

speaking on the Address-in-reply, expressed the opinion that when pastoral areas were being transferred, the Government should have the first right to buy them. I am in hearty agreement with such a policy. When pastoral land of known quality such as that in the Murchison and Gascoyne areas is to be disposed of by the original holders, the State should have the first opportunity to buy it. We talk of peopling our vast empty spaces: we talk of increased production; these and other such platitudes we have heard for many years and yet we have areas of land capable of carrying ten times the population and twenty times the number of sheep still being held up in tracts of a million acres in those particular localities. It is about time a decision was reached regarding the proposed purchase of the Midland concession. Along the Midland Railway a considerable area of good land is still available. Acre for acre that land is as good as the land of the Great Southern, where, under Government control, a series of comparatively large towns have sprung up at about every thirty miles, towns that are the centres of prosperous and thriving districts. The same thing would apply to the Midland lands if they were opened up and controlled by the Government.

Lieut.-Col. Denton: There are 250,000 acres of first-class land in the Midland area to-day.

Mr. WILLCOCK: That land should be brought into cultivation.

Lieut.-Col. Denton: It is very suitable for group settlement.

Mr. WILLCOCK: It is suitable for agricultural development of any description. The largest area of unoccupied land in the State is situated along the Midland line. The land there has been proved hundreds of times over. It is being held up because advances cannot be made against it by the Agricultural Bank. It is excellent land. If it were brought under the purview of the bank it would all be utilised, and brought into production to a greater extent than at present. It is time we reviewed our policy in this respect. If the Midland Railway Company is prepared to sell its vacant lands to the State at a fair and reasonable price, the price should be paid. If it is not prepared to do this the Government should have no compunction about using every legitimate means of making the company do so. There is a quarter of a million acres of first-class land, a large area of second-class land, and a million acres of third-class land held up by the selfish greed of a private company, which wants to make as much as possible out of the State. Parliament should take every means possible to bring the company to its senses. The land was granted in the first case under definite conditions. Not one of these conditions has been carried out, and the methods of finance employed by the company in the early stages should have brought it within the clutches of the law, and might have done

so but for the friends it had at court. We cannot afford to allow this state of affairs to continue. Already we have Government utilities such as schools, police, doctors, etc., in the area, and everything of that sort ready for settlement. The Government have spent enormous sums of money in opening up areas a tremendous distance from our sea-board, while this company has been reaping advantages out of the State. If the Midland Railway were worth anything as an asset I should not be surprised at the attitude of the company, but it is making nothing out of the railway though a good deal out of the land. Much more, however, could be done with the land if it were taken over by the Government. The settlers are not allowed to exploit their holdings as they should otherwise be able to do, and the development of one of the biggest agricultural provinces in the State is being kept back. I hope before the debate concludes the Premier will make the statement he should have made earlier, and tell us what the land policy of the Government is, where the land is that will be made available for settlers under the immigration policy, and what is to be done in the matter of land development generally.

Progress reported.

[House adjourned at 10.47 p.m.]

Legislative Assembly,

Wednesday, 19th September, 1923.

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

QUESTION—DEPARTMENTAL REPLIES, TRANSMISSION.

Mr. TEESDALE asked the Premier: Will he give a general instruction to heads of departments that in all matters introduced by members, the department replies thereto be conveyed through the said members?

The PREMIER replied: Yes.

QUESTION—WATER SUPPLY, LEONORA.

Mr. HERON asked the Minister for Works: 1, What was the amount of revenue received from the Leonora water supply for years ended 30th June, 1919, 30th June, 1920, 30th June, 1921, 30th June, 1922, 30th June, 1923? 2, What was the expenditure for the same periods, excluding head office charges and interest? What was the expenditure for the above periods on head office charges and interest?

The MINISTER FOR WORKS replied: 1, 2 and 3, The reply is too long to read without taxing the patience of the House, so I propose to lay it as a return on the Table of the House.

QUESTION—LOCOMOTIVES, PURCHASE.

Mr. DAVIES asked the Minister for Railways: 1, Has his attention been drawn to the paragraph headed "38.—Locomotive Power," in the last report of the Commissioner of Railways, which states: "I have recommended that ten heavy locomotives included in this replacement programme be ordered as early as possible"? 2, Is it to be taken that the locomotives mentioned are to be ordered abroad? 3, If so, do the Government agree with the policy of ordering locomotives abroad?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, Yes. 3, Yes, if it is beyond the capacity of the available plant and machinery to produce them, as is explained in the paragraph of the Commissioner's report referred to.

QUESTION—RAILWAY STAFF, BONUS.

Mr. WILLCOCK asked the Minister for Railways: 1, Have any bonuses or extra payments (excluding overtime and allowances) been made since the 1st January, 1923, to members of the Railway staff outside those recommended by the Suggestions Board? 2, If so, what are (a) the names of the recipients, (b) the amounts received, and (c) the reasons why granted?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, (a) and (b) Names of recipients and amounts received: (i), Maxwell, F., chairman Suggestions and Econo-

mies Board, £70. (ii), Bromfield, W. H., member Suggestions and Economies Board, £20; (iii), Backshall, E. G., member Suggestions and Economies Board, £45; (iv), Loutit, J. F., member Suggestions and Economies Board, £20; (v), Price, P. H., member Suggestions and Economies Board, £20; (vi), Gibbons, C. M., advertising agent, £40; (vii), Hickey, L., assistant to advertising agent, £30; (viii), Wilson, J. R., assistant to advertising agent, £30; (ix), Treacy, F. A., goods agent, Perth, £50; (x), Seldon, O., station-master, Kalgoorlie, £25; (xi), Campbell, J. N., clerk-in-charge, Port Hedland, £50; (xii), Drew, J. W., Clerk in Charge, Cloak Room, £10; (c) (i, ii, iii, iv and v) members of Suggestions and Economies Board; special duties outside those of ordinary hours and classification; (vi, vii and viii) advertising section—exceptionally good results from work performed; (ix) valuable suggestions for improvements in method of working goods traffic; (x) for services whilst relieving the District Traffic Superintendent during 1920, 1921, and 1922; (xi) meritorious services rendered since the opening of Port Hedland-Marble Bar railway; (xii) recognition of special services in connection with sales of lost property.

BILLS (2)—FIRST READING.

1, Control of Rents.

Introduced by Mr. Hughes.

2, Workers' Compensation Act Amendment.

Introduced by Mr. Marshall.

MOTION—GOVERNMENT INSTITUTIONS MEAT CONTRACTS.

Mr. McCALLUM (South Fremantle) [4.37]: I move—

That a select committee be appointed to inquire into and report upon the supply of meat by contract to Government institutions, and whether the terms of such contracts are being complied with.

There has already been a deal of discussion here, and some considerable correspondence between the Government and outside organisations, on this topic. Therefore I do not know that it is necessary for me to traverse again all the ground that has been covered. The complaint originally arose through the Fremantle Trades Hall approaching the Government and stating they had advice that frozen meat was being supplied to Government institutions under the terms of contracts which provided for fresh meat, and that the contractor was receiving payment for fresh meat while putting in frozen meat. It is to be clearly understood that neither those who make the charge, nor I, take the point that frozen meat is inferior to fresh, at all events to a marked degree. The point upon which the objection is based is that frozen meat is much cheaper than fresh meat, and that the

contractor was purchasing frozen meat at a cheaper price than fresh meat and was retailing the frozen meat to the public at a much lower price than he was charging the Government; that, in fact, the contractor was charging the Government the same price for frozen meat as for fresh. If he could retail frozen meat to the public at a substantially reduced figure, how comes it that he charged the State the same price for it as for fresh meat?

The Colonial Secretary: Have you any evidence that any frozen meat was supplied?

Mr. McCALLUM: That statement has been put up by letter to the Minister concerned, and it has been repeatedly asserted that such is the case. I believe that sufficient evidence can easily be adduced.

The Colonial Secretary: Only by the mover of the motion.

Mr. McCALLUM: The Government have more than one letter from the Fremantle Trades Hall on this subject. That organisation was answered in the first instance by the Minister for Agriculture, under whose notice the matter came before it was ever brought to the attention of the Colonial Secretary. I think the Minister for Agriculture dealt with it in the capacity of Acting Premier, during the Premier's absence. The reply was that inquiries had been made, and that on certain occasions chilled meat had been supplied, but that on no occasion had frozen meat been put in. Upon receipt of that reply the Fremantle Trades Hall conveyed a resolution to the Minister for Agriculture urging inquiry. We have the admission that chilled meat was supplied; but, if my information is correct, there is no chilled meat in this country.

The Colonial Secretary: That was a misunderstanding altogether.

Mr. McCALLUM: The information given to the Fremantle Trades Hall is pretty definitely to the effect that frozen meat has been supplied. Further, it is definitely asserted that frozen meat has been supplied to the Hospital for Insane at Claremont.

Mr. Underwood: Who stated that?

Mr. McCALLUM: That point can be ascertained during the inquiry.

Hon. P. Collier: Let us have it proved by inquiry. We cannot prove it here.

Mr. McCALLUM: I do not think I am called upon to state here who made the assertion, but it has been made. The present object is to ascertain whether the assertion is well founded or not. Not only should that be done in the interests of the Government, but in the interests of the contractor too. A serious charge has been made, and if it is not correct the contractor has a right to have his character cleared. Surely the Government should express themselves as quite willing to have the suggested inquiry made. The Government should want to know whether or not the terms of the contract are being complied with. That question can only be decided by inquiry. I believe evidence will be forth-

coming that the charges made by the Fremantle Trades Hall are well founded. If that turns out to be so, then the Government should be placed in a position to safeguard themselves for the future, and to make sure that they get what they pay for. In connection with these contracts there used to be alternative prices for frozen meat and fresh, but that is not so in the case of the present contract, which provides for only one class of meat—fresh meat—and at only one price. At the time alternative prices were asked for, there was very little difference between the price of frozen and that of fresh meat. Very little frozen meat was coming into this market before the Wyndham Meat Works began to consign to the metropolitan area. But when supplies from Wyndham began to arrive here, there was a considerable difference between the two prices. Strange to say, the Government Tender Board then called for only one class of meat—fresh—and did not ask tenderers to submit alternative prices for fresh meat and frozen. I am advised that on many occasions frozen meat has been supplied instead of fresh under the existing contract, and that repeatedly at least two-thirds of the supply to the Hospital for Insane has been frozen meat.

The Premier: Where did that frozen meat come from?

Mr. McCALLUM: A good deal of it comes from the Eastern States. There is no freezing of mutton in this State, but frozen mutton comes from the Eastern States. I have repeatedly seen it unloaded. Very seldom does an Eastern States boat come in without bringing a quantity of frozen meat, no doubt under forward contracts for considerable supplies. At least, that is not so much the case since the price of meat has risen in the Eastern States, where it is now dearer than it is here.

Mr. Teesdale: Is that chilled or frozen?

Mr. McCALLUM: Frozen. The Eastern States boats cannot carry chilled meat.

The Colonial Secretary: Are you sure this does not arise from trade jealousy?

Mr. McCALLUM: After the inquiry the Minister himself will be satisfied that it has not arisen from trade jealousy. The charges are too definite for that. Rivalry between business firms may have brought matters to a head, but cannot account for the making of the charges. I am not particularly concerned about what gives rise to the charges; the question is are the statements correct? I have been present at meetings in Fremantle where men have been very definite in their statements as to what they have seen, what they have handled and what they know to be going on. I want to find out whether the information supplied by those men to responsible organisations is correct. If it be correct, someone should be held responsible for what is going on. In some Government departments there is quite a good inspection of the stores. For instance, there would be no chance of getting frozen meat

into Wooroloo, for there everything has to be passed before being accepted. A different system prevails in some other Government institutions. I have not suggested that frozen meat should be regarded as unfit for consumption, or indeed, that it should not be included in Government contracts. That is not the point. The contractor supplying the Government institutions has issued a dodger, offering to the public frozen meat at prices considerably below those charged for fresh meat.

The Colonial Secretary: There is no harm in his doing that.

Mr. McCALLUM: No. But if he offers those reduced prices to the public, the Government also should have the benefit of them. Of course, the point is that if he is supplying to the department frozen meat at the price of fresh meat, he is putting in something that he sells to the public at a considerably lower price.

Mr. Underwood: And he is doing that with the connivance of a Government officer.

Mr. McCALLUM: I do not know that. I asked the Minister whether any Government officer was responsible for passing the meat, but I cannot determine from his answer whether anybody is actually told off to see that the terms of the contract are complied with. I suppose the kitchen hands or whoever takes delivery of the meat cannot be held responsible for the carrying out of the terms of contract, since those terms would be unknown to such persons. Whether any inspectors are supposed to pass the meat ought to be inquired into. Anyhow, we only want to get at the truth. In view of the definite statements made an inquiry would be in the interests of both sides.

The COLONIAL SECRETARY (Hon. R. S. Sampson—Swan) [4.51]: I do not intend to oppose the motion. The Government have only one object in view, namely, to see that the inmates of the institutions get the best possible. I agree with the hon. member that it is not a question of the relative value of frozen meat and fresh meat; the question is whether the contractor is observing the conditions of his contract. Since there is suspicion that those conditions are not being observed, the motion appears to be justified. I have been asked whether anyone is responsible for receiving the meat. I am advised that it is received by a responsible employee, and that in no instance has frozen meat been accepted. It is easy to distinguish between frozen meat and fresh meat.

Hon. P. Collier: A layman can do it.

The COLONIAL SECRETARY: Yes; the appearance of the one is quite different from that of the other. Whether these rumours are the result of trade jealousy, I am unable to say.

Hon. P. Collier: I have had statements made to me by men of probity. The question can only be resolved by an inquiry.

The COLONIAL SECRETARY: The Government welcome the motion. If frozen meat

is being delivered to the institutions we want to know it, in order to punish the guilty, and take steps to prevent a repetition of the offence.

