

lodge a fresh claim at each stopping place. Clause 38 provides for amendments of the principal Act, the chief one calling for mention being the amendment of Section 17. At present a natural-born or naturalised British subject must have lived at least six months in the State and one month in the electoral district before he or she can claim enrolment as an elector of the Assembly. Under the Bill it will be sufficient if he or she has lived for six months in Australia and one month in the electoral district concerned. If a person came from the Eastern States and resided here for one month he would be qualified for the franchise.

Hon. J. Nicholson: Even if he came only for a holiday?

Hon. A. Burvill: Has that provision been adopted in the Eastern States?

The CHIEF SECRETARY: It need hardly be pointed out that if a special period of residence in the State were made to apply to Western Australian electors, it is doubtful whether the Commonwealth registrars could give effect to it in the proper manner. As there will be one official entry only of the particulars of a joint claim, the amendment is essential to the success of the proposed joint rolls. If a number of persons came from the Eastern States they would be entitled to the franchise. The absence of such a provision in the Bill would lead to trouble and expense.

Hon. E. H. Harris: It would enable Mr. Lang's shock troops to come over, would it not?

Hon. J. J. Holmes: They are too busy in their own State.

The CHIEF SECRETARY: In regard to the proposed amendment of paragraph (b), Section 18, which refers to inmates of charitable institutions, our Act disqualifies for enrolment every person wholly dependent on relief from the State, or from any State-subsidised charitable institution, except as a patient under treatment for accident or disease in a hospital, while the Commonwealth has no such disqualification. Inmates of the Old Men's Home and the Old Women's Home, as old age pensioners or patients under treatment, can and do now claim State enrolment. They are not disqualified for the reason that they are not wholly dependent upon the State. Conditions in this connection have altered in a drastic way since the enactment of this section of our Act, the number of

wholly dependent persons being very small. The words, "subject to be sentenced" are to be omitted from paragraph (c) of Section 18 for the sake of uniformity with the Commonwealth Act. Our object is to try to bring our legislation as far as possible into conformity with the Commonwealth Act. That Act does not contain these words "subject to be sentenced," and in any event no vital principle is involved. I regret I have not been able very clearly to explain the provisions of this Bill, but I have done the best I could in the circumstances. I move—

That the Bill be now read a second time.

On motion by Hon. F. H. Harris, debate adjourned.

*House adjourned at 6.3 p.m.*

## Legislative Assembly,

*Thursday, 29th September, 1927.*

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

### ASSENT TO SUPPLY BILL.

Message from the Governor received and read notifying assent to Supply Bill (No. 2), £831,000.

### QUESTION—ROYALTY ON SKINS.

Mr. E. B. JOHNSTON (for Mr. Thomson) asked the Premier: What amount of royalty was collected by the Fisheries Department on opossum skins, grey kangaroo skins, red kangaroo skins, brush and wallaby skins during the twelve months ended 30th June, 1927?

The PREMIER replied: Opossum skins £61 13s., grey kangaroo skins £2,636 5s. 9d., red kangaroo skins £760 5s. 6d., brush £1,031 18s., wallaby £51 8s. 2d. Total £4,541 12s. 5d.

### QUESTION—TROTTING, CHARITIES MEETING.

Mr. SAMPSON asked the Treasurer: 1, Were the total gross proceeds of the meeting of the W.A. Trotting Association held on the 24th April, 1927, for the benefit of certain benevolent institutions paid over without taxation? 2, What amount of tax was payable on the gross proceeds?

The TREASURER replied: 1 and 2, I am not aware that any trotting meeting was held upon this particular date, which fell on a Sunday.

### BILLS (2)—THIRD READING.

- 1, Bills of Sale Act Amendment.
- 2, Hospitals.

Transmitted to the Council.

### BILL—CONSTITUTION ACT AMENDMENT.

#### *Second Reading.*

Debate resumed from the previous day.

MR. WITHERS (Bunbury) [4.41]: It was not my intention to speak on this measure until I had heard the efforts of the Opposition to make a case against the Bill as presented. In listening to the debate I have not heard one argument advanced in support of the present Legislative Council franchise qualification. Throughout the discussion the whole of the arguments have been designed to sidetrack the main issue. Not once has the principle of the Bill been assailed. If the Opposition were sincere and declared themselves ready to stand solidly behind one principle of qualification, I would be prepared to acknowledge there was something genuine in their efforts.

