

Act that it was not going to cost very much. But considerable fees are being collected in country districts for buildings where, perhaps, the inspector may call once, merely to see that the Act is being carried out. It is a means of raising fees, and so is an additional impost on the people. I will vote against the second reading.

On motion by Mr. Pantou, debate adjourned.

House adjourned at 9.25 p.m.

Legislative Council,

Tuesday, 4th September, 1928.

	PAGE
Assent to Bill	532
Bills: Permanent Reserve (King's Park), 1A.	532
Pearling Act Amendment, 3A.	532
Municipal Council of Collie Validation, 3A.	532
Education, 2A.	532
Electric Light and Power Agreement, 1A.	533
Whaling, 2A.	533

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

ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Financial Agreement Bill.

BILL—PERMANENT RESERVE (KING'S PARK.)

Introduced by Hon. A. Lovekin and read a first time.

BILLS (2)—THIRD READING.

- 1, Pearling Act Amendment.
 - 2, Municipal Council of Collie Validation.
- Transmitted to the Assembly.

BILL—EDUCATION.

Second Reading.

Debate resumed from the 28th August.

HON. A. LOVEKIN (Metropolitan [4.37]): I propose to say only a few words on this Bill, because it involves no new principle, but there are a number of matters that I think need amending, and the place to put the amendments forward is in Committee. I shall place upon the notice paper the amendments I intend to propose. Let me say I think the Chief Secretary deserves the thanks of this House for the efforts he is making in the cause of education. I speak feelingly, because I am one of those unfortunate who from time to time have to administer part of the Education Act through the Children's Court. At present there are ten or eleven Acts in force, and it has proved very difficult to piece them together from time to time. Thanks to the efforts of the Chief Secretary, those Acts are now to be embodied in one measure, and that will make the work easier. The Chief Secretary also informed us that the regulations would be recast. I think that must follow the passing of a consolidating measure, because the regulations to-day—I say it without offence to anybody—are in a chaotic state. Officers go to the court with so-called regulations and there are more pieces of paper stuck into the regulations than there are pages in the regulations themselves, and it is very difficult to be sure which are in force and which have been repealed. Consequently the revised regulations, following the passing of this consolidating measure, together with necessary amendments, will also prove a boon. This is not the only matter on which we should congratulate the Chief Secretary. There is education in another direction in which he has taken an interest, and which I think will prove to be of great value in the course of time. I refer to prison reform. I know that that has nothing to do with this Bill, but as I did not speak on the Address-in-reply debate I take this opportunity to congratulate the Minister upon his efforts to secure prison reform. Dealing with the Bill generally, what I wish to see is a greater consolidation that the measure itself aims at. There are a number of Acts interwoven with this Bill. The Interpretation Act, the Justices Act and the Child Welfare Act all come within the ambit of this measure, and I wish to ensure, in Committee, that all those Acts are reconciled in order that we

shall not have one phraseology having one objective in one Act, and different phraseology having the same objective in another Act, and so on, all of which phraseologies have to be interpreted by the court and create difficulty. In Committee I propose to make some attempt to reconcile them. Meanwhile, the Chief Secretary has been good enough to say he will examine the suggestions I am about to put on the notice paper, and that will save time in Committee. What I wish to put up I think he will probably agree to. I support the second reading.

HON. H. J. YELLAND (East) [4.41]: I also desire to congratulate the Minister on having brought down this consolidating measure. As he himself stated, it has been overdue for a considerable time. The importance of consolidating the laws on education, which have been separated for so many years, is evident. There are a few amendments which are to be added to the existing Acts, and no doubt in Committee those amendments will be given first consideration. As has been pointed out, they are mostly due to the necessity for statutory authority in regard to matters that have been found expedient for the proper administration of the Acts. I am glad to note that it is intended to be a little more severe with those people who employ children under the age of 14. All of us recognise that if a child is deprived of the education he should have in the early stages of life, he is handicapped throughout life. I for one should like to see the age limit for school attendance extended from 14 to 15 or even 16 years. That, however, presents a difficulty, because it is often necessary that a boy should start his apprenticeship on attaining the age of 14. That difficulty, I believe, could easily be overcome, and I for one would like to see an amendment in that direction. I am also glad that the Minister recognises the need for giving authority to remove from a school any child whose presence there would have a bad moral effect on the other children. Such a child would have such a far-reaching influence on the other children that I think we can hardly place too much importance on that particular amendment. As has been said, the Act is largely interwoven with other Acts. The Child Welfare Act, the Interpretation Act and the Justices Act all have a distinct bearing on the Education Act, and I might mention in addition the Arbitration Act. That is interwoven with the Education