Mr. UNDERWOOD (Pilbara) [4.55]: After the statements made and the contradictions of those statements, an inquiry is warranted. But the member for South Fremantle (Mr. McCallum), whom we know as bringing forward the charges, should most certainly not be chairman of that inquiry. Rather should he be the first witness.

Hon. P. Collier: You are late in the day in discovering that.

Mr. UNDERWOOD: I discovered it as soon as notice of the motion was given. It is right enough for the hon. member to say he has heard these things; all that we, as Parliament, have heard are the statements of the hon. member. Therefore, to make the hon. member chairman of a committee of inquiry would be to bring ridicule on the House.

Hon. P. Collier: Then the House has been bringing ridicule on itself for the past quarter of a century.

Mr. UNDERWOOD: It is all right for the Leader of the Opposition to say that, but it carries no weight, nor is it an answer to my objection. The member for South Fremantle said it was right that the contractor should have his character cleared. It is quite right also that the statements made by the hon. member should be inquired into. That being so, the hon. member is not the right man to have as chairman of the committee. As a matter of fact, he should be the first witness to be called by the committee.

Mr. Johnston: I wish you could impress your view on the Upper House.

Mr. UNDERWOOD: If I were a member of that House I would endeavour to do so. I am now endeavouring to impress my view on the House of which I am a member. I agree that this is not a question whether frozen meat is inferior to fresh meat. It is altogether beside the question to talk about chilled meat. It may be informative to the House if I say that every bit of chilled beef that can be brought from Wyndham under our present shipping arrangements, is consumed in the metropolitan area. If we had ships to bring more Wyndham beef, it would still be consumed here, without any complaint at all. Talk about supplies from Wyndham has no bearing on the case. Moreover, reference to chilled and frozen meat is largely camouflage. Many people think there is a difference between chilled and frozen meat. As a matter of fact no meat is subjected to a lower degree of temperature than is necessary to preserve it. Call it chilled or frozen, it is all the same. Infinitely more frozen meat is coming from the Eastern States than from Wyndham.

The Colonial Secretary: The trade recognise the distinction.

Mr. UNDERWOOD: Because the trade may have some fresh meat that they desire

to keep for only a day or two, but no meat is reduced to a lower temperature than is necessary to preserve it. That is quite obvious.

The Minister for Mines: It is necessary to have a lower temperature to freeze than to chill meat.

Mr. UNDERWOOD: It is necessary to reduce it to a lower temperature to preserve it for a longer period. Those who talk about chilled and frozen meat have given no consideration to the question.

Mr. McCallum: Have not they?

Mr. UNDERWOOD: Certain statements have been made by the member for South Fremantle and we have to deal with them. They have been flatly contradicted by the Minister and by the contractor who supplied the meat. An inquiry must take into consideration the honesty of a Government servant. All I am protesting against is that the man who made the accusation in this House is going to be chairman of the committee. According to British practice and all ideas of British fair play, it is not right that a man should be both accuser and judge. Therefore the member for South Fremantle should not be chairman of the committee. He should not be on the committee.

The Minister for Mines: That is not quite the position. He might form another opinion after hearing the evidence.

Hon. T. Walker: He would be obliged to judge on the facts.

Mr. UNDERWOOD: The accuser is the member for South Fremantle.

Hon. T. Walker: He does not accuse; he merely says certain things have been done.

Mr. UNDERWOOD: Most emphatically he did accuse the contractor of supplying frozen meat, and inferentially accused a Government servant of receiving frozen meat.

Hon. P. Collier: He said statements had been made to him that justified an inquiry.

Mr. SPEAKER: I would like to point out that the appointment of the chairman of a select committee rests with the committee.

Mr. UNDERWOOD: The practice is that the House appoints two members from each side of the House in addition to the mover, giving three to two and thus making it highly probably that the mover will be the chairman. A man who makes an accusation should not be the chairman of the committee of inquiry and should not even be a member of it.

Hon. T. WALKER (Kanowna) [5.4]: I should not have spoken on this motion but for the remarks of the member for Pilbara, particularly those referring to the appointment of a select committee. Who is to be the chairman is no concern of ours in judging whether we shall have a select committee or not. The point for us to consider is whether a case has been made out to justify an inquiry. If the hon. member had made his assertions and had been armed with the proofs there would have been no necessity for a select committee. It is the duty of any

member moving for a select committee to make out a case for an inquiry. That is all he has to do. He must do that; otherwise the House would not be justified in going to the expense and delay of a select committee. The member moving for an inquiry is bound to give some species of evidence or relate a number of facts. Whether those facts turn out to be as alleged is another matter. The member for South Fremantle has already made out a case for an inquiry, because the Minister himself welcomed an inquiry. To say that the hon. member should not be appointed chairman of the select committee is to introduce into the House a precedent that would be invidious.

Mr. Underwood: You were away when the charges were made.

Hon. T. WALKER: I happened to hear what the hon. member terms the charges; I heard the member for South Fremantle make his speech.

Mr. Underwood: He made charges.

Hon. T. WALKER: I heard him make a speech asking for an inquiry, and it is to test whether the statements made are bona fide or whether they are chimeras or untruths that an inquiry is justified. If we insisted upon the House appointing not only the members of the select committee but also the chairman, we should be introducing a precedent that I think would require a new Standing Order. At present, it cannot be done. You, Mr. Speaker, were right in stating that a select committee appoint their own chairman, and it would be a piece of impertinence for the House to tell a select committee they were not capable of minding their own business. A select committee appointed in such circumstances would be a farce. By appointing members to a select committee, we esteem them honourable men, and being trusted, we have no right to offer any intimidation whatever. I have drawn attention to this to prevent members getting the idea that the House can appoint not only the committee but the chairman of the committee, and can decree every step the committee shall take throughout the course of the inquiry. That would be tying the hands of the committee, and it would be utterly foreign to the procedure in any House of Parliament anywhere in the British dominions.

The PREMIER (Hon. Sir James Mitchell—Northam) [5.9]: I do not regard the member for South Fremantle as an accuser. He has brought under our notice statements made outside the House that he thinks of sufficient importance to acquaint us with, and he suggests a committee of inquiry. It is the custom that the member moving for a select committee becomes the chairman. If a member came here and accused another party of something that demanded an inquiry, it would be improper for such a member to sit on the inquiry. I listened attentively to the hon. member's speech and he said in effect it had been reported to him that this thing was go-

ing on. If it is going on, we ought to know of it. I see no reason to depart from the practice of appointing him to the select committee. If frozen meat is being supplied to institutions when fresh meat is specified, someone in the institution ought to know of it, and it should not be necessary to appoint a select committee to ascertain that fact. We should have known of it long ago. I hope it will be found that the information given to the member for South Fremantle is wrong. It would be an extraordinary thing if the hon. member had requested an inquiry on the ground that a few joints of frozen meat had been supplied. I take it he is moving because he has been informed that a considerable quantity of frozen meat has been supplied. It is someone's duty to know if that is so. The Minister has made careful inquiry and his information justifies him in stating that frozen meat is not being supplied to the institutions. I shall be greatly surprised if an inquiry does not reveal that the hon. member's information is inaccurate. I hope it will be proved that the officers have reported the real facts. I regret the necessity for so many select committees, and I repeat that a committee should not be necessary in this case, because it is so easy to recognise the difference between frozen meat and fresh meat. The officers responsible for taking delivery of the meat should have called attention to the fact if frozen meat has been supplied. I merely wish to point out that the member for South Fremantle has not made an accusation.

Mr. Underwood: He did make an accusation.

The Premier: He merely passed on the information he had received.

Mr. Underwood: He made an accusation on the Address-in-reply; most emphatically he did.

The PREMIER: I am not dealing with that. His statement to-day is a repetition of information that has come to his knowledge, information that he thought should be communicated to the House. What I am most concerned about is the facts of the case. If this contract is not being observed, we should know who was responsible for receiving frozen instead of fresh meat. I do not know why meat is brought into Western Australia from the Eastern States; there is plenty of beef and mutton here, and there is certainly no reason why Government institutions should purchase imported meat.

Mr. MUNSIE (Hannans) [5.13]: I am pleased the Minister has agreed to the appointment of a select committee. I think I was the first to ask a question regarding one particular institution on the day that the member for South Fremantle gave notice of a question applying to all Government institutions. The Minister for Agriculture, shortly afterwards, gave a definite promise that an inquiry would be held. He said, "I shall institute inquiries to find out whether the information of the member for South

Fremantle is correct or otherwise." He evidently started the inquiry.

Mr. Underwood: Why make the member for South Fremantle the chairman?

Mr. MUNSIE: I am not interested in that. The member for South Fremantle (Mr. McCallum) made certain statements. In his speech on the Address-in-reply the Minister for Agriculture definitely promised that an investigation would be made. He commenced this investigation. The Colonial Secretary, who controls these institutions, replied on behalf of the Minister for Agriculture, and said he had made inquiries and found there was no foundation for the rumour. He then asked the member for South Fremantle and me to withdraw the statements we had made. He did that on the floor of the House, and it has gone out to the public. I have seen a letter in the Press dealing with the matter, asking whether we are going to withdraw. The member for Pilbara (Mr. Underwood) has taken exception to the action of the member for South Fremantle this afternoon.

The Colonial Secretary: You made a statement about the Old Men's Home.

Mr. MUNSIE: I spoke about the Claremont asylum.

Hon. P. Collier: The same thing happened in the case of the Old Men's Home.

The Colonial Secretary: It was mentioned in a question.

Mr. MUNSIE: In the question asked by the member for South Fremantle. I am just as convinced now as I was before that the statements we made were correct. How are we to ascertain the truth? The member for South Fremantle has taken the only course of getting at the truth.

The Colonial Secretary: The inquiry has not been opposed.

Mr. MUNSIE: The member for Pilbara is taking exception—

The Colonial Secretary: To the inquiry?

Mr. MUNSIE: To the member for South Fremantle taking the only course open to him, except that of moving for the appointment of a Royal Commission.

The Colonial Secretary: That is another question.

Mr. MUNSIE: When the select committee is appointed, I am confident it will give a decision on the evidence submitted to it. I am pleased the Government have agreed to this inquiry being made. I did not ask the question because someone had whispered in my ear, but I made all sorts of inquiries myself beforehand. On the very day that the Minister replied to my question, stating that no frozen meat had been supplied to the institution concerned, I was informed that the meat supplied to the Claremont asylum was frozen meat. In the circumstances the Government should welcome this inquiry.

Question put and passed.

Ballot taken and a select committee appointed, consisting of Messrs. Lutey, Latham, Mullany, Hughes, and the mover

(Mr. McCallum), with power to call for persons and papers, to sit on days over which the House stands adjourned, to adjourn from place to place and to report on the 10th October.

MOTION—KENDENUP SETTLEMENT.

To inquire by Royal Commission.

Mr. HUGHES (East Perth) [5.30]: 1 move—

That in the opinion of this House, it is in the interests of this State generally, and the settlers in particular, that a Royal Commission be appointed to investigate the affairs and transactions of—1, The Kendenup Fruit Packing Company. 2. The De Garis Kendenup (W.A.) Development Company, Ltd., with a view to ascertaining whether there has been any—(a), misrepresentation or fraudulent misrepresentation to the settlers or debenture holders; (b), criminal act on the part of any person or persons concerned, and (c) that the Commission have the power to examine the persons, papers, and banking accounts of all shareholders, employees, agents, and receivers of the said companies, the trustee for the debenture holders, his agents and employees, and such other persons as the Commission may deem advisable.

I have often enjoyed reading that American novel called "Get-rich-quick Wallingford," and have laughed over the way in which John Rufus Wallingford and his mate Blackie Daw floated bogus companies for the purpose of taking down people who subscribed to their concerns, and whom they called "suckers." But I never imagined that I would see the drama portrayed in that work of fiction enacted in the flesh and blood right at our own doors. Everybody in this State is well aware that in 1920 there came to Western Australia a man from the Eastern States who was going to institute a vigorous policy of land settlement, who was going to solve one of the principal difficulties of the producing community, namely, the finding of assured markets. There was an estate in the South-West known as Kendenup, owned by one Hassell. An option was taken over that estate by a man named Edmunds, the figure being £33,000, with another £3,000 for the goods and chattels. Immediately that option was taken, De Garis appeared on the scene and took it over. De Garis had just then floated a company in Melbourne called "The De Garis Kendenup (W.A.) Development Company," which had a subscribed capital of £6—six shareholders at £1 each.

The Minister for Mines: That is not unusual.

Mr. HUGHES: If it is the usual thing, then it is time that the Company law was amended to prevent that sort of thing happening, to prevent people subscribing £6 when the purpose is fraud, and as happened

in this case, the defrauding of people in Western Australia of over £100,000.

The Colonial Secretary: Do you suggest the original intention was fraud.

Mr. HUGHES: Absolutely. I am satisfied from the inquiries I have made that the whole business reeked with fraud from the inception. When I have finished reading the prospectus and other statements in my possession, hon. members will share my view. Without one penny of money being put up by Edmunds or De Garis, the De Garis Kendenup (W.A.) Development Company was floated and registered in Melbourne. De Garis did not even register it in Western Australia. Its subscribed capital, as I have stated, was £6. Thon De Garis started on his venture in the direction of raising by debentures the sum of £150,000. Throughout the length and breadth of Western Australia he gathered together a body of Pressmen and took them to the Eastern States where he carried out the greatest advertising drive ever attempted in Australia.

The Colonial Secretary: That had nothing to do with Kendenup. It was in connection with the Sunraysia districts of Victoria and South Australia.

Mr. HUGHES: Not at all.

The Colonial Secretary: The members of that party had nothing to do with Kendenup.