Hon. Sir James Mitchell: We do not want you to acknowledge that.

Mr. WITHERS: The member for Guildford (Hon. W. D. Johnson) hit the nail on the head when he said there was no basis to the present system. If the present system

consisted of a property qualification, and that only, I would be ready to own that there was a working basis; but when we have a property qualification combined with a certain rental qualification, the thing is nothing but a hotchpotch, and in keeping with the present Opposition, who are made up of so many different parties that they desire a Constitution similarly compounded.

Hon. Sir James Mitchell: There are no Bolsheviks on this side, at all events.

Mr. WITHERS: Bolsheviks do not matter. The member for West Perth (Mr. Davy), in dealing with the Bill, expressed doubt as to the sincerity of members on this side in regard to the measure. I fail to see why anyone should doubt the sincerity of the Premier and his followers regarding the Bill, which has been brought down in all sincerity.

Hon. G. Taylor: It need not have been brought down. It has come so often that it can now come by itself.

Mr. WITHERS: It will come so often as finally to enact itself. It will come so often that the people will recognise it to be essential, whether a Labour Government be in power or not. On a recent evening the member for Katanning (Mr. Thomson) said that there had been talk about revolution. It is strange that such members can only see revolution through red spectacles. They do not seem to understand the term "revolution" apart from a bayonet or a shot-gun that will do bodily injury. I need merely point out that a revolution occurred some three years ago, when a Labour Administration came into power. Again, after three years of Labour Government there was a revolution in the finances of the State—a revolution from a deficit to a surplus. Both those events were absolute revolutions. Moreover, the surplus was a revelation to the people.

Mr. Angelo: A revelation may be coming.

Mr. WITHERS: And a revolution may be coming in the same manner. We have been a long time in achieving a surplus, but at last we have got it; and we have been a long time looking for household suffrage in respect of the Legislative Council. The time will come when we shall get that household suffrage, if only we keep on trying long enough. It has been asserted that the Premier received no mandate on this head at the last general election; but I myself heard the Premier, when electioneering, state that if returned to power he would regard

that fact as a mandate from the people to give effect not only to the planks of the Labour Party's platform, but also to proposals advocated on the hustings during the general election. The electors heard that and returned us. With all due respect to the member for Katanning (Mr. Thomson) I contend that the figures quoted by him the other evening did not prove the case he was endeavouring to make out. The sincerity of this side of the House is shown in the fact that the principle contained in the Bill was strongly advocated throughout the election. If one tells the electors that he is going to do certain things in the event of his being returned to power, and he is returned to power, surely he then has every justification for going ahead with his policy.

**Mr. Latham:** That is not the issue.

**Mr. WITHERS:** I hope that before the session is over we shall put other issues on the Statute-book, issues that were advocated during the election. Only the other night I asked the member for York would he be prepared to go to the people on a referendum for the abolition of the Council.

**Mr. Latham:** If we did, your Government would do the same as the Queensland Government, namely, take no notice of the people's vote.

**Mr. WITHERS:** I know that the people of Western Australia would vote for the abolition of the Council. I am sure that if a referendum were taken that would be the result.

**Mr. Latham:** A mere expression of opinion.

**Mr. WITHERS:** Yes, of my opinion. The member for Katanning declared that we did not have a majority of the electors behind us. That is strange, coming from a member of a party that claims to be able to formulate a policy to control the destinies of the State and yet has not the backbone to contest sufficient seats to secure that controlling influence. The Country Party contested about half a dozen seats, although knowing that before it could hope to control the destinies of the State it must win at least 26 seats. There is no sincerity of purpose behind that party's policy. It is content to rely upon another party to tide it over. Members of the Country Party do not want any equality amongst the people when it comes to voting for the Legislative Council. Only the other night a question was raised as to the values of votes. I had said that the

