainfall of 26 inches. At Turkey Creek the average is 27¼ ins.; at Hall's Creek, 20 ins.; at Fitzroy Crossing, 21 1-3 ins.; west of Derby, 25 ins.; and at Broome, 23.30 ins.

Hon. J. J. Holmes: That is the rainfall for the year.

Hon. A. THOMSON: Those are the figures supplied to me.

Hon. J. J. Holmes: If there is a fall of 10 or 12 inches in one day, those figures are not of much use.

Hon. A. THOMSON: I presume the figures are for the year. While Mr. Holmes was speaking I interjected with reference to the possibilities of irrigation, but the hon. member rather ridiculed the suggestion and conveyed the impression that he had no faith in that possibility. As rivers abound in the North, I thought something might be done from the standpoint of irrigation. Mr. Holmes talked about the Fitzroy River, when in flood, having a width of 12 miles, and told us that the pastoralists had had to give up their sheep flocks and concentrate on cattle because of the danger from floods. In those circumstances it seemed to me that, with such a rainfall, wonderful possibilities were opened up for the establishment of a modern irrigation scheme in that part of the State. Mr. Miles, when in London some time ago, dealt with this phase. He referred to the enormous streams that could be tapped and urged that tropical products could, by means of irrigation, be cultivated with success. When I was a member of the Legislative Assembly I heard Mr. Angelo, who was also a member of that Chamber, advocate the growing of tropical fruits in the Carnarvon district. For many years he advocated the fostering of that method of development, and urged particularly the growing of bananas. At that stage the wiseacres said it was ridiculous and it could not be done. Mr. Angelo must be a happy man today, seeing that the Carnarvon district is producing large quantities of bananas.

The Honorary Minister: And at a good profit.

Hon. A. THOMSON: It is a very profitable industry, and much of the credit for its establishment is due to Mr. Angelo, who fought so strenuously with that end in view. In accordance with the experience of many pioneers of industry, the hon. member probably lost money in demonstrating that bananas could be grown in the Carnarvon district. I have not been through the North and North-West, but I presume the same results could be achieved in those areas. I cannot claim to possess the knowledge enjoyed by those members who represent the North Province. However, with the rainfall data available and the knowledge that

there are such large rivers in the North, it seems to me that the subject is worthy of investigation. If the State has failed to develop that part of the State, men like Sir James Connolly and Mr. Miles, who have made an honest endeavour to induce the investment of outside capital for its development, should receive support from Parliament instead of being criticised as they have been. According to statements in the Press, one of the Rothschilds is supposed to be making inquiries regarding the possibility of establishing Jewish settlements in various parts of the world. Rather than have our North and North-West continue undeveloped and unpopulated, I would prefer a Jewish settlement established there with the aid of foreign capital. One of the conditions should be that the Jewish settlers should become Australians and learn the English language. When some reference was made to that possibility, someone interjected that the Jews dealt only in old clothes and finance. On the other hand, Palestine is an illustration of what Jewish settlers can do. Excellent work has been carried out there, and if the Jews were left alone, or could work amicably with the Arabs, Palestine would soon be a flourishing country. Here we have a section of the human race exiled from specific parts of the world. Could not the Government take advantage of the opportunity, by embarking upon a large scheme, to secure the populating of the northern parts of the State?

Hon. G. B. Wood: What do you suggest they should grow?

Hon. A. THOMSON: That is a matter for experts.

Hon. W. J. Mann: Pork?

Hon. A. THOMSON: I am glad of that interjection, because I have been informed that hundreds of wild pigs are to be seen in the North.

Hon. J. Cornell: Then you don't want the Jews to grow pigs.

Hon. A. THOMSON: Perhaps we had better let the subject rest. It is common knowledge, however, that the British market provides opportunities for the absorption of enormous quantities of pork.

Hon. J. J. Holmes: On what do you suggest the Jews should feed and fatten the pigs?

Hon. A. THOMSON: What do the wild pigs feed and fatten on now? There must be ample feed for them.

Hon. J. J. Holmes: Not at all.

Hon. G. B. Wood: Do you know of the experience of the Benedictine Monks who have been there for 30 years or more?

Hon. A. THOMSON: Perhaps not, but I know that in India rivers were dammed and that by means of irrigation large tracts of country formerly not regarded as capable of growing anything have been turned into prosperous areas. In America arid districts that were regarded as useless were brought under cultivation and made productive as a result of the work of engineers in utilising water supplies drawn from considerable distances.

Hon. W. J. Mann: What about Australia?

Hon. A. THOMSON: It is not necessary to go to India or America for an example of what can be done by means of irrigation. In the Eastern States we can see what has been done by utilising water from the River Murray. I was at Mildura 47 years ago, when the irrigation scheme there was first started. The land in that district was considered so poor that it would not carry one sheep on less than 10 acres. It was regarded as a hopeless proposition. After the irrigation channels had been constructed, the land was developed with such success that the district is now the most thickly populated agricultural area in Australia. The enormous wealth produced there is attributable to effects of irrigation.

Hon. G. B. Wood: At any rate, do not advocate growing more currants.

Hon. A. THOMSON: Now we are told we must not encourage production!

Hon. G. B. Wood: We are over-producing currants now.

Hon. A. THOMSON: That may be so.