Mr. HUGHES: I agree with that, but it was part of the scheme for ingratiating himself with the Pressmen of Western Australia, and impressing the remainder of Australia as well, with the fact that he was a wonderful organiser.

The Colonial Secretary: Kendenup was not thought of at that time.

Mr. HUGHES: This drive had quite a lot to do with what was to follow at Kendenup. As a result of the Pressmen's trip to the Eastern States, De Garis was able to get quite a lot of publicity. A Pressman said to me recently, "I would like to have written up Kendenup, but I was one of De Garis's guests, I drank his beer and ate his food when he took us to Mildura when things with him were good, and now I have not the heart to write what I would like to."

The Colonial Secretary: All that was long before Kendenup was thought of.

Hon. P. Collier: But you do not see that it was all part of his advertising scheme, and that it was to help him float Kendenup.

Mr. HUGHES: De Garis organised the Pressmen's trip to Victoria solely as an advertising stunt to impress the newspaper men and the people of Australia with his wonderful ability.

The Minister for Mines: Of course the Pressmen would have been quite innocent of his intentions.

Mr. HUGHES: I agree with the Minister. Do not let it be thought for a moment that I am impugning the Pressman who accepted De Garis's hospitality. I wish to make that clear. What I am pointing out is that the visit to Mildura was arranged for advertis-

ing purposes and that De Garis had Kendenup in view. Whilst the company with its £6 capital was in existence, De Garis put an issue of debentures on the Australian market. His desire was to raise £150,000. I wish to read to the House a few quotations from the prospectus issued by De Garis in this connection. The first statement is—

Mr. De Garis of Mildura and Sunnyside fame—

Where did he get that from? From the publicity he obtained on the occasion of the Pressmen's trip. That is one of the reasons why I am connecting the Press party with De Garis's method of advertising and the subsequent object he had in view. The statement goes on—

has purchased 47,325 acres freehold land, situated 40 miles from Albany. This land cost him £50,000.

That is a misstatement. The option was taken by Edmunds for £33,000 and the De Garis Company took it over from Edmunds. The Royal Commission which sat in Perth ascertained that stamp duty was paid on £42,600. Yet De Garis sets out that the land cost him £50,000. The prospectus continues—

Once the land is surveyed and cut up into the proposed farms, the leading Western Australian land and estate firm of Messrs. Hyem, Hester & Co., Ltd., estimate to secure (agreement already signed) for the property £450,000, which, after allowing for interest and commission, will bring in £302,000.

The prospectus says that "they estimate to secure and that the agreement is already signed." An agreement that they estimate to secure!

Hon. P. Collier: A new kind of agreement, that.

Mr. HUGHES: I wonder whether the member for Bunbury (Mr. Money) has ever come across a document like that. The prospectus declares that the estate is 40 miles from Albany which possesses the second finest harbour in Australia. I will not contest that.

Mr. A. Thomson: You cannot.

Hon. P. Collier: That is about the only true statement in the prospectus.

Mr. HUGHES: No, there is another to which I will refer later.

The Minister for Mines: When he says Kendenup is 40 miles from Albany he means as the crow flies.

Mr. HUGHES: He goes on to say in the prospectus that there are 50 miles of metalled roads through the property and that these cost £15,000.

The Minister for Mines: The main road to Albany runs through the estate.

Hon. P. Collier: But it is not a metalled road.

The Minister for Mines: Yes it is.

Mr. HUGHES: Then the prospectus goes on to say that transport troubles are overcome at the inception. It continues—

The railways and three railway stations on the property cost Western Australia £100,000 to put there.

Later on when De Garis issued another prospectus he must have had his attention drawn to this, because he states that the railways on the property would now cost the Government £150,000 to build. Instead of saying "they did cost," he says "they would now cost."

Hon. P. Collier: That shows his strict regard for accuracy.

Mr. HUGHES: The statement is untrue. The next important announcement in the original prospectus is truthful. I desire to give him credit for having made one true statement.

The Colonial Secretary: How many miles of railway are there through the property?

Mr. HUGHES: I cannot say. The Minister must remember that when that railway was built the cost of construction was considerably less than it is to-day. This also appears in the prospectus—

An important factor is the fact that Mr. C. J. De Garis has undertaken to manage the property for five years at £2,000 per annum.

That is a most important factor—in fact the most important of the whole affair.

The Minister for Mines: Anyhow, it is not correct, because he did not carry out the undertaking. He started in 1920 and it is now 1923, and he is no longer there. He is wrong in that statement.

Mr. HUGHES: Close investigation will show the statement to be partly true, because it seems that De Garis got his five years' salary. The terms under which the debentures were issued was that the company should borrow £150,000 at 8 per cent., and should distribute to the debenture holders £75,000 of the profits. Further, each debenture holder was to receive, in addition to the par value of his debentures, £50 for every £100 he subscribed. This point makes me less sympathetic to those who invested in the debentures. They were offered the high rate of 8 per cent. interest, and, in addition, they were to have £150 returned to them for every £100 they invested.

The Minister for Mines: I do not think the debenture holders are entitled to any sympathy at all.

Mr. HUGHES: I think they have been deceived. A cautious investor, with a proposition like that put up to him, would straight away ask, "What is the matter with the security?" The very fact of such wonderful terms being offered should have been a warning to investors that the security was extremely unsound. People who invested money in those debentures invested it purely by way of a gamble, having regard to the terms. They gambled on the venture and on De Garis, and they should bear at least some of the loss resulting from his frauds. Before leaving the question of the debentures, let me say that the company altogether obtained £128,000. The cost of floating the

debentures was £14,000, or 11 per cent. of the debenture money. That £14,000 would be for advertising and so forth.

The Minister for Mines: Flying from Melbourne to Perth costs a bit.

Mr. HUGHES: The advertising which was being done to induce these unfortunate people to invest their money in the debentures cost £14,000. There was no regard for the money that was being spent; it was the money of other people. The net receipts to the company from the debenture issue were only £114,000. Now, any firm spending 10 or 11 per cent. on obtaining a loan must be regarded as on very weak ground.

The Premier: That does not concern the parties from this point of view.

Mr. HUGHES: My object is to show the methods that were adopted to induce people to invest. In the prospectus, amongst a mass of photographs, there is a statement of what the £150,000 was to be used for. The statement is as follows:—

After payment of the purchase money and working expenses, the balance will be spent, as far as it will go, on the following:—Such of the factories and plant mentioned hereunder as exceed the £150,000 will need to be financed by independent companies, who, however, will be bound by a buying contract from the producers.

Even as early as the issue of the original prospectus the company were giving to the public intimations that there would be buying contracts with the producers.

Surveying and pegging out complete subdivisions of township and settlement. Clearing at least 20,000 acres. Providing house of accommodation. Railway siding to factory sites. Public reserves, parks, and buildings. Water tower and reticulation system. Electric power house and installation. Brick and tile manufacturing plant and sawmills. Canning and jam manufacturing plant. Confectionery plant, dehydration plant. Sugar beet factory (this factory will cost £200,000, and will certainly need to be handled by a separate company).

All that was going to be done out of £150,000. De Garis published in this prospectus a photo of the Kendenup railway station, and also published in the prospectus some of the slogans which were to be used in connection with the undertaking. I am not going to give my opinion of those statements, because I am not competent to do so, but I have made inquiries from residents of Kendenup and others who understand agriculture, and they tell me that the statements are absolutely absurd. The first of the assertions is—

Fifteen tons of onions to the acre is often obtained at Kendenup.

I am informed that there is no foundation in fact for that statement.

Year after year Kendenup soil has produced 50 tons of potatoes to the acre.

One man who tried an experiment with potatoes at Kendenup has assured me that that statement, if it ever was true, was not true when he tried his experiment. There was no occasion for De Garis to make such misstatements. He had the Government departments of this State available, and they would have been only too glad to supply him with accurate information as to the possibilities of the district. In view of such statements being made, and £14,000 being spent to advertise the undertaking, it is no wonder that people were deceived. What I have quoted are some of the statements that induced settlers to go to Kendenup. There are settlers at Kendenup who never saw the second prospectus. Having seen the second prospectus, I now know where the idea of the shovelful of sovereigns on the Peel estate came from.

The Premier: But ours were Western Australian sovereigns.

Mr. HUGHES: On the last page of the prospectus De Garis states—

Kendenup products are to be publicitised and made world-famous.

Undoubtedly the Kendenup settlers purchased the land at fancy prices because they thought they would have an assured market. They paid for the market, not for the land.

Buying contracts for a term of years can be made, if desired, at the time of planting or sowing for maize, oats, hay, and any other horticultural and agricultural product. A cannery will be erected at once to deal with its fresh fruits, and prices paid will compare favourably with other W.A. prices for similar products. A sugar beet factory is being arranged for (erection by December, 1922) ready to handle beet in February, 1923. This factory will give a price equal to Maffra factory from year to year. I do not believe these people ever had an iota of justification for stating that the sugar beet factory would be erected in February, 1923.

Evaporating plant for drying fruits and vegetables and a confectionery plant for use of Kendenup products will also be part of the estate's activities. Sawmills and brick and tile plant will provide building material. Electric plant will supply power and light. The whole object is to have a model township with every latest modern convenience and comfort, and with organisation of production, processing, and sale.

As a result of the issue of that prospectus people were induced to invest their money in debentures to develop Kendenup. Having received £128,000 by way of debentures, the company proceeded to pay off the various liabilities they had incurred. De Garis' option over the property was transferred to the company, and the company paid De Garis £50,000 cash out of the debenture holders' money, and also 150,000 fully paid up shares of £1 each. So the company paid £200,000 for an estate which was bought for £33,000. I take it that De Garis received the difference

of £17,000 between the £33,000 he had to pay the original vendors, and the £50,000 which the company paid. Assuming that the cost of stamp duty and expenses incidental to the transaction amounted to another £5,000, there is a clear rake-off of £12,000.

Mr. Johnston: Stamp duty and expenses could not be as much as £5,000.

Mr. HUGHES: I am leaving a good margin. Even if one allows £7,000, which represents a very wide margin for stamp duty and expenses incidental to the sale, Edmunds and De Garis cut up between them £10,000 of the debenture holders' money.

The Minister for Mines: Then Kendenup actually cost the debenture holders £50,000 in cash, plus £14,000 for advertising. That last item came out of the debenture holders' money.

Mr. HUGHES: Yes. They paid £50,000 in cash to De Garis for Kendenup. To raise the money cost £14,000. Therefore, to get possession of the property really cost the company £64,000. I have often heard it said that De Garis put his own money into the concern. He said that himself. Seeing that the advertising that was done to secure subscriptions to the debentures cost £14,000, I venture to declare that De Garis charged up every possible expense to that fund, and that there was a clean rake-off, which either he or Edmunds got, of at least £10,000. I am taking a very conservative figure when I say that De Garis and Edmunds, or both, took out of the debenture holders' pockets a clear £10,000 in the initial stage. I now come to the second prospectus, which was to be issued to prospective settlers. It tells much the same story as the first prospectus. One or two new statements, however, are of importance. The first picture in the second prospectus shows "What Kendenup will grow." It is a representation of the Kendenup railway station, which it describes as "The shelter shed, Kendenup siding, site of the station to be erected shortly, as promised by the Hon. J. Scaddan, W.A. Minister for Railways."

Hon. P. Collier: The Minister for Railways is in it, is he?

Mr. HUGHES: I accept the Minister's assurance that that is a positive misstatement, and that no such promise was made.

Mr. Minister for Mines: You can bet your life on that.

Mr. HUGHES: All these things show the character of the man. He was not particular as to whom he mis-stated. He said on this prospectus—

There will be an immediate market for each product planted, and arrangements made so that an assured income will be gained by those who produce Kendenup fruit, etc.

The Minister for Mines: What is the date of that?

Mr. HUGHES: Neither of these prospectuses bears a date. This, I find, was printed

by Barker & Co., 63 Little Latrobe street, Melbourne. It was issued in the early stages of the crusade for settlers. Throughout the whole of the advertising there was the repeated statement that there would be an assured market for anything the settlers could produce.

The Minister for Mines: And not only markets, but markets at inflated values.

Mr. HUGHES: The prospectus continues.

A sugar beet factory is being negotiated for (erection by December, 1922), ready to handle beet in February, 1923. This factory will give a price equal to Maffra factory from year to year.

The next page shows a picture of De Garis, and in large type this assurance:—

To safeguard the settlers, buying contracts will be made in advance with them for their products at a remunerative price.

Again, the definite statement that the settler would have a remunerative price for his products. The prospectus does not say with whom the contract was to be made. Clearly, however, there is but one inference, namely, that it would be with the people issuing the prospectus and selling the land. In the absence of a definite statement to the contrary, it could not be with anyone else, the contract was to be with the development company. Previously, it was officially stated that Kendenup was only 40 miles from Albany. In this prospectus the distance is increased to 50 miles. We learn that there are three routes by which the settler can reach Kendenup: 1, by the transcontinental to Perth; thence by rail to Kendenup; 2, by boat to Albany, and rail from Albany to Kendenup (50 miles); 3, boat to Fremantle, and rail to Kendenup. On the same page we get this:—

The soil at Kendenup is suited for the production of vegetables, cereals and fruit. The settler is advised to start off with annual crops, such as oats (for hay and grain), maize, lucerne, potatoes, onions, tomatoes, passion fruit, peas, beans, asparagus, and other vegetables. At a later date sugar beet will be one of the main productions, but a factory for its treatment cannot be erected before December, 1922. The company is ready to purchase the produce mentioned, and will guarantee remunerative prices to the growers, making contracts at the following prices:—potatoes £10 per ton; tomatoes £10 per ton; onions £5 per ton for drying; maize 4s. 8d. per bushel (f.o.b. Albany); oats 2s. 3d. per bushel; or £2 15s. per ton in the stack (stacked to the company's specifications). To assist the settlers the company has provided horticultural experts who will give practical advice and assistance where it is required.