difference of a penny per week would disqualify a person from having a vote; whereupon the member for Katanning said that such persons ought to pay the extra 4s. 4d. per annum if they wanted the vote. When I said a penny per week would do that, I had in mind the timber workers, some of whom are paying as little as 4s. per week rental for a four-roomed house. To bring them up to the level of 6s. 6d. per week is not a matter of 4s. 4d. per annum, but of £5 or more, without which they could not qualify. When the Arbitration Court's award was given to the timber workers, the President of the Court took into consideration the low rents they were paying in comparison with what others pay, and shaped the award accordingly. So it will be seen that the rent they pay is all part of the timber workers' award. That additional £5 rental per annum might mean all the difference to the people in the timber areas, who are under greater expense than are the people in the towns, especially when there is a case of sickness and the patient has to be sent all the way to the city. As I say, it is not as if a paltry 4s. 4d. per annum would give them the vote. I was disinclined to speak on the Bill, but I felt that one would not be doing his duty if he cast a silent vote, seeing that the opposition put up to the measure has been nothing more nor less than a smoke screen. If Opposition members could show me the basis of their attitude, I might consider it; but when it is a matter of discriminating between one person who pays £16 per annum and another who pays £17, I cannot see the basis upon which hon. members opposite are working. If they were to advocate only a property qualification, there might be something in their argument; but when they include rent as a qualification, I do not see why all the difference should be made between £16 and £17 per annum. So I say the qualification is not just, and should be broadened, as suggested by the Premier, to household suffrage.

**HON. W. J. GEORGE** (Murray-Wellington) [4.52]: This is a hardy annual brought up again this session, and I do not know that any fresh arguments have been adduced in its favour. But I do know that the vote for the Council is not so highly treasured as members on the Government side appear to think. A year or 18 months ago I took up with the Electoral Registrar the question why there should be com-

paratively few persons in Murray-Wellington on the Council roll. The number was something less than 400, although 65 per cent. of the residents are farmers and settlers, and qualified for enrolment. To my surprise, if not to my disgust, I learned from the Electoral Registrar that he had gone into this some time before, and had sent out thousands of claim cards to the people of Murray-Wellington and of other parts of the South-West, but that the replies he got were comparatively few. Whether that shows a contempt for the vote, or whether the people are tired of having so many elections, Federal and State, I cannot say. It may be due to the confusion existing in the minds of many people over the perplexities of enrolment. When the time comes to vote at an election, quite a lot of people find they are not on the roll, although they thought they were, and can even give the dates when they sent in their claims. I have traced quite a number of them and found that the claim forms did go forward, but were for the Commonwealth, although intended for the State, and vice versa. With all due respect to the sincerity of the supporters of the Bill, I do not think there is really much feeling about this question. I know a few timber workers quite intimately, and I have never had the question raised by any of them as to why he has not the vote. I should say they prefer houses at cheap rentals to the vote for the Council. Few, if any, of the timber workers pay more than 5s. per week for their houses. For that sum they get houses that, if in the metropolitan area, would bring a rental of 18s. per week. I told the Chief Electoral Officer I thought that if he would take the road boards' rate books, he would find there all the information required as to who should be on the roll. Mr. Cooke did not say, as some finding themselves in his position would have said, that if people did not take the trouble to get on the roll it was not the duty of the registrar to hunt them up. He listened to the suggestion, and I believe his officers are now consulting the road boards' rate books, and that probably a large number of people will be added to the roll. As for the qualification of an elector to the Council, it could not well be less. As members know, it is the possession of a piece of land or a house worth £50, or the payment of an annual leasehold rental of £10, or of a cottage rental of £17 per annum. Rather than have it reduced any

further, I would prefer to see the qualification made the same as that for the Assembly.

Mr. Wilson: Hear, hear! That's the spirit.