Hon. E. H. Angelo: At any rate, fodder could be produced for stock, and that would make it worth while.

Hon. A. THOMSON: Of course. If we say that the northern parts of the State are useless, and talk about the inadequate rainfall, we will not encourage assistance from outside quarters. Queensland enjoys heavy tropical rains that are not experienced in the northern parts of Western Australia. Nevertheless, if Queensland can develop her

territory, surely it is time something was done with the northern parts of Western Australia. I suggest that we give attention to that aspect with a view to placing some concrete proposition before the Commonwealth Government.

In view of the fact that the Federal authorities have stated definitely that they will not lift the embargo, the mere request by the State that that decision shall be reversed obviously means that our objective is defeated at the very outset. On the other hand, as the action taken was in the interests of Australia as a whole and, according to the figures submitted by the Premier in the Legislative Assembly and the Chief Secretary in this Chamber, involved Western Australia in the loss of approximately £69,000 per annum, we are justified in seeking compensation. We can with reason ask the Premier to approach the Prime Minister and say to him: "Western Australia entered into negotiations with the company and acted in good faith. We looked forward to developing portion of our large territory and to giving employment to many of our workers. We anticipated that a considerable sum of money would become available for the development of the North-West. Now, in view of the fact that Western Australia is to suffer because of an embargo imposed in the interests of the whole of Australia, we are entitled to ask for compensation for the State."

HON. J. CORNELL (South) [7.46]: I feel impelled to oppose both the motion and the amendment. The amendment cuts right across the Commonwealth Constitution, and may be disposed of in a few words. If the Commonwealth Government is going to compensate the State for losses, real or imaginary, arising from the imposition of the embargo on the export of iron ore, there can be no differentiation between the States, and compensation would have to be paid to the other States similarly affected. Whether the amount paid to one State should be greater than that paid to another would be a matter for determination. The amendment, obviously, would be futile. As to the motion, I ask, will it get us anywhere? The Commonwealth Government, not by hasty action but after due consideration, decided to place an embargo on the exportation of iron ore from Australia. I have perused many of the weekly numbers of "Hansard" dealing with

the debate in the Commonwealth Parliament, and have found that the Prime Minister and the House of Representatives gave ample opportunity for a full discussion of the question. Mr. Curtin spoke on behalf of the Opposition. Nowhere in the remarks of Mr. Curtin can I find that he criticised the imposition of the embargo beyond saying that in all probability it would cause a greater measure of unemployment than then existed in South Australia and Western Australia, and he urged the Prime Minister to consider what could be done to alleviate the suffering thus caused.

I understand that the Prime Minister has promised to make some recompense to the two States that we believe will suffer most through the imposition of the embargo. In the House of Representatives Mr. Gregory and Mr. Prowse made the wild and woolly statements characteristic of them, but apart from those speeches, nowhere is there any definite indication that the Federal Parliament was opposed to the embargo. Therefore we can safely conclude that the Commonwealth Parliament was practically unanimous on the question. The Assembly's resolution states, "We consider that the information available does not warrant such drastic action." Are we, as a Council, going to say that, in view of what occurred in the Federal Parliament, where members were practically unanimous, the information available does not warrant the action taken? To concur in the resolution with those words included would be bordering on the ridiculous. The Assembly's resolution also says, "We urge the Commonwealth Government to remove the embargo." In face of the almost unanimous support given to the Federal Ministry, it would be equally ridiculous on our part to urge that the embargo should be removed. Reference has been made to the fact that certain workers will be thrown out of employment, but when a gold mine closed down and hoodlars got a big rake-off—

Hon. A. Thomson: It was not closed down by the Commonwealth Government.

Hon. J. CORNELL: No, it was closed down by men less scrupulous than Commonwealth Ministers. Over a hundred men were thrown out of work, but nothing was said. We are asked to assert that the Commonwealth had not sufficient information, and that the action taken was drastic and that we insist on the removal of the embargo. I

do not wish to touch at length on the Japanese aspect of the question, but one passage in Federal "Hansard" is worth mentioning. The Prime Minister, towards the close of his speech in the House of Representatives, definitely stated that the embargo on the export of iron ore from Australia affected all countries and all people. It applied to every country, not only to Japan but also to Great Britain and the United States. If we concur in the resolution, to whom will it be sent? Why has it been brought down? One would have thought that the present Government, being a Labour Government, would at least have adopted the line of reasoning taken by the Labour Party in the Commonwealth Parliament. Those members considered that in all the circumstances the embargo was justified; otherwise it would never have been tolerated.

One gentleman, an old friend of mine, has maintained silence on this question, and he happens to be the representative of that part of Western Australia in the Federal Parliament. I refer to Mr. Green, M.H.R. Although the embargo affects part of his constituency, he has not by voice or pen attacked the Commonwealth Government for the imposition of the embargo. To my mind that postulates that Mr. Green is quite satisfied that the imposition of the embargo was warranted. When the member for the district is satisfied, this House, too, should be satisfied, and should not concur in the resolution. Regarding the Japanese phase of the question, when I learnt that Japanese interests were concerned in the Yampi proposition, I opposed its being handled by them. Objection has been taken that we are willing to sell the Japanese our wool and other commodities. That is a vastly different matter from giving an alien nation rights and privileges in our country that are not conceded to aliens in Japan. That is the objection I have taken from the inception to the Japanese being allowed to exploit the Yampi Sound deposits. Our very Mining Act cuts them clean out by prohibiting them from holding or working a mining lease. I have every reason to believe that Japanese interests are the only ones involved, and therefore I must oppose the motion.