The most important part of the paragraph is the definite statement that the company would guarantee remunerative prices to the growers. This was a document made as an offer of sale, part of the contract between the settler and the company.

The Minister for Mines: The unfortunate thing is that the settler afterwards contracted himself out of that.

Mr. HUGHES: But he could not do that. That would not hold. The next thing in the prospectus is a copy of the telegram relative to the Agent General's and the Hon. John Scaddan's visit to Kendenup. It reads as follows:—

Sir James Connolly and Hon. Scaddan enjoyed visit and appreciated your wires promised sympathy and support.

Mr. Marshall: The Minister had an early eye on Plantagenet.

Hon. P. Collier: He was prophetic.

Mr. HUGHES: Part of the telegram is then omitted. After the omission it continues:—

England and Westralia motoring Scaddan to Stirling Ranges Friday. Have two cars full. Visit highly satisfactory.

Then the prospectus says:—

Over £120,000 worth of land has already been sold (in eight weeks) so it is obvious that land values must rapidly increase. The investors will find a magnificent field for remunerative investment in the township blocks. Our advice, however, to this class of investor is "buy now," for the field is limited. Such institutions as West Australian Bank, police authorities, hostel company, insurance company, moving pictures, people, etc., have bought township blocks. A local store has already opened. The Commissioner of Railways is providing railway station and most up-to-date railway yards in Western Australia.

The Minister for Mines: They were up to date.

Mr. HUGHES: They were up to mud when I was there. Not only did these promoters get the assurance of the Minister that he would build them an extensive railway station, but the Commissioner also promised to provide that station with the most up to date yards in Western Australia. As the result of that prospectus people were induced to purchase the land. On another page of the prospectus we get this:—

Harry A. Norris, a brilliant young Melbourne architect, has commenced to prepare some of the plans, etc., for Kendenup (W.A.). Plans in hand for:—1, two-storey canning factory and warehouse, 2, pulp, sauce and jam factories and stores; 3, butter factory; 4, confectionery.

I hope the Royal Commission will be able to see those plans. The point I make is that the representations contained in this prospectus led the settlers to enter into a contract that was entirely fraudulent. That is why I have quoted so extensively from the prospectus. It can be conclusively proved that it contains a mass of fraudulent misrepresentation, or at all events, misrepresentation, and that as a result of that misrepresentation the settlers entered into contracts for the purchase of their blocks.

The Minister for Mines: That would not help the settlers much, for, by virtue of the

law, it is now in the hands of the debenture holders.

Mr. HUGHES: The law has been stayed before to-day.

The Premier: We know all this without further inquiry.

Mr. HUGHES: If we know these things have taken place at Kendenup, why has not the Commissioner of Police charged all these people with fraud?

The Premier: He cannot charge everybody.

Mr. HUGHES: But he could charge the six shareholders of the packing company and also De Garis. Many a man has been haled before the criminal court for less criminality than these people have practised.

The Premier: But you cannot do that.

Mr. HUGHES: Possibly we all thought so until a Prime Minister named Hughes showed what could be done in Parliament.

The Minister for Mines: Not all the Hugheses are alike.

Mr. HUGHES: It is a good thing that we are not. Still, I do not want to say anything about him until we know definitely to whom he is leaving the £25,000, for I hope to be in that when it is cut up. In a balance sheet issued by the company on the 30th November, 1921, freehold property with improvements is set down at £169,612. They were assessing the freehold property at the sale price, or double the price the company paid; they were assessing the land at the estimate which Hyem, Hester and Co. agreed to make, namely, £450,000. In the profit and loss account, notwithstanding that they had spent £14,000 in advertisements over the issue of the debentures, their advertising bill was £11,983. Salaries and audit fees were £8,000, although the thing had been going only 12 months. Travelling expenses, motors and repairs were set down at £3,169—sufficient to run the whole of the Government motor service for 12 months.

The Colonial Secretary: But the Government use the economical Ford.

Mr. HUGHES: Then we get "directors' fees £200," and "managing director £2,000."

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HUGHES: Before tea I was dealing with the balance sheet issued by the Kendenup Development Company showing that although they started business only in August, 1920, up to November, 1921, they had spent £11,983 on advertising. They had spent an additional £14,000 in advertising the issue of their debentures, so that in the short space of 12 months, they had got through £26,000 for advertising. Salaries and audit fees amounted to £7,646. This means practically £8,000 for salaries, because I do not think very much was expended in audit fees. Travelling expenses, motors and repairs accounted for £3,000. These people were simply flying about the country joy-riding in motor cars, spending lavish sums

on travelling and high living out of the money subscribed by the debenture holders, the money now being recovered from the settlers. Directors' fees amounted to £200, and the managing director received £2,000. There is an additional £2,000 that must have gone to DeGaris by way of salary as managing director. Preliminary expenses amounted to £540. An extraordinary fact is that the balance sheet mis-states the assets. The assets are put in at their sale price. The landed freehold property, in reality worth £30,000, is valued at £169,000. There is an auditors' certificate attached declaring that the balance sheet is correct "subject to their report." Unfortunately, their report is not published in conjunction with the balance sheet. This document is sent out to the public and the auditors' report is simply referred to. The natural inference is that the public, not being capable of examining balance sheet and legal documents, accepted the auditors' certificate as being all right. Garcia and Company must be a most extraordinary firm of auditors. I do not know what practice they have in Victoria, but as a reputable firm of auditors they did extraordinary things. They sent to the Royal Commission a balance sheet that was absolutely wrong, but they were very careful not to certify the balance sheet. They sent the balance sheet with a covering letter. It seems to me that the whole of the people that came into contact with this ramp were intent on trying to keep within the law while indulging in as much misrepresentation as they could. As a result of the prospectus, the balance sheet and the publicity campaign, settlers were induced to buy the land. The inducement to buy was that they would have an assured market at highly inflated prices, no matter what quantity of produce they raised. They paid £15 to £20 an acre for land worth only 15s. an acre. Really they paid 15s. an acre for the land and £19 5s. for the assured market.

Mr. Richardson: They were very silly.

Mr. HUGHES: They have cause to regret it, but we must bear in mind that the general public looking for land are not lawyers or accountants capable of analysing legal documents and balance sheets. They accepted the statements put before them. A lavish campaign of advertising deceived them completely. They paid twenty times the value of the land because they were promised an assured market. I am informed by settlers that the original contracts with the Land Development Company specifically stated that the company was guaranteeing the price, that the party giving the guarantee was the same party from whom they were purchasing their land. If the party who sold them the land was the party responsible for the guarantee, I do not think there is any doubt at all as to the legal position. The moment that party failed to fulfil its part of the contract, the contract could be voided and the price of the land re-assessed. Settlers have told me definitely that under

the original contracts the company who sold the land gave a guarantee of an assured market, but the Development Company recovered the contracts from them on the understanding that they would issue a new contract. The new contract, issued with a nice fancy border, contained an extraordinary clause. If there was no evidence previously that the position had been placed before the settlers in a fraud lent way, one clause inserted in the new contract would be sufficient to prove it.

The Premier: That is the red clause.

Mr. HUGHES: Yes.

Mr. Marshall: That must be the red objective.

Mr. HUGHES: There are 21 clauses in the contract, and I wish to read Clause 18 because that contains the provision which the settlers thought gave them a guaranteed market. It reads—

The purchaser under this agreement shall be entitled to all benefits and advantages accruing to producers under an agreement dated the 24th day of March, 1921, executed by the Kendenup Packing Company, Ltd., of the one part and the De Garis Kendenup (W.A.) Development Company, Ltd., of the other part, and whereby the said Kendenup Packing Company, Ltd., agree to purchase, during a period of 10 years from the date of this contract, all root crops, and during a period of 15 years from the date of this contract all fruit crops grown by producers at the prices and on the conditions set out in the schedule to the said agreement, and a copy of which agreement may be obtained from the agents, Hyem, Hester & Co. Ltd., or the vendors, at any time.

That was the first reference to the existence of the Packing Company. When the settlers surrendered their original contract, this contract was substituted. The succeeding clause is printed in red, and it is hard to understand that anybody, after reading this clause, would go on with the purchase. Yet the settlers had such unbounded faith as a result of the advertising, stage-managing and campaigning of the promoters that they practically signed the contract without reading it. The red clause reads—

The purchaser hereby expressly declares that no representation or statements of any kind, written or verbal, made by any agents or sub-agents of the vendor, other than those hereinbefore set out, and no representations, statements or allegations contained or implied in any newspaper, circular or printed matter have induced him in any way to enter into this contract, and that he is entering into such contract entirely on his own investigations as to the suitability of the land or site for the purposes intended by him, and that he is entirely satisfied to purchase on the faith of the agreements and conditions on the part of the vendor contained in this contract.

Hon. P. Collier: They knew they were taking the settlers down.

Mr. HUGHES: If the vendor was acting in good faith, why did he wish to insert in the contract a clause that would relieve him of such liability? This clause is conclusive proof that the vendor not only acted fraudulently but knowingly did so. The very fact that the settlers were asked to sign a statement declaring that no misrepresentations had taken place is conclusive proof that the vendor knew he had committed fraud and was endeavouring by these means to relieve himself of any responsibility. If one party to a contract has been guilty of fraud, the contract may be voided. If a settler who paid £20 an acre for land plus an assured market can prove that he was induced by misrepresentation to enter into the contract, he can have the contract voided and may be compensated for the damages he has suffered.

The Premier: There is not much chance of getting compensation out of the company.

Mr. HUGHES: But it is an important factor. The people at Kendenup have put all their available money into the venture and are not in a position to finance a legal action to test the validity of the clause. It is doubtful whether a court would hold such a clause valid. The point ought to be tested, even if the Government had to pay the expense. I suggest that the Government should finance the settlers in order to ascertain whether a party who has committed fraud can in this way legally relieve himself of responsibility. Another important fact is the settlers all owe portion of the purchase price to the Development Company. If the Development Company have been guilty of fraud and can avoid their contract by such a clause as I have quoted, the damage sustained by the settlers could be offset against the price they paid for the land. Since the bottom has fallen out of the assured market, the price of the land would be reduced to its real value. The settlers would then have a chance to make good and some of the loss would fall on the debenture holders as well as on the settlers. The Packing Company, like the Development Company, consisted of seven individuals, one of whom held 1,501 shares, while the remaining six held one share each. This company had £1,507 behind it. It issued guarantees to purchase the total produce of the 200 or 300 settlers for 10 or 15 years at inflated prices. Its guarantees involved millions of pounds.

Resolved: That motions be continued.

Mr. HUGHES: The company took advantage of the company laws of the State. It took on liabilities almost without limit. It is absurd to say that the shareholders did not know what they were doing. They floated themselves into a limited liability company, and under the protection of the company laws they gambled with the life's savings and destinies of a large section of the work-

ers of the State, they themselves being liable only to the extent of £1. I have here an agreement between the Packing Company and the Development Company, whereby the Packing Company agrees to purchase the whole of the products of the Kendenup estate from the Development Company. The signatures upon the document, over the common seal of the Kendenup Fruit Packing Company, Ltd., are C. J. DeGaris, managing director, countersigned by D. W. LeVaux, solicitor, Perth. The signatures on behalf of the Development Company are C. J. DeGaris, managing director, and J. J. Simons, secretary. The managing director is the same in both cases. It is absurd for these people to suggest they did not know what they were doing.

Hon. P. Collier: Fancy De Garis not knowing what he was doing!

Mr. HUGHES: If they did not know what they were doing, it is time the company laws of the State were altered so as to prevent this sort of thing. The company laws exist to assist people to trade without staking all their assets in one venture. When we find these laws abused in this way, and people entering upon ventures which end in settlers being taken down for all their money, we should reconsider the legislation in this regard. The Fruit Packing Company had a capital of £1,507 only. After commencing operations it found that it could not carry out its commitments. The contracts, which they claimed to have made for the sale of the products, did not materialise. Time after time De Garis stated at Kendenup that the whole of his private fortune of £87,000 was behind the Fruit Packing Company. This was stated after the position of the company had been challenged. The settlers paid twenty times the value of the land, put all their savings into the venture, and after two years found the bottom had fallen out of the Packing Company and their guaranteed market had gone. They are landed with holdings costing a great deal of money, their private means have all gone, and they are gradually being starved out. Under the law the debenture holders have a charge upon all these properties. Unless these people pay up the full price of their land they cannot, under their agreement, get a discharge. We heard of the ramp in the gold-mining industry from the member for Mt. Magnet (Hon. M. F. Troy). There never has been a ramp in gold-mining that has done so much injury to the individuals concerned as well as the State as the Kendenup ramp. I will quote one or two instances to show how the people have fared. A young man, a qualified chemist of Sydney, had a wife and two children and a capital of £1,500. He wanted to settle on the land. He bought some blocks at Kendenup, built a nice house worth £500 or £600, and came to this State with his capital. He is a very desirable type of immigrant to settle on the land. He made all arrangements with the object of making this his permanent home. His £1,500 has all disappeared, his house is not his own because the debenture

holders have a mortgage over the property, and he cannot borrow a pound upon his assets for fertilisers. He has no means now of borrowing enough money to put in his crops for this year. He, therefore, has to give up his holding and go back to his profession.

Mr. DAVIES: Why did he not buy the land outright, instead of spending part of his money in building a house?

Mr. HUGHES: Why did he go there at all?

The Premier: Did he sign the agreement?