Hon. W. J. GEORGE: I know that arguments can be advanced against that view. I may be old-fashioned. I think that when a man has a vote for the Council he should be able to show to the State that he has some qualification over and above the fact that he wears trousers. As I have said on previous occasions, no doubt the Bill represents the first step towards a Parliament consisting of one House, instead of two. I hope the day for that change will not come; for I believe although one may differ from the Council, we still have opportunities through that House to review the actions of this Chamber, actions that may have been taken hurriedly in the heat of debate and consequently should be revised. I see no reason why we should not regard the Legislative Council as a court of appeal. It provides an opportunity for us again to consider measures with which we have dealt, and I think it is a check on what may be termed hasty legislation. We know that hardly a Bill is passed by Parliament that does not contain errors or is not open to misconception. Although every member has done his best to make a measure easily understood, mistakes are still made. If it were not so, where would be the need for the army of lawyers that we have in Perth? It is because so many loopholes are to be found in Acts of Parliament that lawyers are needed to assist people who wish to evade their proper obligations. I oppose the Bill, as I have opposed similar Bills in the past, and for the same reasons. No valid argument has been advanced during the discussion to cause me to change my views. I am prepared to go as far as any member, and perhaps farther than some, by supporting any measure that I consider will be of advantage to the country, but I am not prepared to disregard the lessons of the past, especially as I realise that any man is apt to give decisions that, on reconsideration, he might regret. I regard the Legislative Council as a Chamber that has done good work for this State, and I believe it will continue to do equally good work in future. Though I do not always agree with its decisions, I believe it is a useful and necessary body and that the people have reason to be proud of it.

**MR. CHESSON** (Cue) [5.2]: I support the Bill. I fail to see why there should be any difference between the qualifications for the two Houses. In many of the out-back districts people who were qualified when the Council franchise stood at £25 are to-day disfranchised. Values in the back country have receded and many properties that years ago were worth £25 rental value are now worth only £10, and whereas the road board rates were only 1s. in the pound they are now 2s.

Hon. G. Taylor: The rates in the city have doubled.

**MR. CHESSON**: It is owing to a decline of values in the back country that many people have been disfranchised. People who formerly lived in tents are no better citizens because they now live in houses. A man who goes out and pioneers the back country is one of the best citizens any State could have. In the city the landlord who owns property worth £50 has a right to be enrolled and so has the tenant. If the property consists of a large lodging house, who pays the rent? The lodgers pay it. Some of them pay 12s. a week for the right to occupy a bed in a room that accommodates two lodgers. The lodgers are paying the rent, and yet they have not a vote for the Council.

**Mr. North**: A lodger may have a £50 block as well.

The Premier: He may not, and then he would have no vote.

**MR. CHESSON**: A lodger should have the right to enrolment. If the Bill were passed, it would have the effect of bringing about greater uniformity between the rolls of the Assembly and the Council. I admit that the Bill would not confer the rights of full citizenship on the whole of the people, but it would be a step in that direction. Another advantage is that the franchise would then be better understood by the people. Only a small number of the men living in the timber areas are qualified for enrolment, and the same thing applies to the residents of the goldfields. The people who pioneer the back country are quite as good citizens as the city folk, and are as much entitled to enjoy the full rights of citizenship.

**MR. NORTH** (Claremont) [5.8]: Little that is fresh can be said upon the Bill. It has been debated at length by speakers on both sides of the House, and the arguments

have all been advanced in previous sessions, so that we can tell almost every argument that will be brought forward before it is uttered. The Premier, in moving the second reading, took up the cudgels in behalf of the gentlemen who live in hotels and have war bonds and other investments, and suggested that they took an interest in public affairs and should have a vote for the Council. If people are so tired as to live in hotels, avoid the responsibilities and worries of running a home, and rather than employ their capital in production, invest it in war bonds, they would probably be far too tired to take any interest in the affairs of the country.

The Premier: That is a real Bolshevik argument.

**Mr. NORTH**: I would not like to think that the Premier would advocate a country composed of such people.

The Premier: It is a good thing that a Labour member did not talk like that.

**Mr. NORTH**: If he did, perhaps he would be suspect. Since the war the attitude of some of our wealthier citizens has been to pursue the easy course by investing their money in war bonds.

The Premier: Why, the Commonwealth appealed to them to do it as a patriotic action!

**Mr. NORTH**: That does not alter my contention. It is a sad thing to find many people of wealth and ability resting on their oars, as it were, and living on the proceeds of their investments in war bonds.

The Premier: How otherwise would the Commonwealth have financed the war?