On motion by Hon. W. J. Mann, debate adjourned.

PAPERS—CROWN SOLICITOR, APPOINTMENT.

Order of the day read for the resumption from the 14th September of the debate on the following motion by Hon. C. F. Baxter (East):—

That all papers, including applications, in connection with the appointment of Mr. E. A. Dunphy as Crown Solicitor be laid on the Table of the House.

Personal Explanation.

Hon. C. F. BAXTER: When speaking on this motion last week, I made a statement as follows:—

Recently the "West Australian" stated that representatives of the Trades Hall were assisting a committee of Cabinet to arrive at a decision concerning a measure for the control of starting price betting in the State.

That statement was very clear in my notes and in my mind, but I have not been able to trace the reference in the Press. Therefore, in fairness to the House, I unreservedly withdraw the statement.

Debate Resumed.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [7.59]: I appreciate the statement made by Mr. Baxter. Normally a motion of this kind would be treated as purely formal, and the file would be laid on the Table of the House without discussion. On this occasion, when Mr. Baxter gave notice of his motion, I advised him that there would be no objection to his seeing the file. In fact, I had the file with me, if he cared to see it. I also told him the Government considered that to table the file would be inadvisable, unless the House so desired, because it contained certain confidential information concerning other applicants for the position. Unfortunately Mr. Baxter did not seem to appreciate that position. He suggested that the matter be adjourned for 24 hours, after the lapse of which time he informed me that he proposed to go on with the motion. So this position has been reached. There is no alteration. The file will, of course, be laid on the Table of the House if the House decides that it shall be; but the only reason why I was not agreeable in the first place to table the file is the reason I have just stated.

The hon. member's remarks make it necessary to reply in regard to the qualifications of two or three applicants. While I have no desire to draw comparisons, I do feel that

I should give the House some information on that aspect. It certainly affords me the opportunity to say that, in my opinion, we are indeed fortunate to have in the position of Crown Solicitor a young man with such a brilliant record as Mr. Dunphy's. His qualifications are, in my opinion at least, equal if not superior to those of any other applicant. He has only been admitted to the Bar for a period of just under six years, but during that time he has created an amount of legal history. I propose to give a little information on that point. Since his admission to practice he has been a partner in a fairly large and highly reputable firm of solicitors, and has frequently appeared as a barrister in all the courts of the State and in all types of cases. He has appeared before the Full Court of the Supreme Court, the highest court of appeal in the State; and there he has a record of which any barrister in Western Australia might well be proud. For instance, he has conducted five appeal cases, single-handed, without the assistance of senior counsel, and has been successful in four out of the five. In those successful cases he was opposed by leading King's Counsel, and the cases did not depend on minor points but on very important questions of law. I believe that the number of such important cases is exceptional for a comparatively young man, and that the percentage of success is as high as, if not higher than, that of any leading counsel in the State. So it appears that the present holder of the position of Crown Solicitor, Mr. Dunphy, has quite a big reputation.

Hon. J. Cornell: And Mr. Haynes never heard of him in 25 years' practice, he said.

THE CHIEF SECRETARY: I cannot help what Mr. Haynes has said. Mr. Dunphy has made one appearance before the Full Court of the High Court, which is the supreme court of appeal in Australia. Here again he was successful in the appeal, in spite of adverse decisions given by the Local Court and also by the State Full Court.

Just by way of comparison, and not speaking in any way detrimentally of Mr. Good, that gentleman has not appeared before the Full Court without senior counsel either before or since his appointment as Crown Prosecutor—certainly not before, and I find no trace of his having so appeared since his appointment. Therefore it can be

claimed without fear of successful contradiction that no Western Australian counsel of Mr. Dunphy's age has ever performed such a feat as he has, without the assistance of senior counsel. I should say it is quite possible that his record has not been equalled in any other part of Australia. Some criticism was offered by Mr. Baxter from the aspect of Mr. Dunphy's experience in drafting Bills for Parliament. The records of associations for which Mr. Dunphy acted professionally for close on six years show that he has had a fair amount of experience in draftsmanship, though not necessarily in the drafting of Bills. But such matters as the drafting of rules, regulations and by-laws have been attended to by him, and with a considerable amount of success. The records of those organisations—

Hon. J. Cornell: What organisations are they?

The CHIEF SECRETARY: There is quite a number of them.

Hon. J. Cornell: Labour organisations?

The CHIEF SECRETARY: I shall mention a few of them presently. Their records show that during that period he has conducted all types of cases in a variety of courts for them and their members, without losing a single case. That is something which redounds to Mr. Dunphy's credit.

Hon. J. J. Holmes: He must be wasting his time in the Government.

Hon. J. Cornell: And he has given up all that for a thousand a year!