Mr. HUGHES: Yes. It is extraordinary that a man of his type should have signed it. A lady wrote to me about her husband. He is a miner and has two sons, who have to start to earn their living. The parents wanted to be sure that their sons did not follow in their father's footsteps and become miners. It has been the dream of thousands of women on the goldfields that their sons should not follow the avocation of their fathers. They used to say they did not care what work their sons did so long as they did not take up mining. This woman and her husband saved hard with the specific object of going on the land when the boys were old enough to work. The £200 or £300 they had accumulated they sunk in Kendenup. The father has now to go back to mining to earn enough to enable him to take his people off the land. I have never heard of a more callous, criminal, or cowardly scheme than this one of Kendenup. At one time there were 800 people on the Kendenup estate. I am of opinion that the promoters of this scheme, by the legal safeguards they tried to make to keep themselves within the law, knew all the time they were defrauding these people. It is extraordinary that the Criminal Investigation Department did not take action against them. If ever there was a case of conspiracy to defraud it is this one. I have seen conspiracy charges levelled against men on one per cent. of the evidence that is available against these people. It would be a fine thing in the interests of the State if the whole lot, shareholders, De Garis, land agents and all were arraigned on conspiracy charges. It would be a warning to scoundrels of their type not to rob people as these unfortunate persons have been robbed. The position at Kendenup is a serious one, as the Government must realise. The people have no means of putting in their crop this year. They are waiting for the debenture holders to do something. My opinion is the debenture holders are sitting back on their securities, waiting until the settlers can bring sufficient pressure to bear upon the Government to buy them out and enable the settlers to keep their holdings. I told the people at Kendenup, when I was there, I would not be a party to the expenditure of £1 of the revenue of the State to buy out the debenture holders. As the law stands the debenture holders have the big end of the stick, and unless they are bought out they can put all the settlers off the land. If a test case were put before the courts I believe the agreement would be voided, but the settlers have

not the means to do this, and it is the duty of the Government to find the means.

Mr. PICKERING: Do you not think the debenture holders were also taken in?

Mr. HUGHES: To a certain extent, but not to the same degree that the settlers were taken in. They must have known, as men handling large sums of money, when they got such fancy terms that the security was not too good. The debenture holders have been deceived, but so have the settlers. As a solution of the difficulty the debenture holders should admit that they have been deceived, and there should be a stocktaking of all the assets at Kendenup. The debenture holders should be given credit for the money they have put into the estate, and the settlers should be given credit for all they have spent. The debenture holders should then agree to share the losses pro rata with the settlers, and should say to them, "We are prepared to bear our portion of the loss, go fifty-fifty with you, and give you a readjustment on that basis." That would not be a legal settlement, but would be a highly equitable one. At present the unfortunate settlers will bear the whole of the loss. If the laws of Western Australia cannot safeguard the people against frauds of this nature, in the interests of equity Parliament would be justified in passing a special Act to deal with the question.

The Premier: What would the Act do?

Mr. HUGHES: It could provide for a reassessment with a view to the losses being shared equally, and provide for a reassessment of the price of the land as between the settlers and the company. De Garis's final act of criminality—I refuse to recognise him as anything but a criminal—was the most audacious. When he found himself getting into financial difficulties he sent out what he called his sporting offer. He wrote to all and sundry asking them to lend him a sum of money on his personal guarantee that it would be refunded.

Mr. PICKERING: Did he get much response?

Mr. HUGHES: I understand he got £5,000.

Mr. PICKERING: From 5,000 fools.

Mr. HUGHES: He gave a definite undertaking that unless the contributions reached something in the vicinity of £40,000 not one penny of the money would be used, and it would all be returned. I have not verified the statement I am going to make, and it is one of the reasons why I am asking for the appointment of a Royal Commission.

Mr. Latham: You have verified a good deal.

Mr. HUGHES: I have searched all the available records. De Garis undertook that if the total amount did not reach £40,000 the money would not be used. I understand that he received something like £5,000 from this sporting offer. So far as I can gather, after he embarked at Albany for Melbourne he took the sporting offer and the £5,000 with him. He had made the statement that he was going to devote the remainder of

his life to Kendenup. Outside Western Australia there are many people who are interested in Kendenup, and if we do not clean up this matter, our State will get a very bad advertisement. I have a letter here dated 4th September, from Mr. Alfred E. Lloyd, who writes from 17 Deakin Avenue, Mil-dura, as follows:—

I have been handed a cutting from the Melbourne "Age" newspaper, which states that you gave notice of a motion at a recent meeting of the Legislative Assembly in Perth of your intention to move for the appointment of a Royal Commission to investigate the affairs of the Kendenup Packing and Development Companies. For some considerable period I was particularly identified with both those institutions and held the position of Deputy Administrator for several months. I shall be very pleased to make available any information which I may possess, which you may consider to be of value in your investigations. I am permanently domiciled at the above address, should you desire to communicate with me on the matter.

Hon. members will thus see that Victoria also is interested in what Western Australia intends to do with regard to Kendenup affairs, and that State has good reason to be interested too. I have shown hon. members the prospectus which was issued when the first efforts were made to sell Kendenup land. Since then, and quite recently too, this same gentleman has become identified with another estate, and if any hon. member opposite desires to invest money in it, here is the prospectus. It is beautifully illustrated and the title of it is, "Dawn of a Great New Suburb."

Mr. Richardson: When was that issued?

Mr. HUGHES: Quite recently. De Garis is now selling this land. The estate is called "Black Rock," and it is just around the bay from Brighton. It is simply a sand patch on the beach. All the good things that were going to accrue to Western Australia as the result of the Kendenup venture, are going to accrue to those Victorian people who invest their cash in the Black Rock estate.

Hon. P. Collier: Is it an illustrated prospectus?

Mr. HUGHES: Yes. De Garis had the audacity to send this prospectus to some of the settlers at Kendenup. One of them said to me "I have been strung through Kendenup for £800, but when I read that prospectus I felt like wiring De Garis a deposit on a block." Listen to this from the prospectus—"The Inspiration," "A Real Life Study." That is how he introduces the pamphlet. This Parliament has a duty to perform to the rest of Australia. If we cannot undo what has been done at Kendenup, at least we can make some effort to safeguard the people of Victoria from De Garis's latest ramp. It is the duty of the Premier of Western Australia to acquaint the Premier

of Victoria of what took place with regard to Kendenup, so that the Victorian Government may take action in time in regard to De Garis's venture there.

Mr. Richardson: The Premier showed that he knew De Garis when he refused to advance him £30,000.

Mr. HUGHES: Yes, he did. There is one final act that requires an explanation. We all know that De Garis had a lady private secretary. I have no wish to deal with his domestic affairs, but it is important that I should mention a strange coincidence. De Garis recently took this private secretary to wife, and since they have been married she has inherited a sum of money.

Mr. Marshall: From Kendenup?

Mr. HUGHES: The story goes that she had a rich aunt who died, and that this aunt left her £10,000. We must not forget that there was a difference of £10,000 between the purchase and sale price of the Kendenup estate. Of course there was a lot of expense, but at the same time De Garis drew £2,000 per annum as salary. Now it is freely suggested down there that the auntie who died and left the legacy was called "Auntie Kendenup."

Mr. Marshall: "Auntie" was evidently a bit of a sport!

The Minister for Works: Were succession duties paid on that £10,000?

Mr. HUGHES: The whole thing is too serious for levity. The settlers have been grievously deceived and Parliament will be justified in going to any length to investigate this fraud and prevent a repetition of anything of a similar nature. An investigation should be held with a view to finding out whether there was any criminal responsibility and any fraudulent misrepresentation. This is necessary in the interests of the State and in fact in the interests of the people of Australia generally, to say nothing of the settlers at Kendenup. The inquiry should not be restricted, and should cover every person who had anything to do with the concern, even the shareholders of the Packing Company, in order to learn whether they were so innocent that they did not know they were defrauding the public. If the Royal Commission does nothing else, it can deal with the subject of the company law and ascertain whether it is possible for that law to be used for fraudulent schemes of the nature of the one under review. In that respect it will do a service to the people of Western Australia. I submit the motion.

On motion by Premier, the debate adjourned.

MOTION—JUSTICES OF THE PEACE, APPOINTMENT.

Mr. PICKERING (Sussex) [8.10]: 1 move—

That in the opinion of this House a definite policy should be laid down for the appointment of justices of the peace.

I submit this motion with diffidence. Hon. members are perhaps not fully seized with the position regarding the appointment of justices. Most hon. members think that these appointments depend largely on the recommendations of members of Parliament. That is quite an error, but it should be the position because no one is better qualified to judge the fitness of a person to receive an appointment as a justice, than the member representing the district in which the person to be recommended resides. On investigation I find that these appointments are made by the Crown, that is to say, they rest entirely with the representatives of His Majesty. His Majesty's Government may make appointments on a recommendation, or per contra, may make appointments in spite of a recommendation, and in support of this I would like to read an authority on the question. We find in the *Cyclopædia of Laws*, Vol 7, page 162, this appears—

Justice of the peace is an inferior magistrate appointed by special commission under the Great Seal to keep the peace within the county for which he is appointed. "The whole Christian world," says Lord Coke, "hath not the like office as justice of the peace, if duly executed." The office of justice of the peace has been so much enlarged by the duties annexed to it that there remains scarcely a resemblance between the present office and that of the ancient conservators of the peace, out of which it has been gradually formed. Before the reign of Edward III. the conservators of the peace were chosen by the freeholders at large; but by the 1 Edw. III., St. 2, c. 16, it was enacted that thenceforth in every county certain persons should be assigned, that is, by commission, to keep the peace. The persons so assigned under the authority of that Act acquired, by the 34 Edw. III., c. 1, for the first time the legal title of justices of the peace. It is on these statutes the foundation of the office of justice of the peace depends. "The power of justices of the peace," observes Lord Denman, C.J., in *R. v. Dunn*, 1840, 12 Ad. & E. p. 617, "is traced to a statute of Edward III. which was made the foundation of the commission of the peace, though some have thought that it did not warrant the Crown in granting so large an authority. We cannot," he adds, "question the validity of the commission, which has been in operation for centuries."

I take that to be indicative of the position generally, and on reference to all the works upon which I have been able to lay my hand I find that that statement is more or less confirmed. At one time it was necessary, in order to be a justice of the peace, that one should be a landed proprietor; but that has been amended. So far as I can learn, no such condition is imposed now. Let me turn to our own Justices Act of 1902, which provides—

The Governor may appoint such and so many justices as may from time to time be deemed necessary to keep the peace in the State of Western Australia, or in any magisterial district therein. Such justices may be so appointed either by a general commission of the peace under the great seal of the State in the form contained in the Second Schedule or to the like effect, or by a special appointment of the Governor notified in the "Government Gazette." In the latter case the justices so appointed shall be deemed to be included in the then subsisting general commission of the peace for the State, or for such magisterial district, as the case may be, from the time when they are so appointed.

Further, it is beyond doubt that the obligations which lie upon a justice of the peace are considerable. A justice has to deal with summary legislation and preliminary inquiries, and many other legal phases, the extent of which can best be brought home to hon. members by my showing them this considerable volume entitled "Stone's Justices' Manual." It seems to me something is required of justices of the peace, and therefore before any person is appointed to that responsible office he or she should have given some evidence of interest in public life. I do not think any one should be appointed to such a position simply because of political services. An aspirant should give evidence of his or her intelligence, fitness, good repute, and probity.

Mr. Marshall: Those things are essential now.

Mr. PICKERING: There is nothing in the Act to say that anything of the kind is required.

Mr. Marshall: But all those things are taken into consideration.

Mr. PICKERING: I am here to speak from my own personal experience, and not from that of the member for Murchison (Mr. Marshall). Another factor to be considered is that there are appointments by virtue of office. For example, mayors of municipalities and chairmen of road boards are justices of the peace by virtue of their civic offices. I contend that those particular appointments are good, because of the evidence of the confidence of the people in the holders of those public offices. Such appointments are plainly approved by the people. There is no reason why a similar process should not be carried out as regards the other appointments, which lie entirely with the Government. It must be borne in mind that the scope of the functions of a justice of the peace has greatly widened since these Acts were passed. If there is no Act in existence now to regulate such appointments, there is no reason why an amending Bill should not be brought in to make appointments conditional upon evidence of service rendered to the public. There is no more important appointment which can be entrusted to a person than that of holding the scales of justice. When a member first enters Parliament he

finds considerable difficulty in understanding the various measures which come before the House; and therefore we should, before conferring the honour of appointment as justice of the peace upon a person, make sure that he or she is able to fulfil the duties of the position. Now let me refer to the condition of the roster of justices of the peace. We know very well that on that roster there must be hundreds of names of people who are deceased, many of which names should have been removed years ago. However, nothing has been done in that regard. We know, further, that a great many people accept the honour of the office without any intention of fulfilling the obligations. There are in this State to-day numerous persons who have the letters "J.P." tacked on to their names merely for the sake of the dignity, while absolutely evading the duties of the office. On several occasions I have had my attention drawn to justices who will do nothing in the direction in which they are required to serve the country.

Mr. Underwood: That is not so all over the State.

Mr. PICKERING: I do not say it is, but instances abound. It is time that some definite standard was set up for aspirants to this position of honour. We should be sure that they possess the necessary education to enable them to adjudicate on the matters which come before a justice of the peace.

Mr. Latham: Do you want an educational test?

Mr. PICKERING: In an age when so much is done by the State for education, such a test should not be necessary.

Hon. P. Collier: Would you suggest an examination?

Mr. PICKERING: In these days an educational examination is hardly required.

Hon. P. Collier: I am glad to hear that, because it would be a dangerous precedent to establish. It might be extended to members of Parliament.

Mr. PICKERING: I take it most members could pass a reasonable education test. In the case of the member for Pilbara (Mr. Underwood) it might have to be very reasonable, although he poses as an authority on education. I do not think the motion needs to be laboured. I hope the member for Kanowna (Hon. T. Walker) and the member for Bunbury (Mr. Money), who come in contact with justices of the peace, will give us some account of the difficulties they have had in impressing the proper view of the case upon justices and securing the right decision. I may remark that I personally have never made a recommendation for the appointment of a justice of the peace to the Premier without first getting a recommendation from the local governing body. Further, I have made it a practice on each occasion to suggest to the Premier a person who has been highly recommended by the local governing body.