Act as it affects apprenticeship, for apprentices who attend the technical schools are brought under the Education Act. Apprentices are sent to the Technical School during part of the day to receive technical instruction in their trades. As the Technical School is under the Education Department, we see how inextricably interwoven are those various Acts with the Education Act, the administration of which therefore becomes exceptionally difficult. To have it consolidated is a great need. I give my unqualified support to the Minister for the manner in which he has sought to bring about a better state of affairs, and shall assist him to embody the amendments which the Bill proposes. I support the second reading.

On motion by Hon. J. R. Brown, debate adjourned.

BILL—ELECTRIC LIGHT AND POWER AGREEMENT.

Received from the Assembly, and read a first time.

BILL—WHALING.

Second Reading.

THE HONORARY MINISTER (Hon. W. H. Kitson—West) [4.49] in moving the second reading said: In submitting this Bill I wish to emphasise the fact that it is protective in its provisions. As members are no doubt aware, whaling is not a new industry in this State. Back in the 18th century American and also French vessels visited our waters and carried on the trade of whaling. Later on, early in the "forties," some of our own people operated from Fremantle, Doubtful Island Bay, and elsewhere along the coast, and whale oil and whale bone appear in the list of exports from the State up to 1884, so that comparatively speaking this is an old industry in Western Australia. The steam-driven whaler and the large harpoon gun, used to-day, were, however, unknown in those days, the capture being dependent upon men in boats propelled by oars and using the hand harpoon and lance. The harpoon gun now used was invented by a Norwegian, Svend Foyn, in 1864. I find this a most interesting subject, and with the permission of the House would like to give some particulars which have been

gleaned from the records, and which show that there is every reason for the introduction of a measure of this kind. Modern whaling—the employment of fast steam “whalers” equipped with harpoon guns—was first undertaken in our waters during 1912-13, when Norwegian companies, registered under the company laws of this State, operated. These companies erected shore stations at Frenchman’s Bay, Albany, and at Norwegian Bay, near Point Cloates, respectively, and during the seasons of 1913-16 inclusive, more than 4,000 whales, producing over 130,000 casks of oil and about 1,500 tons of fertiliser to a value of about half a million pounds sterling, were secured. During 1916, owing to the war, operations were discontinued, and the whaling vessels left our coast, with the result that the shore stations previously referred to were disposed of. During 1922 a local company, which had acquired the shore station near Point Cloates and obtained a license from the Government, commenced operations, and “fished” during the seasons of 1922 and 1923. The results of their operations do not appear to have been satisfactory, because during 1924 whaling did not take place, but during 1925 material progress was made. Over 650 hump-back whales were secured, and these produced oil and fertiliser to a value of about £120,000. The operations of the 1926 and 1927 seasons were even more successful, as during the former season 740 whales were captured, while during the latter the total was 999 whales. The quantity of oil put up during the two seasons was 52,840 barrels, while fertiliser to a weight of 908 tons was prepared. A conservative estimate of the value is £235,000, showing the importance of the industry from the aspect of revenue derived from it. Of the whales appearing in the waters of the State the more valued, commercially, is the hump-back. It grows to a length of about 50 feet, and is short and thick. This whale is found in other parts of the world, particularly in the South Atlantic off the coasts of South Africa and South America, and off the coast of California. It is a regular visitor to our waters, making its appearance on the South Coast east of and in the vicinity of King George’s Sound during May of each year. On the West Coast, in the vicinity of Point Cloates, the recognised whaling season—known as the northward migration—is from about the end of