The CHIEF SECRETARY: I shall refer to those aspects presently. As regards drafting, I understand Mr. Dunphy has even had some little experience in the drafting of measures for submission to Parliament. For some years he was a member of an industrial committee which was engaged in recommending amendments to existing legislation. Further, he has had the duty of preparing amendment measures which have been submitted to departments and Ministers, and finally to Parliament. In connection with those Bills there has been little if any complaint that I know of. Mr. Dunphy has acted as solicitor for a number of clubs, trade unions, road boards and various other organisations, all of which have required drafting to be done that was very similar to the drafting required for Bills to be sub-

mitted to Parliament. In any event, whether Mr. Dunphy had had experience of that kind or not seems to me beside the question, because very few solicitors indeed get an opportunity, or have any need, to draft Bills for Parliament while they are in private practice. So much I think will be admitted. In view of what I have pointed out, however, Mr. Dunphy's experience in that direction is far more extensive than is the case with the average solicitor.

Now to deal with the actual appointment, which received some criticism at the hands of the mover of the motion. The actual appointment in this instance was made under Section 29 of the Public Service Act. That section provides that in special cases a person who is not in the Public Service may be appointed to any division. Therefore, applications being called under Section 29, the position was open to applicants both from within and from without the service, all applicants, of course, to be considered on an equal footing. The fact that an applicant was in the service at the time of the calling of applications gave him no advantage over applicants from outside the service. The section dealing with promotion is quite different from Section 29, and therefore it is just as well not to confuse the two. It should be noted that Mr. Boylson, who was also mentioned by Mr. Baxter—who was in the department and was senior to Mr. Good in age, in legal experience, and in service—was passed over by the Public Service Commissioner. Section 44 of the Public Service Act prescribes that where a junior officer is recommended for promotion over a senior officer, the certificate of the Commissioner shall first be issued certifying that there is no senior officer available as capable of satisfactorily performing the duties. So although the Public Service Commissioner recommended a junior officer, he did not certify that there was no senior officer available. It was not necessary that he should do so, because applications were called under Section 29, which provides that applicants from outside the service as well as from within the service shall be considered on the same footing. Mr. Baxter had a few words to say about Mr. Dunphy's age. The hon. member stated—

Positions in the Crown Law Department are important, and are much sought after by members of the legal profession. A fairly substantial number of applicants must have de-

sired to secure this important office. The Government, however, chose a young man who may have ability, but could not possibly have the mature experience necessary for senior posts of this kind. He could not have the experience that would fit him to carry out the important work of drafting.

May I ask the hon. member, who is severely critical of the fact that Mr. Good was not appointed, whether Mr. Good has had that mature experience of which the hon. member speaks? Mr. Good certainly has not had the experience that Mr. Dunphy has had. Some of Mr. Good's experience was obtained in the country, and some in the metropolitan area. Mr. Dunphy has at all times been practising in the metropolitan area. I should imagine that a solicitor having the mature experience spoken of by Mr. Baxter would not be attracted to the position because his earnings would be considerably higher than the salary paid for this position. As far as age is concerned, there is very little difference between the ages of Mr. Good and Mr. Dunphy; in fact, Mr. Dunphy is a fortnight older than Mr. Good. There can be nothing whatever in the contention that Mr. Good has had wider experience than has Mr. Dunphy. At the time applications were called, Mr. Good had been barely six months in the service, and he applied for promotion to a position of much greater importance than the one which he was holding and for which Mr. Dunphy had not been an applicant. In all the circumstances and in view of the fact that before the appointment was made, inquiries were instituted amongst the most highly qualified persons in the legal profession—

Hon. J. Cornell: Who made the inquiries?

The CHIEF SECRETARY: The Government—and in view of the unanimous support given to Mr. Dunphy's appointment, I suggest there is no ground whatever for criticism. No question can be raised of Mr. Dunphy's ability, and I am not at all questioning the ability either of Mr. Good or of Mr. Boylson. As the hon. member mentioned Mr. Boylson, I may say that he has an appointment in another branch of the service and has been trained in a certain direction. His logical promotion is to a senior position which will become vacant in the not far distant future, and that is the promotion he must look forward to. The Under-Secretary for Law was asked for his

opinion on this particular matter. He divided the applicants into two divisions—the senior division and the junior division. He suggested that in the senior division one gentleman was the best applicant, and that in the junior division Mr. Dunphy was the most suitable applicant. If members examine the file impartially they will agree with me that there is no room for the criticism that was levelled at the Government over the appointment of Mr. Dunphy.

Hon. J. J. Holmes: It would appear that the Public Service Act is not of much use to the Public Service.

The CHIEF SECRETARY: Why?

Hon. J. J. Holmes: You can dodge it when you like.

The CHIEF SECRETARY: It is not a question of dodging the Public Service Act at all. A section of the Public Service Act allows professional persons outside the service to become applicants for professional positions within the service. If that were not so, I am afraid the Government would at times be in an awkward position in the matter of filling vacancies.

Hon. J. J. Holmes: It would be awkward at times.

The CHIEF SECRETARY: The Government was entitled to secure the services of the best possible person to fill the position. That has been done. No member of this House can genuinely criticise the ability of Mr. Dunphy or his record.

Hon. L. B. Bolton: This is not the first occasion on which the Public Service Commissioner's recommendation has been turned down.

The CHIEF SECRETARY: No. I do not suppose it will be the last.

Hon. G. Fraser: It will occur again.

Hon. J. J. Holmes: That is the Trades Hall speaking.

The CHIEF SECRETARY: I am speaking for the Government.

Hon. J. J. Holmes: I was referring to Mr. Fraser, not to you. It was he who interjected.