Mr. Hughes: That is the Soviet system.

Mr. PICKERING: It is the system I have adopted, irrespective of what it may be called. I may add that on the one or two occasions when I have succeeded in getting appointments made, the honour has never been conferred upon the person I picked out as specially meritorious. Until I took up the study of these books which I have before me, I was under the impression that it was part of the procedure in making an appointment to consult the member for the district. I do not know what the experience of other members may have been in this matter; I am merely stating my own experience. I have always endeavoured to be strictly impartial in this regard, because I have always thought it essential that only the best we have should be appointed to such positions. When a member incurs considerable trouble in such a matter, his recommendations should be considered. Perhaps the question whether or not members of Parliament should be made justices of the peace is one calling for consideration, and particularly because members of Parliament, who have to travel over large and wide areas in this State, are frequently met with requests to witness the execution of documents. In that respect a member of Parliament has not the same power as a justice of the peace. In my opinion it is highly desirable that members of Parliament, especially those with new arrivals in their districts, such members being frequently requested to witness documents, should be placed in a position to do that sort of thing. When a man is elected to Parliament, he is elected as the chosen of his particular district, and therefore he should have the same powers as a justice of the peace in regard to witnessing documents. That is in the interests of the people. The office of justice of the peace, it will be recognised, is a highly dignified one, and a highly responsible one; and it is time that we amended on modern lines the obsolete legislation which comes to us almost from the dark ages.

Mr. Richardson: What would you suggest as a basis?

Mr. PICKERING: Education, probity, impartiality, and interest in public life, by which I do not necessarily mean Parliamentary life, but rather the local life of the district. If we want to induce people whom we desire for such responsible duties to accept appointment as justices of the peace, it is necessary that we make the standard much higher than it is to-day.

On motion by the Premier, debate adjourned.

MOTION—LONG SERVICE LEAVE.

Mr. WILLCOCK (Geraldton) [8.30]: I move—

That in the opinion of the House the long service leave conditions applying to the salaried staff of Government employees should also apply to the wages staff.

Members should readily agree with the motion, the object of which is to remove a striking anomaly from the service. Men designated as officers are entitled to long service leave, while wages men, engaged under totally different conditions, are not entitled to that leave. That position is a relic of the past, when class distinctions existed. We are now in more democratic days and should take a broader view of the situation, agreeing that what is good for the officers should be good also for the wages men. In certain Government departments the line of demarcation is very small, and one can scarcely tell whether a man is entitled to be classed as an officer or merely as one of the wages staff. It has been put to me that in some instances the only difference is that the wages man is paid every fortnight, whereas the officer is paid twice a month. There should be no distinction in the leave granted to men working in the Government service. Prior to the last general election, Parliamentary candidates were circularised by the Railway Union on this point, and a majority of those who were returned to this House agreed that what applied to one portion of the service should apply also to the other. The Premier himself, in answer to the circular, said he would be prepared to give this very careful consideration.

The Premier: I am not admitting anything.

Mr. WILLCOCK: The Premier has now had a couple of years for that careful consideration, and I think he will agree that if it be just to concede a privilege to one section of the employees, it is equally just to concede it to the other. Probably I shall be met with the objection that this is a question of wages and conditions and so should be decided by the Arbitration Court. But on two occasions within the last couple of years the court has ruled that it is a question, not for the court but for Government policy.

Hon. W. C. Angwin: There is now a court for the officers as well.

Mr. WILLCOCK: But the long service conditions were granted prior to the appointment of that court. The President of the Arbitration Court, when a member of this House, was asked whether he would favour the granting of long service conditions to wages employees. He said he could see no reason why the Arbitration Court should not have jurisdiction over this question, and expressed surprise that the court had no such jurisdiction. The men have taken every possible constitutional action to obtain this privilege. They have been to the court on two occasions, but each time it was ruled by the court that it was beyond the jurisdiction of the court. Consequently, there is now no other course open to them than to seek an expression of opinion from Parliament as to the equity of the proposal. As I have said, a majority of the members of the House agreed at the last election that they would support the removal of the anomaly. Those members have now an opportunity to fulfil their pro-

mises by voting for the motion. I hope the Premier has given the promised careful consideration to this question.

Mr. Marshall: He has been too careful; he has dropped it.

Mr. WILLCOCK: He said it would be given favourable consideration. I cannot see why a privilege should be granted to one section of the employees and denied to the other, who perform equally faithful service. My request is no new thing. I have here a list of the conditions existing in the other States. In Queensland the regulation is that after 15 years' service the Commissioner may grant six months leave on half pay, or three months on full pay; after 20 years nine months on half pay, or 4½ months on full pay; and after 25 years 12 months on half pay or six months on full pay, with proportional allowance between periods. In South Australia the concession is, after 20 years' service eight months on full pay, and after 10 years' service eight months on half pay, or four months on full pay. New South Wales one month after 20 years' service, if in illhealth. Our local railway officers, after 10 years' service, are allowed three months on full pay. Surely wages men occupying arduous positions should be given long service leave. Engine drivers follow a nerve-racking occupation.

Mr. Marshall: You are not looking ahead, are you?

Mr. WILLCOCK: No, I am looking behind me, for I have put in 20 years at engine driving and firing, and so can state from experience that it is a nerve-racking occupation, and that one who follows it is entitled to a period off duty in which to recuperate after many years of hard work in the most trying conditions.

The Minister for Mines: They get annual leave.

Mr. WILLCOCK: The officers also get annual leave, and in addition get long service leave to enable them to recuperate after years of service. Engine-drivers, guards and signalmen, all occupying extremely responsible positions, are denied this privilege. If any set of men in the Government service, irrespective of their designation, are to be selected for such a privilege, it should be those who follow nerve-racking occupations. Instead of that, the privilege is exclusively conceded to officers, some of them doing merely routine work, invoice clerks or men working on pay sheets, important work, but carrying little or no responsibility. If an engine-driver makes a mistake, possibly 100 lives pay the forfeit. The same thing applies to the guard and to the signalman. Signalmen have to work eight hours per day with their nerves on end all the time. One slight mistake might mean a catastrophe involving heavy loss of life, to say nothing of the destruction of valuable rolling stock.

The Minister for Mines: An officer is not necessarily replaced when he goes on long service leave, but we should have to replace an engine-driver.

Mr. WILLCOCK: Surely no man in the office could go away for six months without being replaced!

The Minister for Mines: Yes he can.

Mr. WILLCOCK: Well, his position ought to be abolished.

Mr. Mann: Could not a temporary staff be maintained for replacing men on long service leave, as in the Police Department?

Mr. WILLCOCK: I should say it could be arranged without much difficulty. An engine-driver 55 years of age, and with 35 years of service in the department, has been denied long service leave. His son, 30 years of age, with only 10 years of service in a clerical position, is entitled to long service leave. That is unjust, and should not be allowed to continue. I do not wish to see any existing privileges taken away, but if a privilege be good for one branch of the service, it should be equally good for another.

The Minister for Mines: What about the financing of it?

Mr. WILLCOCK: I am not concerned about that. If a privilege has existed for many years past, there is no reason why it should now be taken away. If the Minister were working as an engine-driver or a guard or signalman, and saw a clerk doing work of no great responsibility, yet privileged to take long service leave, he would feel dissatisfied. Why should not the privilege be extended to both branches of the department?

The Minister for Mines: We are not in a position to find the money. It would cost £600,000 in the first year.

Mr. WILLCOCK: The Commissioner of Railways and the Government have had increased burdens placed upon them by the Arbitration Court amounting to £150,000. They coped with that burden and incidentally increased the rates to a greater extent than was commensurate with the outlay. When the railway staff's wages were decreased, it was not followed by a reduction in the rates, although £15,000 to £20,000 was saved to the department. When wages went up, the department quickly put up the rates, but when wages came down there was no corresponding reduction.

The Minister for Mines: We are still £2,000 short of balancing.

Mr. WILLCOCK: That is not the fault of the staff.

Mr. Hughes: You give too many concessions.

The Minister for Mines: What, to the staff?

Mr. Hughes: No.

Mr. WILLCOCK: The railways are not run as a business proposition. All the commodities handled are not charged for at a rate to cover the cost. The railways are run for development purposes, and the railway employees should not have to bear the burden of the State's development policy.

The Minister for Mines: The work of the men outside has not yet got up to that of the men inside.

Mr. WILLCOCK: We should endeavour to make the conditions of the employees as good as possible.

The Minister for Mines: They are not bad.

Mr. WILLCOCK: But here is an anomaly. One section enjoys a distinct privilege that is denied to another section. There is no reason why this set of conditions should continue for one section.

The Minister for Mines: That was a condition when those men entered the service. It might be possible to make it apply in the future.

Mr. WILLCOCK: Will the Minister make it a condition to apply from the present?

The Minister for Mines: We offered it once before and it was not accepted.

Mr. WILLCOCK: It should be offered again. The anomaly is causing serious discontent. A man would lack the incentive to do his best when he knew that others in the same department were receiving more favourable consideration.

Mr. Harrison: Do you infer that the men are not doing their best now?

Mr. WILLCOCK: No, I say that a man labouring under a sense of injustice would lack the incentive to do his best. We should not permit this injustice to continue. I know some people who are called officers of the service and others who are called men. I do not wish to make any comparison, but the work done by some sections is of infinitely greater value than that done by other sections. Of this I have given instances. If the Minister's sole objection is on the score of finance, my reply is that he is in charge of the railway administration and should be able to arrange things by adjusting charges or altering the working of the system to overcome the difficulty.

The Minister for Mines: Your motion means pay for idleness and we cannot afford that at present.

Mr. WILLCOCK: If it is good for the officers, it is good for the wages men. The wages men have a nerve-racking occupation and one mistake might jeopardise the lives of hundreds of people and involve the department in hundreds of thousands of pounds worth of damage. I hope those members that have indicated a favourable attitude towards this principle will support the motion.

On motion by the Minister for Mines, debate adjourned.

MOTION—ESPERANCE-NORTHWARDS RAILWAY EXTENSION.

Hon. T. WALKER (Kanowna) [8.52]:
move—

That in the opinion of this House, the Government should obtain the necessary authority this session to extend the Esperance-northwards railway line, now in course of construction, so that it may junction with the existing railway lines of the State at Norseman.

This subject has been under debate Parliament after Parliament, and for this reason it is not my purpose to labour it at considerable length. The justice of a railway line to suit the farmers has already been affirmed, not only in this House, but by actual fulfilment in the construction of a line from Esperance northwards. My contention is that the line in the first instance should have been authorised to link up Norseman and Esperance. The reason the full length of the line was not authorised was that in 1912, when the Bill was introduced to construct this railway, the House, led by members then sitting in opposition, decreed that the line should be purely and simply an agricultural line, and that it would serve in that respect if it were carried 60 miles northwards from Esperance. But that was a concession. It was never yielded by those who advocated linking it up with the railway system that it would be satisfactory. It was only to meet the actual necessities of the moment that the Bill was introduced for building a line from Esperance northwards. It has become apparent since the construction was begun that it was a mistake to build the line over only a portion of the distance. It has been more costly to construct the line, now nearly completed, than it would have been had we commenced it at Norseman.

The Minister for Works: That is evident.

Hon. T. WALKER: Yes, a mistake was made and is admitted. Fortunately we have not proceeded to an extent that it is impossible to remedy the mistake. At present we have on the spot all the means for continuing the line. We can carry through and complete the line at a lesser cost than would be possible if we delayed its completion. While all the adjuncts to railway construction are in use, we can continue without any break and therefore without any serious loss. But otherwise we shall not only be delayed in constructing an absolutely necessary work, but shall have a line that is non-paying. We know from experience that lines taken from the coast inland and not linked with any other system, are non-paying. That applies to the Marble Bar line.

The Premier: Due to want of traffic.

Hon. T. WALKER: There always will be a want of traffic if we end a line, so to speak, nowhere. It is by linking up the system that traffic is provided. I wish to provide traffic for this line. I do not want the line to be a financial loss to the State or to be an encumbrance either to the settlers or to the taxpayers as a whole. Therefore, I suggest linking up the line with Norseman and thus connecting it with the main railway system. By doing this we shall make it possible to secure traffic sufficient to show a profit from the start. It is not only a mere matter of getting traffic. When a railway ends nowhere, the expenses of running the line are proportionately greater. We cannot regulate the service in the same way as is possible when a line is linked up with the

railway system. This has been discovered in the Ravensthorpe line, on which we have lost about £16,000 a year. We shall inevitably lose money if we allow the line now constructed nearly to Norseman to terminate where it does under the present plans.

Mr. Latham: Would it not be better to bring it directly west to the Great Southern?

[The Deputy Speaker took the Chair.]