June or early July to October, by which time the southern migration has been almost completed. At about the same period of the year this whale is observed on the East Coast of Australia, and it appears that there is one large migration from the colder to the warmer waters at about this time. In all probability, the whales appearing in waters off our South coast are detached members of the main school, which proceeds either east or west of Australia. The full distance of the northerly migration upon our coast has not been determined but quite a number may be seen during the season as far north as, or even beyond, the Lacepede Islands, which lie north of Broome. Other whales observed in our waters are the sperm, the blue-whale and the right-whale. The first mentioned—one of the toothed whales—is an important species, growing to a length of 60 feet, or even more. In its large head is found spermaceti, and from it the valuable ambergris is sometimes obtained. It is a frequenter of the deeper waters and large schools are to be found at and about the edge of the Continental Plateau—the deep edge, where the depth suddenly increases beyond 100 fathoms—some 35 or more miles south of King George’s Sound. The blue-whale—believed to be the largest living animal, and probably the largest animal which has ever lived—has been seen during recent whaling seasons in fair numbers as far north as beyond Point Cloates, but owing to its proportions—it grows to a length of over 80 feet—special attention has not been paid to it. In other parts of the world, however, numbers are killed. It is said that during the 1917-18 whaling season 2,268 were taken by whalers operating in the vicinity of the Falkland Islands. The right-whale—

Hon. H. Stewart: Is the right-whale the best of the lot?

The HONORARY MINISTER: It is the right-whale.

Hon. H. Stewart: Does it yield plenty of ambergris?

The HONORARY MINISTER: The right-whale has not during recent years been observed in numbers upon our coast, but apparently it was much sought after during the very early days of whaling. It grows to a length of about 50 feet, and produces whalebone up to 7 feet in length—whalebone being one of the most valuable products of the industry.

Hon. J. R. Brown: But ladies do not wear whalebone now.

The HONORARY MINISTER: Because whales live in a supporting medium, their young are very large at birth. Chapman records taking a 25-ft. baby whale, which weighed about 8 tons, from an 80-ft. blue whale.

Hon. J. Nicholson: A fairly substantial baby!

The HONORARY MINISTER: Yes. Usually one young is born at a time, rarely two, and never more than two. The whalebone whales have no teeth, but the palate is provided with numerous transversely placed horny laminae or baleen, which enable the whale to strain from the water the small animals upon which it feeds. All whales are predatory animals subsisting on living animal food of some kind; but one genus alone, the killer-whale, *Orca gladiator*, eats other warm blooded animals, such as seals and whales. Some feed on fish, or cuttlefish—the sperm whale for instance, which has some 25 large teeth on each side of the lower jaw—others on small floating crustacea, while the principal food of many is made up of the various species of cephalopods which abound in certain seas in vast numbers. Prior to the discovery of the process of obtaining kerosene by the distillation of petroleum, whale oil was extensively used for illumination purposes. To-day, however, very little is burned. Large quantities are hardened and deodorised by hydrogenation, and the hardened material is extensively used in the manufacture of candles, soap, and lard substitutes. Hydrogenated whale oils are marketed in large quantities in Germany under various trade names, such as “talgit,” etc. It is also employed, I am informed, in the manufacture of explosives. The lower qualities are used in the currying of leather, for tempering steel, and as “batching oil” for jute, etc. The fertiliser manufactured from the waste flesh and bone is of considerable value, particularly when used in heavier soils. In the “fishery” now being conducted at Point Cloates, four steam whalers are employed. Usually Norwegian captains, who are the shooters, are in charge, as are crews of the same nationality. A number of Norwegians are also employed about the station, but men from Fremantle and Perth are also engaged during each season. About 150 men are employed about the station and on the whalers. A large steamer visits the site and conveys the oil overseas. The present-day value of the station may be estimated at £50,000, but it is only fair to say that the cost of