Hon. J. Cornell: Of course, the Government would not do anything shady!

The PRESIDENT: Order!

The CHIEF SECRETARY: The Government is quite prepared to stand by the appointment. Mr. Baxter took the opportunity, when speaking to the motion, of referring to what he described as a delicate

subject. I agree that it is a somewhat delicate subject, and I do not propose to follow the hon. member through his argument, except to say that the appointment of King's Counsel to which Mr. Baxter referred, is that of Mr. Wolff, who, when Crown Solicitor, was made a King's Counsel by the present Government. The appointment was made in accordance with the existing regulations. The regulation quoted by Mr. Baxter was amended to exempt senior law officers of the Crown from the provision requiring the recommendation of the Chief Justice for appointment of King's Counsel.

Hon. C. F. Baxter: Can you give the date of that regulation?

The CHIEF SECRETARY: I understand the present practice is in conformity with that followed in many parts of the British Empire, including New South Wales, Victoria and Queensland.

Hon. C. F. Baxter: What is the date of the amendment?

The CHIEF SECRETARY: I cannot say. There is no objection to laying the file on the Table, if the House so desires. I must make it clear, as I did at the outset of my remarks, that the only reason for taking exception to placing the file on the Table was the fact that it contains confidential information regarding another applicant.

Hon. E. H. Angelo: Can any member see the file?

The CHIEF SECRETARY: Certainly.

Question put and passed.

BILL—UNIVERSITY BUILDING.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [8.25] in moving the second reading said: The object of this Bill is to authorise the University of Western Australia to utilise certain of its trust moneys for the erection and equipment of a building to be used for agricultural and pastoral research and for the teaching of agricultural science. For some time it has been desired to enlarge the building accommodation of the University's agricultural science department at Crawley, more particularly as the lack of adequate facilities has, to an extent, hampered agricultural research. The provision of buildings for the University is a Government obligation. Unfortunately, the restricted amount of loan money avail-

able has precluded many necessary and desirable works being put in hand. Amongst these has been the provision of an agricultural science building at the University. While the University has no funds that can be applied for this purpose, the University Senate is in a position to lend the Government sufficient money from earnings on its investments to permit of the erection of the building. Thus the method of financing and repayment provided in the Bill is similar to that approved by the Act of 1931.

The Bill authorises the Senate to meet the expenditure incurred in the erection of the building from trust funds, and provides that on its completion, the cost shall be repaid to the University by the Government over a period with interest at 4 per cent. The Senate suggested that repayment should be made by way of a sinking fund of 10s. per cent., and this proposal is embodied in the Bill. Consolidated Revenue will be charged each year to the extent of £560 for interest, plus £70 for sinking fund. The Government's liability will thus be extinguished in 57 years.

There should be no necessity to emphasise the advantages that must accrue to the State from the provision of a well-equipped department of agriculture at the University. The Government and the University are anxious to collaborate to the fullest possible extent to avoid any overlapping of functions. They have agreed that the main function of the University department is to train students for service in the community, and to conduct such research as is necessary for the training of post-graduate students or for which it is specially endowed. On the other hand, they recognise that it is the function of the State department to deal with the special problems of the farmer and the pastoralist that require immediate investigation. An understanding has been reached whereby the Department of Agriculture will be allowed to utilise any equipment or accommodation available in the new building, if required, until such time as the Government has its own better equipped research department.

The Council of Scientific and Industrial Research is anxious to make grants to the Government and the University to enable the respective departments of agriculture to carry out investigations appropriate to their particular spheres. Early in the month, Sir. David Rivett, of the Council of Scientific and Industrial Research, informed the Minis-

ter for Agriculture that when the building is ready for occupation, his council intends immediately to honour its promise to supply staff and money for the investigation of problems peculiar to this State. I understand that the first matter to receive attention will be research in agrostology. However I need not enumerate the many branches of agricultural research for which facilities will be available when the building is completed, a few months hence. I commend the measure to the House and move—

That the Bill be now read a second time.

HON. H. V. PIESSE (South-East) [8.31]: I congratulate the Senate of the University on providing money for this important purpose, and to say how pleased I am that the Government has co-operated with the Senate in providing for the erection of this important building. The Senate, in its wisdom, has also set aside 25 acres of very valuable ground to be used for the purpose of research. I was very pleased to read in the paper a few weeks ago an article which intimated that the sheep breeders of Western Australia had subscribed £100 towards this important work. That may not be a large amount, but it provides the nucleus of a fund to carry out research that is greatly needed in Western Australia.

As an agriculturist, I am very interested in the project. In 1929 I was in the Corowa district of New South Wales on a reso tour, and I met a research officer from Western Australia who was seeking a means of eradicating the red mite. Representatives of agricultural areas realise what a scourge red mite has been to Western Australian clover growers, and know that unless some method is adopted to eliminate the pest, serious damage will continue to be done. In 1929-30 I had some very fine fields of clover in the Katanning district, but red mite took the whole lot. To find some means of dealing with this particular insect is most important to the producers of Western Australia. Very valuable work can be accomplished as a result of the erection of a laboratory at the University, and the help of professors and others provided by the Council of Scientific and Industrial Research to assist Dr. Nicholls. Reading a report of a speech made in another place by the responsible Minister, I noticed that he stated this proposal would not interfere in

any way with the intention of the Agricultural Department to erect a laboratory in the near future.