Hon. T. WALKER: Ultimately there is bound to be a line both directly west and further east, connecting with Grasspatch and perhaps north of that. I will show my reason for making that assertion before resuming my seat. In the meantime we must connect that line with the rest of Australia. In order that it may be fully appreciated, I want to remind members that at Esperance we have one of the finest harbours in the State. I am not depreciating either Albany, Fremantle, Geraldton, or Bunbury when I say we have at Esperance the finest bit of sheltered water that would admit of the entrance of some of the finest fleets in the world. Whilst we are a federated nation we want to make it possible to traverse from the east to the west of this great island continent with as few difficulties as possible. That harbour must never be forgotten, when we are speaking of the construction of a railway line from that spot northward, westward, or eastward. The essential thing first of all is to link up our traffic so that a person in Perth or in Melbourne may arrive at a given spot with the least expense and trouble. We can only do that by joining up the line, constructed a little more than 60 miles to the north of Esperance, with Norseman. Norseman connects with Coolgardie and of course with Kalgoorlie, and from there with the Transcontinental line, and all other portions of the Commonwealth connected by railway communication. That is one of the objects I have in view. The line would be a feeder, not only to the other State lines, but to the Transcontinental line. More particularly is this evident when we remember the visit of the Minister for Agriculture to that part of the State in July last. I will give the testimony of the Minister for Agriculture. In the course of a speech he made at Norseman, in reply to the deputations that waited upon him there, he expressed his pleasure at finding the Norseman people proud and confident about their district, and he hoped their mining prosperity would return. With a mineral belt running from Ravensthorpe to Kimberley, it was impossible, he thought, that the Golden Mile contained all the payable precious metals in the State, but Western Australia must look to agriculture as the permanent foundation of its prosperity. This was now practically the only member of the Commonwealth which could offer the immigrant Crown land for settlement. It had been left to the Mitchell Government to redeem the promise made many years ago re-

garding the development of agricultural lands in the Esperance district, which he believed would become a highly important agricultural province.

The Minister for Mines: A new province!

The Minister for Works: Who was that?

Hon. T. WALKER: The Minister for Agriculture. He went on to say that the Government were faced by many big problems in developing the State, but the men who came here in the mining days were the salt of the earth, and with such men as the backbone of the State, it must go ahead.

Hon. W. C. Angwin: Was that said after a banquet?

Hon. T. WALKER: I do not know that it was. I give the Minister more credit than to think that this was the outpouring of the vapours of alcoholic indulgence. The Minister was, I think, speaking seriously.

The Minister for Agriculture: From what do you draw such an inference as that?

Hon. T. WALKER: It is insinuated that the Minister was half-seas over, and I am defending him against such a possible imputation. I want to endorse what he said. Not only does he draw attention to the agricultural possibilities of that portion of the State, but to the possibilities of greater mining operations, all of which may need the service of a railway. We do not know how far south mining possibilities may extend, but we do know that from Norseman to Esperance Bay the agricultural possibilities are expressed in almost every mile of road. Perhaps if I had any fault to find with the Minister's speech on that occasion, it would be his statement that it was left to the Mitchell Ministry to do all this work. By no means do I underestimate the value of the work done during the term of office of the Nationalist Party, but it has been done by the stimulus that has been urged by this side of the House. Had the Labour Government been left to carry out their programme, and had this side of the House as then constituted, and another place, done their duty, we should have been immensely ahead of our development of that part of the State.

The Minister for Works: Do you impugn the bona fides of those who then sat on your side of the House? We had the right to criticise just as you are criticising now.

Hon. T. WALKER: Unfortunately I must either impugn their bona fides, or their good common sense and judgment. One or other accusations they must take to themselves. They did oppose the construction of the line from Esperance to Norseman. They fought almost every inch of the way of the line from Esperance northwards. Three times the Labour Government had to introduce a Bill, and three times it was defeated. It was the opposition that caused the delay, and the inference now is that it is left to the present Government to do all the work for which credit could be claimed.

The Premier: No. The credit shall be yours.

The Minister for Works: You take the credit and we do all the work.

Hon. T. WALKER: The time to do the work was when it was started. It was started before the Labour Government left office.

The Minister for Agriculture: I hope you will take my assurance that I gave you every credit in your own district for the diligence you have displayed.

Hon. T. WALKER: It is not any personal credit that anyone could take. It is a great national work. It is more national in its intensity and significance than I can express in phrases.

The Premier: You have put up a great fight for it.

Hon. T. WALKER: It means far more than simply constructing a railway line. It means opening up practically a new State, or a new province as the Minister for Mines suggests. That province cannot be matched in any part, nor attained anywhere else by the people of the State. The land to be served is of uniform quality, perhaps millions of acres of it, and has been almost wholly neglected. I am glad the Minister recognised the pioneering qualities and the good sturdy yeoman service rendered by those who settled in the district and who suffered every species of privation and hardship and fought for so many years for their rights, notwithstanding the sneers of this Chamber and the falsehoods that at one time issued from this side of the House.

The Minister for Works: You are not justified in saying that.

Hon. T. WALKER: I do not mean to say the Minister was one of those who told the falsehoods consciously.

The Minister for Works: I take my responsibility.

Hon. T. WALKER: I am not asking the Minister to shirk it. When he was on this side of the House falsehoods were issued from these benches where I now stand that have since been demonstrated to be falsehoods.

The Premier: No.

Hon. T. WALKER: Yes.

The Minister for Works: Whatever was stated, was stated in good faith.

Hon. T. WALKER: That is not the point. A falsehood can be told in good faith.

Mr. Lambert: Why did they stop the construction of the line?

Hon. T. WALKER: Falsehoods were told whether in good faith or bad. I give the Minister credit for telling what falsehoods he told in good faith.

The Minister for Works: I will forgive you.

The Premier: It is better to lie with good intent than tell the truth with bad intent.

Hon. T. WALKER: That may be a little bit of good philosophy, but whether it fits the case or not I do not know. It was said from this side of the House that the land was too salt to grow wheat; a demonstrated falsehood in view of the facts of the last few years.

The Minister for Works: Yet there are reports on the files which emanate from ex-

perienced officers, by whom the Government were guided.

Hon. T. WALKER: On the same file other experienced officers tell another story, but the Government believed the officers who told against Esperance, and would not accept those who told in favour of the development of the country.

Mr. Lambert: We could have had the same adverse reports about 75 per cent. of our lands.

Hon. T. WALKER: A greater percentage than that if we had gone to the trouble of getting such reports. This has been demonstrated to be inaccurate. Another point urged from this side was that water could not be conserved on the land for the use of either stock or settlers. This is another falsehood demonstrated even before the Labour Government left office. It was never questioned that there were dams holding water, even when the Bill was first introduced. Afterwards, Mr. O'Brien, of the Water Supply Department, was sent out to make surveys and put down dams. They were put down and water was collected in them, and their holding capacity was demonstrated beyond question. In spite of that it was urged the land was not fit for settlement, because it was too porous. I am instancing these cases as proofs of what I say that the delay was not caused by the Labour Government then in office. The line had already been commenced when it was suddenly stopped. The Wilson Government came into office, and the ukase went forth that the work was not to be proceeded with. The good faith of the Labour Government was shown by their constructing about ten miles of earthwork to prepare for the laying of a permanent track. That work, however, was stopped, and 12 miles of metal for the road was left upon the wharf at Esperance waiting until there should be some kind of salve which would ease the conscience of those who had taken such an obstinate part in resisting the construction of the line. A Commission was appointed and it did exceedingly good work. It was unnecessary, because all the argument and testimony that they accumulated had been accumulated before, but the Commission gave it in such a form that their conclusions were irresistible.

The Premier: The line is built now.

Hon. T. WALKER: Even after the Commission had reported it was very long indeed before a start was made with the work of construction, the argument being that rails were expensive, and we had to wait until there was a fall in the market. After long delay and repeated disappointment the work of construction was commenced at the point where it was left off by the Labour Government, and it is now nearly completed as authorised. But I desire that the line shall go further. I have already given reasons, and if more are required I have them in the statement of the Minister for Agriculture himself. But before I read the statement of the Minister for Agriculture I may be permitted to

quote what the special reporter of the "West Australian," who accompanied the Minister for Agriculture to that part of the State, had to say about his visit. The article reads—

As a farmer born and bred, no Minister who has ever visited the Norseman to Esperance country is more entitled to be heard with respect on agricultural matters than the Minister for Agriculture (Mr. H. K. Maley), who arrived here last night from Norseman, with Mr. Cornell, M.L.C. "I say, without hesitation," remarked the Minister, in the course of an interview this afternoon, "that agriculture will spread successfully east and south from Norseman over a vast tract of territory. I look forward with greater confidence to this development than to a similar growth east of Merredin. In the past this south-eastern corner of the State has had little chance of development, but it cannot longer be kept back. Its isolation must first be removed, and, as settlement extends south from Norseman and north from Esperance, this part must inevitably be linked with Norseman by the construction of the remaining sixty miles of railway.

I could not have said anything more pointed than that in all my most earnest desires to see this line completed.

Then as agriculture spreads further east, the country in that direction must be served either by rail from a new port to be established east of Esperance, or by spur lines from the Esperance-Norseman railway, with improved harbour facilities to cope with the growing needs of the district. With the provision of these essential facilities, and the application of the best farming methods to the land, this province must become the most important belt of wheat-producing country in Western Australia, and probably in the whole Commonwealth.

The Minister for Mines: I read that, and it did not make the same impression on me, as it has now made after my having listened to you.

Hon. T. WALKER: The Minister for Mines has gone so much over this ground, he has seen so much of the country, and he is so convinced of the facts that they do not strike him as novel. He knew all about this long ago. He was one of those who authorised the construction of the line from Norseman to Esperance. In fact, it was the first railway Bill he introduced to this Chamber.

The Minister for Mines: I still hold that it should have been constructed from Norseman.

Hon. T. WALKER: Undoubtedly. I have said that what the Minister remarked is not novel, but it will surprise some of his colleagues to hear the statement he makes.

The Minister for Agriculture: That was his first big railway effort.

Hon. T. WALKER: Yes, and it stands to his credit amidst all the many misfortunes that have befallen him since. When the Minister for Agriculture spoke of this area as

the most important wheat-producing country probably in the whole of the Commonwealth, he could not have said anything more eulogistic. The Minister goes on further and shows the area that will be served. We are face to face with one of the most gigantic problems of modern times, that of making the Commonwealth safe against possible aggression on the part of people who in the future may be hostile to us. Therefore, there can be nothing more important than the utterance of the Minister for Agriculture. He goes on to say:—

In regard to the unbroken area of first-class forest country extending from Zanthus southward, and eastward to Eyre, the location of which the Premier announced in Wednesday's "West Australian"—

I may explain for the benefit of hon. members who do not know the district, that Zanthus is on the Transcontinental line, and if we can connect that line with the Esperance district the railway communication we seek must declare itself a necessity.

I have here maps, supplied by the Acting Surveyor-General, on which he has marked in this belt and entered the available rainfall figures. It lies about 150 miles east of Esperance, stretching almost due east from Norseman, and running through Fraser's Range is another tremendous area of forest country, which joins the newly-discovered belt. A little east of Balladonia there is also a fine run of first-class forest country. From Norseman directly south, towards Esperance, at present, selection is confined to the land within a radius of 15 miles from the Esperance Northward railway, which is 66 miles long, but in the Mount Ridley district, which is about 20 miles beyond that radius, and due east of Grass Patch, there is another fine belt of 300,000 acres of first-class forest and mallee country. In a south-easterly direction from Mount Ridley, towards the Duke of Orleans Bay, there is another fine run of mallee country. I have talked with Mr. Gull, who has been a pastoralist at Fraser's Range for many years, and Mr. White, the land officer at Esperance, who has been in the district over 20 years. These men have an intimate knowledge of the Fraser's Range-Balladonia country, and they confirm what has already been stated—that good land exists all the way from Norseman to Balladonia, and that the big belt of forest country mentioned by the Premier extends from Zanthus south-easterly to Eyre. While motoring down from Norseman yesterday, the quality of the country from that town southward until the mallee belt is reached appealed to me as being uniformly good. The timber consists mostly of blackbutt, yate, salmon gum, and boree, with small scrub and saltbush. An examination of the rainfall records in the eastern country throws an interesting light on its agricultural future, and is surprisingly satisfactory. At Fraser's Range records kept over 20 years show

an average annual rainfall of 12.50in., while the seasonal average, between April and October, is 8.20in. Records taken at Zanthus for eight years show an average rainfall of 11.24in., with an April-October average of 6.29in. At Balladonia records kept for 31 years give an annual average of 9.76in., with a seasonal average of 6.31 in. At Eyre the annual average for 38 years is 11.38in., and the April-October average 8.25in. What appeals to me most on an analysis of these figures is that the whole of this country from Norseman right east through Fraser's Range and Balladonia down to Eyre comes under the coastal influence, with the result that the climatic conditions are relatively not nearly so harsh as those existing in our eastern wheat belt from Merredin eastward. For the purpose of comparison I may mention that last season, which was not a particularly favourable one, though the rainfall during the growing period at Merredin was only a little over six inches, by adopting proper farming practice at the State farm we obtained a wonderfully good grain yield, the average being 17 bushels—almost the best in the history of the farm. With the application of proper methods of farming to the Esperance mallee and the whole of the agricultural country in this corner of the State, I have not the slightest doubt about the success of farming throughout the whole of this wonderful belt of country lying east and south of Norseman, which amounts in all to many millions of acres. Just what methods are to be adopted for the development of this country is a matter for further consideration and examination by the expert officers of the department. Everything points clearly, however, to the fact that we have here awaiting development a huge belt of uniformly good country in which water conservation by means of dams has proved effective, particularly in the mallee. Last year a great number of dams throughout our eastern and north-eastern wheat belt were dry, but every dam in the Esperance country was full to overflowing, and I am informed that the town dam at Norseman has never been dry since it was first constructed many years ago.

Mr. Harrison: How many miles of forest country are there before one gets to the mallee?

Hon. T. WALKER: Practically 60 miles of good forest country. However, it runs not merely north and south, but extends eastward and westward.

The Minister for Mines: Right across to Newdegate.