**Mr. NORTH**: The tendency of wealthy men to put their money into Government securities rather than into production is not healthy for the State, and it certainly should not be quoted as an argument in favour of granting them a vote for the Council. I do not wish to argue the question of production versus war bonds, but the country, and particularly the pastoral areas, are being greatly hampered because, owing to irksome and unfair taxation, wealthy citizens are deliberately resting on their oars and, rather than undertaking production, are putting their money into war bonds.

**Mr. Withers**: Can you justify the present franchise?

**Mr. NORTH**: I shall have something to say on that. I do not come forward with

any fresh arguments and I have no doubt the House is tired of the whole debate. The Premier urged that the vote should be extended to people like great musicians, or painters, or ordinary citizens who had saved a little money and had decided to live care-free and work-free in hotels. Such people may constitute a small proportion of the community, but to argue that they should receive special consideration or be regarded as an ideal type is wrong. If there is £100 to spare, the Treasurer naturally seeks to get it for the Savings Bank.

The Premier: But I do not lock the money up in a safe; the Government put it into circulation.

Mr. NORTH: There is a big difference between spending money in production and investing money in war bonds or putting it in the State Savings Bank.

The Premier: We lend it to the farmers through the Agricultural Bank and it is used to increase production.

Mr. NORTH: But it must be remembered that much of the money that goes into the coffers of the State is earmarked for special purposes. I know for a fact that farmers are not permitted to buy even tractors with the money they borrow from the Government, though they are permitted to buy horses and old-fashioned plant. It is the same with all Government concerns—they are all a little behind the times. If a man has made a few thousand pounds it is better that it should be put straight into production than invested in war bonds or placed in the State Savings Bank. I should like to see some encouragement given to the people who assume the burdens of citizenship, even if only by putting £50 into a block of land. Exception has been taken to the rental qualification of £17.

The Minister for Works: I was a Minister of the Crown and did not own £50 worth of land.

Mr. NORTH: I shall deal with that point.

The Premier: Is the fact of a man owning £50 worth of land proof that he is doing his duty?

Mr. NORTH: It was a rough and ready guide, when the Constitution was framed, to suggest that men who invested in a block of land and put up a shack and endeavoured to live in it, were assuming some little burden. It is generally known by the shrewder members of the community that it is the

cheapest thing in the world to be a lodger. Everyone who has tried to run a house himself knows that the cheapest value in the world is derived through being a lodger. It is the same with nearly everything. It is cheaper in the long run to hire a taxi than it is to own a motor car. This principle applies everywhere. The man who is willing to take a leasehold attitude of life is one who wishes to avoid the burdens of life, and is the most economical and sensible man. There are some members who would argue that for his daily occupation a car is not profitable. It is certainly cheaper for the average citizen to put down the money straight away and hire a car when he wants one. In 12 months he will have saved a good deal over and above the person who buys a motor car, pays depreciation upon it, the wear and tear, buys the petrol and oil and incurs the other expenses associated with a car. The latter will generally have lost money as compared with the man who hires a car. So it is with a man who builds a house and lives in it. Everyone who has built a house and lived in it will agree that he has assumed a burden that he could have avoided by becoming a hotel tenant or a lodger. That being so, I do not see there is any objection against those who believe in having two Chambers, and in making some distinction between the two Houses. It was necessary to make some distinction. It is the very distinction which the Premier has chosen in his Bill, namely the householders' distinction. He believes, and I agree with him, that the householder is a very good guide in selecting a second Chamber. That, unfortunately, I believe, is not the intention of the Bill. I am given to understand, after listening to Labour supporters during election time, both Federal and State, that the real mission of the Labour Party is to abolish the Upper Chamber. That may be a laudable motive, but I think it justifies those of us who are opposing the Bill, not because we are opposed to the household franchise, which is the ideal franchise for the second Chamber, but because we believe in the existence of the second Chamber. I am going to endeavour to show that we have exactly the same principle in our Federal elections to-day. I listened with great interest on a previous occasion to the Premier's remarks when introducing this Bill. He put up a very plausible argument, which was intended to carry the Bill through on its merits. He said that the Federal Par-