Hon. G. B. Wood: That will be a long time hence.

Hon. H. V. PIESSE: It may be a long time hence, but that is all the more reason we should take advantage of this very good offer from the Senate of the University of Western Australia, as a result of which well-trained officers will be made available to our State for research work. I commend the Government and the Premier for making possible this arrangement, and feel sure that the Legislative Council will not oppose the passing of this important Bill, which will prove of great benefit to Western Australia.

HON. L. B. BOLTON (Metropolitan) [8.35]: I am pleased to support such a measure. Our primary industries have already had the benefit of the research work of scientists, but much more will have to be done to provide all the assistance of this kind required by those industries. The farmer has to contend with many other pests besides the red mite mentioned by Mr. Piesse, and only by the activities to be undertaken as a result of this new move will the problems confronting agriculturists be solved. Soil erosion is also likely to become very serious in this State, and another matter that is causing considerable concern is the turning salt of so many acres of the very best land in our State. These are problems the scientists must help us to deal with, and I congratulate the University and the Government on this latest move, which I feel will be of great benefit to the primary industries of Western Australia.

HON. W. J. MANN (South-West) [8.37]: I had intended to submit one or two matters which I am satisfied would have been wholly relevant, and to make some suggestions; but as there is a desire to pass the second-reading stage of the Bill to-night, I must speak without preparation. In doing so I merely desire to say that those of us who for years past have urged Government to do something for primary producers and particularly for the dairying industry, are especially pleased to know that arrangements have been completed whereby a building will be erected within the precincts of the Uni-

versity so that certain research work may be undertaken. At the same time, while we support this measure we feel there is still room for research work to be done in the country. At present, in one portion of the South-West, a disease amongst milch cows is causing heavy losses. As late as Friday last I was advised that one group settler in the Margaret River district—unfortunately a man who has only recently come to the district—had lost no fewer than six cows as a result of what is known as falling disease. To diagnose the illness is impossible until the animal drops to the ground. In one instance a man, in company with another person, was admiring the wonderful condition of his stock. A cow had just been milked. It walked out of the bail, dropped to the ground, and was dead within a few minutes. That is not a new occurrence in that area, and it is one of the matters that call for research on the spot. It is not much use endeavouring to get to the bottom of a trouble like that by conducting research 150 miles away. I believe the Agricultural Department has a man in the district, and certainly extended research should be made into the problem. It is only one problem, but the most important at present. I shall probably speak more about it at some future date. I congratulate those responsible for this forward movement. When the building is available I feel certain that the acceptance of the splendid offer of the C.S.I.R. will prove of great advantage. It is certainly very timely. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—PENSIONERS (RATES EXEMPTION) ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.44] in moving the second reading said: This short Bill seeks to rectify an omission from the enactment of 1936, which amended the principal Act of 1922. The original Act provided that an invalid or old-age pensioner could claim exemption from payment of rates under the

Municipal Corporations Act and the Road Districts Act, and from payment of water and sewerage rates. Rates thus deferred become payable only on the sale of the property or on the death of the pensioner, but meanwhile become a first charge against the property, subject to any existing rights of a mortgagee at the time of the passing of the Act. By an amending Act passed in 1936, the scope of this legislation was widened to include ex-service men who, at any age, had become totally and permanently unemployable and whose disabilities were not accepted as war caused. These men receive a pension of 17s. per week, and a similar amount is provided for their wives.

The R.S.L. has now pointed out that where the wife or widow of an invalid or old-age pensioner is in receipt of a pension and the house is in her name, the Act applies, whereas it does not apply in the case of the wife or widow of a service pensioner who is in receipt of a pension. The Bill proposes to rectify this anomaly, and therefore provides for the repeal of Section 3 of the principal Act and the insertion of a new section in lieu. The new section simply sets forth that any service pensioner under Division 5 of Part III. of the Australian Soldiers' Repatriation Act, or his wife or widow who is in receipt of a pension under the same division, shall be entitled to claim exemption from payment of rates. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [8.48]: The position is not exactly as the Honorary Minister has explained, because the service pension has come into operation since the passage of the original measure. To-day the service pensioner or his widow cannot get both pensions, and the Bill clears up the position by putting those pensioners on an equality with others drawing pensions.

HON. H. SEDDON (North-East) [8.49]: I take it that these pensioners are people who are totally incapacitated and that the Act does not apply to all persons in receipt of war pensions.

The Honorary Minister: No.

Hon. H. SEDDON: I shall support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—STATE GOVERNMENT INSURANCE OFFICE.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.51] in moving the second reading said: The scope of this measure is confined within narrower limits than those of the Bill that was brought before the House last session. It has been shorn of its contentious clauses.

Hon. C. F. Baxter: Are you sure?

The **HONORARY MINISTER**: We have gone as far as possible to meet the wishes of this Chamber. Again the desire is to legalise the establishment of the State Government Insurance Office, and to validate its past transactions, but whereas the Bill of last year proposed to empower the office to operate over a very wide field, this measure simply provides that it shall be authorised to transact insurance business under the Workers' Compensation Act and in connection with certain other classes of accident that people are likely to suffer in the field of industry.