Hon. T. WALKER: Exactly. It joins up with the good land in the South-West of this State. There is no part of Western Australia where there is such uniformly good country as in the Esperance-Norseman area, or country so easy to clear. I wish to place on record what the Minister for Agriculture

has said of this country. I want the House to know it, and the people through the House. When he was interviewed, and given a sort of reception, the Minister made a reply of which I have here a presumably abbreviated report, but a report which I think fully conveys his meaning—

Mr. Maley, in the course of his reply, promised to make representations regarding freights, bills of lading, townsite blocks, and a land office. He fully realised, he said, the tremendous difficulties under which the early Esperance settlers had laboured, but the old bogeys which had been raised against the district had all been effectively disposed of, and they now had their railway. He had already stated his firm conviction that in this corner the State would eventually prove to have the biggest uniform and continuous belt of good wheat land in Australia. Throughout his trip he had taken every opportunity of discussing with the people, whose many years of travel and experience qualified them to express opinions, the quality of the country lying eastward of the Esperance-Norseman road, and all the additional information he had gleaned confirmed his earlier opinions. The quality of the Esperance Mallee belt had been proved beyond question, and he was confident that further east there was a vast area of country quite as good, and very much of it greatly superior. In that portion of the State he believed that there was enough high-grade agricultural land to satisfy land selectors for an indefinite number of years ahead, and arrangements must be made for an early and comprehensive classification of the whole territory. From a developmental viewpoint it was impossible that the Esperance-Northward railway could be left indefinitely in its present position, and its completion would be the forerunner of other railway enterprises in that province. He believed that the area further east would probably require to be served by the building of spur lines, both from Norseman and Grass Patch. Regarding the speculative holding of land in the present mallee belt, now that the railway had been built, the Government would take prompt steps to ensure that people who had taken up land either developed it or forfeited it to others who would do so. Up to date 430 blocks had been selected, and comparatively few remained available, yet the settlers in occupation numbered only 150, but this condition could not and would not be permitted to continue. The district had given ample evidence of the success which awaited men who were willing to work. Those who displayed energy and initiative could rely on the Government to assist them in working out their problems, but it was no use men imagining that they could succeed by using the Government as a post to lean against. They had a magnificent belt of country, and

the Government was prepared to take its proper share in assisting development. He confessed that the district had aroused his interest and fired his imagination, and he could assure them that, as the result of his visit, Esperance had gained a new champion, because he had been convinced of the greatness of its future.

If I wanted an advocate on the Government side, an advocate with whom the responsibility lay, I could not have chosen a better one than the Minister for Agriculture. He has argued the case for me. He has declared as a Minister, with Ministerial responsibility, the necessity for having the line from 66 miles north of Esperance linked up with Norseman. He has shown that the completion of the line will open up a vast territory which is uniformly good, which is described as some of the very best in the whole of the Commonwealth. The Government who would stop the line and take up the machinery for completion would be guilty of gross negligence, and, more than that, would be doing an enormous injury to that part of the State. They would be again disappointing the people there who have gone through untold, immeasurable troubles and trials in holding on after disappointment upon disappointment. The Government would be inflicting that disappointment on those people even by the want of ease of management and control. On those grounds the Government would be repeating the evils of their predecessors, and still further handicapping a part of their own State. I know that in the past it was believed that if Esperance harbour were opened and railway lines were constructed from that port, Fremantle and Perth would drop out of the contest for the supply of the outback districts with their commercial necessities. But if this land is of the character described by the Minister for Agriculture—and I know it to be so—then by completing the Norseman-Esperance line we open up new local markets for everybody in the whole of this great State, create additional markets, do something of a practical character to make ends meet with the finances of the State, and help to avoid the continuous repetition of a deficit. Those who are invited from England will have a chance of success, and will be relieved from the long delay and severe privation involved in a servitude to get experience. That Norseman land is land that can be easily worked, and it is crying for people, inviting settlement; and the way to make settlement secure and permanent is to give the people every possible railway facility. The creation of that railway will not only link up Esperance with the goldfields and with the existing railway lines of the State, thus giving the goldfields people a natural outlet to the nearest harbour and water resort, but will link up the Norseman country with the Eastern States through the Transcontinental railway.

Mr. Harrison: You ought to see that the Federal members visit that portion of your electorate.

Hon. T. WALKER: Some of them have done so. So indignant were some of those who were members in the past, that at one time they threatened to construct the line themselves and to separate that part of this State from the western portion of Western Australia, if there was longer delay.

Hon. W. C. Angwin: They could not do it.

Hon. T. WALKER: I know that, but that was the talk at the time. Further, by the construction of this railway we are bound to open Esperance harbour, and by opening Esperance harbour we are opening a sea road between Fremantle and Bunbury and Albany and Esperance, and so advancing our shipping interests on the coast line. We are going to find employment for thousands and provide for traders and merchants of all sorts, along the sea-coast as well as on the railway line. For national development purposes it is a necessary work. We cannot afford to let the line stop where it is. It is extreme folly to leave it at its present terminus. We must carry it through so as to make it pay, and by making it pay make our other lines pay, make our sea trade pay and so develop trade from East to West. It is a short-sighted policy to imagine that the State can flourish whilst we deliberately adopt a policy that will starve a portion of the State. The welfare of the whole State depends on the well-being of the whole State. Make development simultaneously as far and wide as we can, and the whole citizenship of the State receives profit and advantage accordingly. It is for that purpose, as a national one, apart from its being a provincial one, in the interests of the whole of the State, of the people of to-day and of the future, that I move my motion.

On motion by the Minister for Works, debate adjourned.

[The Speaker resumed the Chair.]

PAPERS — STATE HOTELS, ADULTERATED LIQUOR.

Mr. MUNSIE (Hannans) [9.47] I move—

That all papers in connection with the inquiry into adulterated liquor at State hotels, including a copy of the evidence and the report of the Commissioner, be laid on the Table of the House.

From the reply of the Minister to the question I asked some time ago in respect of laying these papers on the Table, I take it he is prepared to treat the motion as formal.

Question put and passed.

PAPERS—E. H. HAMEL, RETIREMENT.

Mr. HUGHES (East Perth) [9.48]: 1 move—

That the whole of the papers in connection with the retirement of Lithographic Draftsman E. H. Hamel from the Public Service be laid on the Table of the House.

I understand this motion is to be treated as formal.

Question put and passed.

BILL—STATE TRADING CONCERNS ACT AMENDMENT.

Leave to Introduce.

Order of the Day read for the resumption from 5th September of the debate on the motion by Mr. A. Thomson for leave to introduce a Bill for an Act to amend the State Trading Concerns Act, 1916.

Question put and passed.

Bill introduced and, on motion by Mr. A. Thomson, read a first time.

BILL—ARCHITECTS ACT AMENDMENT.

Second Reading.

Mr. LATHAM (York) [9.52] in moving the second reading said: This is a short Bill to amend the Act of 1921 with a view to removing an injury caused by that Act. The measure provides that men who were apprenticed to architects prior to the commencement of the Act may be registered under the Act. Many of those men were articled and, three or four months after the passing of the provisional board, they had served their apprenticeship. Under the Act it is necessary that those men take a course of study at the University and pass an academic examination set by the board. Some of them are returned soldiers getting on in years. Provision is made in the Bill for their registration subject to their having from the architects to whom they were articled certificates that they are qualified to practice. When in 1921 the then Bill was going through another place, the Leader of the House said the provisional board would register such persons as applied for registration and were qualified, and would then make arrangements for holding an election for a permanent board. The Minister pointed out that those were practically the sole functions of the provisional board. Sir Edward Wittenoom observed that there were some practical men clever enough to improvise designs for buildings or shearing sheds, but who had never obtained certificates or degrees in architecture. He said that so long as he was assured that the practical man would not be affected by the Bill, he would support the second reading. Evidently it was then thought by members of another place that some hardships might be inflicted by the Act of 1921. The Act has inflicted hardships the removal of

which is the object of the Bill. Clause 3 provides for the registration of men who were practising as architects prior to the commencement of the Act. The provisional board refused the application of some of those men for registration, notwithstanding that those men had been practising as architects for a considerable time. Paragraph (b) of Subsection 2 of Section 13 of the Act provides for the registration of any applicant who proves to the satisfaction of the provisional board that he is and for the next preceding 12 months has been publicly and bona fide practising as an architect in Western Australia or that he is or at some other time prior to the commencement of the Act was engaged as an assistant to an architect in Western Australia and has had at least seven years experience. Such a man is entitled to registration, notwithstanding which some have been refused. In the House of Commons is a Bill drafted by the Royal Institute of Architects with a view to the establishment of a recognised board of architects. In that Bill provision is made for a longer period than six months during which the provisional board shall act. The six months provided in our Act is altogether too short. In the Bill I am asking for an extension of that period for an additional three months, and that the powers vested in the provisional board shall be granted to the permanent board. I do not wish to interfere with the profession at all. No injustice will be done by the passage of the Bill. It provides, not for the future, but merely that those previously apprenticed shall at the conclusion of their articles be entitled to registration without having to sit for a further academic examination. It is only fair that we should rectify any injustice that has been imposed by the existing Act.

Hon. W. C. Angwin: Will not the board agree to register those men?

Mr. LATHAM: The board say they have not the power.

Hon. W. C. Angwin: The Bill will not compel the board to register them.

Mr. LATHAM: I think it will.

Hon. W. C. Angwin: No, they must satisfy the board as to their qualifications.

Mr. LATHAM: Section 14 of the Act provides that after the provisional board shall have ceased to exist no person shall, except as hereinafter provided, be registered as an architect unless he applies for registration to the Architects Board of Western Australia and proves to the satisfaction of the board that he resides in Western Australia, has attained the age of 21 years and is a person of good character and reputation. Clause 2 of the Bill amends that section by the addition to paragraph (d) of the following words—

Or holds a certificate in writing by the practising architect to whom the applicant is articulated or indentured to the effect that the applicant has such knowledge and experience as to justify his registration.

That makes it obligatory on the board to register an applicant.

Mr. Hughes: Does that mean that persons serving articles at present will be exempt?

Mr. LATHAM: Provided they were apprenticed prior to the commencement of the Act of 1921. Otherwise we could not make any use of the University education. We are providing for a University education and it is only right these people should avail themselves of it. I move—

That the Bill be now read a second time.

On motion by the Minister for Works, debate adjourned.

BILL—LOCAL AUTHORITIES (ADDITIONAL POWERS).

Second Reading.

Debate resumed from the 5th September.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [10.2]: I moved the adjournment of the debate because I had not had an opportunity to study the provisions of the Bill. It is desirable and necessary that when authority is sought to give additional powers to or take away powers from local authorities, the measure should be thoroughly examined by the local government branch of the Public Works Department to ascertain the exact effect of the proposals. There have been instances where simple amendments have been passed and afterwards it has been found necessary to correct what was done. This Bill has been examined and I can see no objection to passing it. Therefore I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Munsie in the Chair; Mr. Stubbs in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Hon. W. C. ANGWIN: This Bill will give the local authorities very wide powers. Doubtless it is a move in the right direction. Where competition exists there is a possibility of such entertainments becoming a charge on the ratepayers, but I regard the Bill as a means to enable local authorities to provide public recreation and amusement, not only in the principal towns in which local authorities are situated, but in other centres also.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—LUNACY ACT AMENDMENT.

Second Reading.

Debate resumed from the 5th September.

The COLONIAL SECRETARY (Hon. R. S. Sampson—Swan) [10.10]: I do not oppose this measure. It has been realised for some time that an amendment on the lines suggested was necessary and, indeed, the subject was under consideration. The matter has been fully explained by the member for South Fremantle (Mr. McCallum). At the moment there is one inmate in the Hospital for the Insane to whom this will particularly apply. If there was only one such case, it would be ample justification for the amendment, but in future there may be greater need for it.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Munsie in the Chair; Mr. McCallum in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 107:

Hon. W. C. ANGWIN: The Minister said the Government had intended to move in this direction. As the Bill seeks to amend only one section of the Act, no other amendment can be included. There are other people in the institution desirous of appearing before a judge. At present a case cannot be brought before a judge unless he has a declaration that the person is sane. There are some inmates who, although they cannot be classified as sane, might be capable of taking care of themselves, and a judge might order their release on probation if only they could be brought before him. The Royal Commission recommended an alteration so that these people could be brought before a judge.

Mr. Money: Surely the decision as to sanity is a medical opinion.

Hon. W. C. ANGWIN: Sometimes there is a difference of opinion on the part of doctors. A person may not be absolutely insane but be fit to be discharged, although as the law stands he cannot go before a judge and apply for his discharge. If the law had been amended, as recommended by the Royal Commission, such cases could have been provided for. At present if the authorities of the asylum say a man is not fit to be released he cannot go before the court and apply for his discharge.

The COLONIAL SECRETARY: I am a little doubtful as to whether it will be possible to bring in other amendments at this stage, to cover the cases instanced by the member for North-East Fremantle.

Hon. W. C. ANGWIN: You can bring in another Bill.

The COLONIAL SECRETARY: I would not like to see this Bill held up.

Hon. W. C. ANGWIN: Let it go. My point is an altogether different one.

The COLONIAL SECRETARY: I will take the risk of letting it go, so as to avoid further delay in dealing with the case in which the member for South Fremantle is interested.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 10.20 p.m.

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

QUESTION—GROUP SETTLEMENTS.*Medical Care and Maternity Cases.*

Mrs. COWAN asked the Premier: 1, Have the Government done anything to provide any kind of medical care for the group settlements? 2, Is it not possible to place this most necessary matter in the hands of the Medical Department to deal with? 3, If not, why not? 4, Have arrangement been made at any of the group settlements to enable maternity cases to receive proper care and attention? 5, If not, why not? 6, Is the Premier aware that the Busselton hospital midwifery ward is closed and that there is no private midwifery hospital in the town to take midwifery cases? 7, When was the Busselton midwifery ward closed, and for what reason? 8, What arrangements are now being made to handle midwifery cases? 9, Is the Premier aware that correspondence addressed to the Busselton hospital on the 7th August asking what medical attention is given there had not been replied to on the 7th September, and probably has not been replied to yet? 10, Would it not be possible to provide one shack at each group where maternity cases could at least be given privacy? 11, Is the Premier