putting it in its present position is said to have been very much more. Four exclusive licenses are now held under the provisions of the Fisheries Act. Two of these—one held by the company operating now at Point Cloates—expire on the 31st December, 1929, and the other two on the 31st December, 1930. One of the licenses, held by Mr. Fallowfield of Perth, covers an area not exceeding 75 miles at the Abrolhos Islands. The licensee is doing his utmost to secure sufficient capital to commence operations. Up to the present he has not been successful, but he has hopes that in the near future he will be able to do something practical. The other two licenses covering areas at Shark Bay and at King George's Sound, respectively, are now held by a Mr. Ivan Nelson of Sydney. He also is doing his best to secure the necessary capital to operate successfully. On our coast all the whales do not appear inside recognised territorial limits—three miles from high-water. As a matter of fact, the majority of the humpback seen are outside those limits, and on the South coast, a “sperm” would rarely, if ever, be seen inside. I am advised that the Federal authorities could exercise control over British ships or British subjects outside the territorial limit, but this control cannot be extended to foreign ships or subjects of a Foreign Power. During recent years, Norwegian companies have constructed large ships—floating factories—upon which whole carcases are treated. These taking up a position outside the territorial limits of a country are used as mother ships to the steam whalers operating in the vicinity. In this State we have been free from this method of whaling, known as pelagic whaling, and it is doubtful, owing to weather conditions, whether it could be successfully carried out. As previously stated, the Bill is protective in its provisions, inasmuch as close areas may be proclaimed, the number of whalers operating under one license may be limited, and the killing of female whales with calves at their sides is made a punishable offence. In this connection, it might be said that correspondence received through the Federal authorities shows that in regard to the granting of licenses in the Ross Sea provision is made (a) for the limitation to five of the number of whale chasers to be attached to each factory ship, (b) the prohibition of the killing of female whales with calves at the side, (c) for the payment of a royalty of 2s. 6d. per gallon

on oil that may be collected over and above a total of 20,000 barrels during the preceding year, and (d) for the payment of £200 for each and every floating establishment by way of half-yearly rent.

Hon. J. Nicholson: That could only apply to inside the three mile limit.

The HONORARY MINISTER: No, outside; I am not quite sure whether it is the Federal authorities or the Imperial authorities that collect the rent or royalty. In existing conditions in this State, annual rental up to £50 is charged upon each exclusive whaling license. In my opinion, a similar fee plus, say, £1 royalty upon each whale taken during a season would not press unduly upon those operating or likely to operate in the future. As will be seen by Clause 11 of the Bill, the rights and privileges of existing exclusive license holders are preserved, but a regulation framed under paragraph (c) of Clause 10 would apply.

Hon. J. J. Holmes: Does that mean they will also have to pay royalty?

The HONORARY MINISTER: The Bill provides that they shall not pay royalty until after the expiration of the existing licenses.

Hon. J. J. Holmes: In the meantime you create a monopoly.

The HONORARY MINISTER: I do not think so.

Hon. J. Nicholson: Up to 1930.

The HONORARY MINISTER: The existing licenses expire in 1929 and 1930. Should an exclusive license be issued after the date of the commencement of the Act, it is intended that Clause 8, which refers to royalty, shall apply. I am not aware that exclusive licenses to the exclusion of all other persons and for a period of years are granted in other parts of the world.

Hon. J. Nicholson: What does the exclusive license cover?

The HONORARY MINISTER: I shall explain that. It is something new, at any rate, so far as the Commonwealth is concerned. A draft license referring to operations to be conducted in the Ross Sea shows that while the license is for a number of years, it contains a clause which reads—

And it is further agreed and declared that the license and rights hereby granted are not exclusive to the licensees, and His Majesty's Government hereby reserve the right to grant such additional or other licenses over the said territorial waters and to such person or persons as they may from time to time determine.

It will be understood, however, that in a new industry, persons investing large amounts of money are anxious to obtain security of tenure, which is only fair; hence the grant of exclusive licenses for terms of seven years or more under the Fisheries Act. Under this proposed measure, even were licenses granted for one year only, the grant of licenses is discretionary, and the Minister in refusing to grant a license to any other person or company could preserve the exclusiveness of a license. I think that is a necessary provision. I may add that the most approved type of whaling steamer is from 100 to 120 feet in length, and it is so built that it is able to turn very quickly. The usual speed is about 12 knots. A harpoon gun is mounted upon a heavy iron support at the bow. This gun is short, being about 50 inches in length, with a bore of 3 to 3½ inches, and it turns easily upon a swivel up and down and from side to side. The harpoon is of the best Swedish iron, and is about 6 feet in length, with a weight of a little over 100lbs. It has four prongs, which spring out at right angles to the harpoon when the line is tightened after the harpoon enters the whale's body. At the point of the harpoon is screwed a cast-iron head or shell, of conical shape, about 14 inches in length and weighing about 11 lbs. This shell is loaded with powder, and exploded by a time fuse about three seconds after the harpoon has left the cannon. To each harpoon is fixed a length of specially manufactured rope. The usual range is about twenty yards, and if the harpoon strikes a vital spot, death is almost instantaneous; if not, it may be necessary to use other harpoons. The whalers are of such a power that two whales may be towed at one time from the fishing grounds to the factory. At times a whale after capture is inflated with air and is allowed to remain at the surface until a second whale or others are captured. Sharks frequently do considerable damage to whale carcasses on our North-West coast. The price of whale oil fluctuates. For instance, the value of 50,850 tons imported into the United Kingdom during 1926 was given as £1,826,499, while 53,207 tons similarly imported during 1927 were valued at £1,637,475. An approximate price would be about £35 per ton. I give the figures and details in order that members may see how valuable the industry is, and that they may have a better knowledge