The office will be under the control of a Minister, and the Bill provides that in matters of administration, certain sections of the State Trading Concerns Act, 1916, shall apply, with necessary changes, so far as they can be made applicable. Those sections deal, inter alia, with the keeping of banking accounts at the Treasury, contributions of interest and sinking fund, interest on capital expenditure from revenue, temporary investments of money, and charges for the use of property and services. A proposal is included to modify the application of the section dealing with charges for the use of property and services. Each year the office shall be debited with a sum which, in the opinion of the Commissioner of Taxation, represents the equivalent of the amount of taxes that the State office would pay if it were an ordinary insurance company. We intend to place the management of the State Insurance Office under the control of the Government Actuary, who possesses special qualifications and knowledge fitting him for the position.

The Bill, in addition to validating all past transactions of the State office, provides for the completion of the business being dealt with at the time the proposed legislation comes into operation. Provision is also made for the office to be deemed an approved incorporated insurance office for the purposes of Section 10 of the Workers' Compensation Act.

I do not propose to recapitulate the reasons for establishing the State Insurance Office, but I point out that, notwithstanding the criticism levelled at the Labour Government of the day for creating and subsequently continuing it without legal authority, no action was taken by another administration to terminate its existence. In order that the extent of the business done by the State office may be gauged by members, I quote the following figures, which cover the accident section, exclusive of Government workers:—

	1936/37.	1937/38.
	£	£
Premium income ..	268,000	246,000
Claims paid during year	207,000	205,000
Administration expenses	4,000	4,000
Surplus for the year ..	57,000	37,000

The total reserves at the 30th June, 1937, amounted to £496,529. These were as follows:—

	£
Trust fund (including amount for miners' phthisis)	388,139
Government workers' compensation fund	58,390
Reserves for fire and marine insurance	50,000
Total	£496,529

At the 30th June last, these reserves stood at £555,722, comprising:—

	£
State insurance trust fund ..	429,769
Government workers' compensation fund	75,953
Fire and marine insurance ..	50,000
Total	£555,722

A comparison between the State office and the private companies of premium income received for workers' compensation discloses that approximately £90,000 more was received by the State office than by all the

private companies. Those figures for the year 1935-36 were as follows:—

	£
State Insurance Office	245,948
Private companies	156,351
Total	<u>£402,299</u>

Because the State office is the only one prepared to provide cover for the mining industry under the Third Schedule of the Workers' Compensation Act, it transacts practically the whole of this business. I am hopeful members will agree to the legalising of the office so that it may undertake the classes of insurance specified in the measure.

Hon. H. Seddon: Will you include third party risk?

The HONORARY MINISTER: There will be another measure to deal with that. The activities of the State office will be confined to the transaction of business in connection with the Workers' Compensation Act, and certain other classes of personal accident insurance. I have in mind workers who are excluded from the protection of the Workers' Compensation Act, because their wage or salary is above the limit fixed by the Act. This type of worker not infrequently takes out an insurance policy to make provision for himself in the event of accident. The premium cost of such a policy may in some instances be met by his employer. The Bill empowers the State office to issue policies for this class of business. I need scarcely remind members that the compulsory provisions of the Workers' Compensation Act cannot legally be enforced, and that as a result many cases have been brought to notice where workers injured in the course of their employment have been denied the compensation to which they were entitled. The legalisation of the State office will remedy this defect.

Hon. C. F. Baxter: In what way?

The HONORARY MINISTER: Everyone will be forced to insure.

Hon. E. H. Angelo: Has a single company ever refused to insure?

The PRESIDENT: Order! A conversational discussion can be carried on during the Committee stage.

The HONORARY MINISTER: There is, of course, another aspect of workers' compensation, employers' liability, and personal accident insurance. As this type of insur-

ance is social in character, and in the case of workers' compensation is compulsory, a duty is imposed upon the State to make such insurance available to employers as cheaply and efficiently as possible. In other words, it should not be regarded as a business proposition within the usual meaning of that term. I have heard this sentiment expressed on previous occasions by some members who were otherwise unequivocally opposed to State trading in any form whatever.

A perusal of the report of the select committee of another place, to which last year's Bill was referred, will disclose that this measure follows closely the unanimous recommendations made by that committee. I should like members, before they vote on the second reading, to read the report of the select committee. It will be laid on the Table of the House. I feel that even the most obdurate opponents of State trading will find nothing in the Bill to which they can take exception. After all, the office is an established institution brought into existence for a specific purpose, which it has carried out in a most satisfactory manner. Its operations will be continued irrespective of the political complexion of any party that may be in power. I therefore submit that the only logical course is to legalise the office, validate its past transactions, and at the same time provide a legal basis for its future operations. I move—

That the Bill be now read a second time.

HON. J. J. HOLMES (North) [9.3]: Very few words are required from me, in announcing my opposition to the second reading of the Bill. A great principle is involved. Both Houses pass legislation, and the Government is expected to carry on the business of the country within the four corners of that legislation. The Government that established the State Insurance Office broke away from the law of the country. It has been carrying on this business of insurance contrary to an Act of Parliament. If I remember rightly, the State Trading Concerns Act set out that no new State trading concern should be established without the approval of Parliament. The Government of the day broke away from the Act and set the law at defiance. Year after year the same Government asks Parliament to ratify this illegal act. Not

only has the Government permitted this one illegal act but has permitted others. Unless this Chamber takes a stand, and insists that the legislation of the country is adhered to and carried out by the Government of the day, we shall find Cabinet usurping the functions of Parliament and Parliament might as well put up the shutters. Last session we passed a Bill contrary to my wishes. That measure stipulated that any person who sold a loaf of bread after 7 p.m. was liable to a minimum penalty of £10. The Honorary Minister said in the Press, "We did not intend that; we have instructed our officers not to prosecute." That is usurping the authority of Parliament.

The Honorary Minister: I did not say that in the Press.

Hon. J. J. HOLMES: The Minister said it in another way. Last session a select committee investigated the Factories and Shops Act Amendment Bill and found that some shops selling perishable goods were compelled to close at midnight. No time was laid down for the re-opening of the shops. Accordingly, the shopkeepers closed at midnight, re-opened one minute past 12 and went on with their business. That evidence was given before the select committee. We fixed the closing time at 11 p.m. Then the pinch was evidently felt by someone in the vicinity of the Trades Hall, and a deputation waited on the Minister, who said, "I will soon alter that." He then issued a proclamation over-riding an Act of Parliament, which provided that on week nights the shops could remain open until 11.30, and on Saturday nights until 11.45. I suggest that that amounts to Government by proclamation and not by Act of Parliament. Ministers defy Acts of Parliament, and carry on business illegally. They now want us by the Bill to ratify this act of illegality. We have no right to foist this legislation upon the country in view of the general elections next year. I want the incoming Government to deal with the matter and carry out its pledges.

Hon. G. Fraser: It will be the same Government.

Hon. J. J. HOLMES: I urge the House to allow this insurance business to continue for another year, and then we can finalise it

once and for all. I oppose the second reading.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—MULLEWA ROAD BOARD LOAN RATE.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.10] in moving the second reading said: This is another small Bill that should meet with the approval of every member. It has been rendered necessary by a clerical omission in the "Notice of intention to borrow" published by the Mullewa Road Board in the "Government Gazette" dated the 26th November, 1937. The notice set forth that the road board intended to borrow £1,200 for the work of bitumenising streets and footpaths, constructing a roadway leading to the local recreation ground, and erecting fencing on and making improvements to the recreation ground. Since the board was of opinion that these works would benefit the central ward only, the intention was to levy the loan rate on the rateable land within that portion of the district. Through inadvertence, however, this intention was not published in the "Notice of intention to borrow," and accordingly it will be obligatory on the part of the board, under Section 245 (1) of the Road Districts Act, to levy the loan rate over the whole of the district, unless parliamentary authority is obtained to do otherwise. The board has already struck a loan rate of 2¼d. in the pound on the annual rental value of all rateable land in the central ward for the purposes of this loan. The Bill now proposes to validate that levy, and to authorise the board to confine any future ratings made for the same purpose to this particular portion of the district. I move—

That the Bill be now read a second time.

HON. J. M. DREW (Central) [9.12]: I support the Bill, and do so as the result of personal investigations. I was at Mullewa a few days ago, and called at the office of the road board to ascertain the reason for the introduction of this measure. I saw the secretary who gave me the fullest information. Some months ago, the road board decided, by resolution, that a loan should be raised for the purpose of bituminising the

road and footpaths, and preparing the road leading to the recreation ground. It was also decided that the ratepayers of the central ward alone, the business and residential section, should be responsible for finding the interest and sinking fund on the loan.

Hon. A. Thomson: That was because the money was being expended only in the central ward.

Hon. J. M. DREW: Yes. A resolution to that effect was carried. It was deemed only just by members of the road board that, inasmuch as a large number of farmers and some pastoralists would be brought into the matter and be held financially responsible for the consequent taxation, etc., they should be excluded and the whole financial responsibility should rest on the ratepayers of the central ward. Everyone supported the proposition. In the drafting of the proposal for publication in the "Government Gazette" a couple of lines from the Act, Section 245, were inadvertently omitted, and whether the proposal is legal or not, the responsibility of the loan will rest upon the whole of the road district, farmers and pastoralists included. That, it is considered, would be a gross injustice to those people. Matters are at a standstill at the moment, but much time would be saved if Parliament passed this measure.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 9.17 p.m.

Legislative Assembly.

Tuesday, 20th September, 1938.

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

BILL—MINES REGULATION ACT AMENDMENT.

Introduced by the Minister for Mines and read a first time.

BILLS (2)—THIRD READING.

- 1, Fair Rents.
- 2, Industrial Arbitration Act Amendment.

Transmitted to the Council.

BILL—PARLIAMENTARY DISQUALIFICATIONS (DECLARATION OF LAW).

Second Reading.

THE MINISTER FOR JUSTICE (Hon. F. C. L. Smith—Brown Hill—Ivanhoe) [4.35] in moving the second reading said: This is a small but highly desirable measure, and one which I believe will effect its intention. I trust it will be acceptable to both Houses of the Legislature. Its purpose is to remove doubts which have arisen in connection with the interpretation of those provisions of the Constitution Act to which it refers, and upon which there has been a great variety of legal opinions. Actually, I believe, there has been no legal decision on the question whether the provisions were intended to refer to every type of contractual relationship between a Government department and a member of Parliament, although there have been decisions which support the construction that the Bill seeks to place on those provisions. Subsection 1 of Section 32, with which we are primarily