of it and the reasons leading up to the introduction of this Bill. I stated at the outset that this was not a new industry. I was rather interested to find that we have records of whaling in Western Australia as far back as 1837. In that year, according to the "Perth Gazette" of June 10th, the first whale caught in Cockburn Sound on the Saturday before yielded four tons of oil and whale bone. The carcass was brought into a jetty and cut up by the two companies concerned in the capture. Apparently in those early days at least two companies were operating here. On August 13th of the same year a whale killed a man just outside Arthur Head, Fremantle, while himself engaged in killing the animal. It is rather strange that one man should be engaged in killing a whale, and that it should in turn get the better of him. The "Perth Gazette" of August 13th, 1837, gives particulars of the various ships engaged in those days in the whaling industry. It quotes their tonnage, the highest being 460 tons and the lowest 220 tons. The quantity of oil secured ranged from a few gallons up to 2,100 gallons. A lot of interesting information is contained in those early newspapers. As the years have gone by, the value of the products derived from whales has considerably increased. I noticed one paragraph which appeared in the "Perth Gazette" of August 22nd, 1846, which is rather interesting. It says that 200 sperm whales in one school entered Geographe Bay on the 14th of that month, and that sperm whales in soundings was an occurrence seldom seen. Of these, 21 were captured. The whales that were killed were all small, but were worth something like £3,500. On the 16th August of that year a large white whale was caught at Bunbury, and on the 18th a hump-back whale was caught at Fremantle. A shark and a thrasher ate most of the hump off the whale while it was being towed in. Mr. Bateman, of Fremantle, killed the shark, which was 16ft. in length. The estimated returns for that season were 200 tons. I quote these few extracts to show that the whaling industry has been a valuable one, and that to-day with our up-to-date appliances we are able to capture more than were captured in those days. It will be realised from the figures I have quoted that this is one of the most valuable industries we have. The Bill is a protective one.

Hon. A. Lovekin: What is the royalty and what are the fees proposed?

The HONORARY MINISTER: Those will be fixed by regulation. I would suggest that the license fee should remain as at present, namely, £50, but that a royalty of £1 per whale should be sufficient to meet the case. At present there is no limit to the number of boats that may operate on behalf of the company that is now licensed. On that license fee the company may have one whaler or more. At present it is working four whalers, but the license fee remains at £50. The suggestion is not to increase that fee, but to add a royalty of £1 per whale caught. I move—

That the Bill be now read a second time.

On motion by Hon. G. W. Miles, debate adjourned.

House adjourned at 5.34 p.m.

Legislative Assembly.

Tuesday, 4th September, 1928.

	PAGE
Assent to Bill	537
Temporary Chairmen of Committees	538
Questions: Traffic, Miss Breckler's licence	538
Food and Drug Regulations	538
Stock, saleyard fees	538
State Shipping Service—1, Misappropriation of funds; 2, "Koolinda" and Shark Bay	538
Bills: Electric Light and Power Agreement Amendment, 3a.	539
Workers' Homes Act Amendment, 2a.	539
Pearling Act Amendment, 1r.	544
Municipal Council of Collie Validation, 1r.	544
Fertilisers, Com.	544
Electoral Act Amendment, Com.	554

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

ASSENT TO BILL.

Message from the Governor received and read, notifying assent to the Financial Agreement Bill.