liament could be chosen by the whole of the people of Australia upon the adult franchise without any property qualifications, and that surely it was good enough for the State Parliament to be elected in the same way. The Minister for Works used exactly the same argument in regard to local authorities. He said, "The idea of local communities not being able to elect their own representatives to these local authorities on the adult suffrage vote, when the whole of the people of Australia, on the universal adult suffrage principle, can elect the Commonwealth Parliament." The Federal Constitution was certainly framed many years after the Western Australian Constitution. The most democratic view possible was taken in framing the electoral principles of that Constitution. Even in the Federal Parliament to-day there is no suggestion that we should have one man one vote. There is nothing like it. I may not have a normally logical way of arguing, but I see an extraordinarily similar situation between the Federal elections for the Senate and the elections for the Legislative Council on the household suffrage vote. The House of Representatives is on all fours with our Legislative Assembly, namely the universal suffrage, although I believe there is a far more equal distribution of seats in the case of the House of Representatives than in the case of the Legislative Assembly. No doubt that will be altered in due course. In the Senate, however, we have a different principle. We have there an arrangement whereby the people of Australia are divided into the six States. Just as we in Western Australia are domiciled in thousands of homes, and each householder in this State is represented in the Council, or ought to be and will be sooner or later as the value of money drops, thus liberalising the £17 provision, so in the Senate we have the six homes of the people represented by the six States, each with so many voices in the Senate. New South Wales with its two and a half million inhabitants has its six representatives on the floor of the Senate, just as Western Australia with 380,000 inhabitants also has its six representatives. That is exactly a parallel situation with ours. In the case of the Legislative Council we have each house in the State with a voice in it, if the owners of those houses care to get on the roll, and many do not. In the Federal Senate we have each State represented by an equal number of voices. It must be obvious

to those who contend that the suffrage should be broadened that if there are two Houses elected on an identical suffrage, we shall have so much waste of time and so much waste of the public purse. The issue must be clearly defined between those who believe in having a check Chamber, and those who believe in abolishing it. The Upper House is composed of persons representing members of the community who are prepared to assume the burdens of the community, as to the running of houses, maintaining them, marrying, and having children. Is it desired to have a second Chamber comprised of representatives who represent the entire community? That principle does not apply in the case of the Senate, because there it is the voice of the six States speaking, representing politically the six homes of the Commonwealth. Surely in the case of the local Constitution it would be absurd to have two Houses elected on an identical suffrage. We now come to the second point. Is it advisable to have one Chamber? We can look round the world and see in which countries one Chamber is in operation to-day. The only place I know of is Queensland. Without wishing to cast reflections upon another State, and dabble in other people's politics, I must say some unholy things have come out of Queensland within the last ten years.

Mr. Wilson: And some very good things, too.

Mr. NORTH: Millions of money have been lost and wasted. Unpleasant remarks have been made about the gerrymandering of the electorates. It is said in all sorts of papers, which cannot all be telling lies, that in Queensland to-day the electors are in such a bad state that it is almost impossible to get another Government into office other than that of the colour of the present Government. If it had not been that the boil had burst recently in the railway trouble, there probably never would have been any chance in Queensland of ever having a change of Government. I believe that all countries need a change of Government fairly often, say every six or ten years. It is very healthy for the community. It is not healthy to have any State which can so arrange its affairs that it can go on in perpetuity with the same Government, until the time arrives when the supporters of the Government turn upon it and cause the break that recently occurred in Queensland. I am not really in favour of one-Chamber

government. It is a little dangerous. If we want to have a complete change of Constitution and absolutely alter the whole of our Constitutional practice, which has been in existence for hundreds of years, let us send some reporters to those countries which are prepared to make experiments such as Russia is indulging in, and get some short-hand notes as to what things are like there. It would be a terrible thing that Western Australia, which is so prosperous to-day, and which I admit under the present Government has shown a lot of kick and is now being praised throughout the world for its stability should, by the action contemplated in the Bill, have its second Chamber wiped out. It would indeed be a pity and a shame that this should happen. The Upper Chamber is entitled to share in the compliments which the world is now bestowing upon this State, for its stable government and its position of prosperity. If in other parts of the world the children have broken the toy in order to see what is in the works, we cannot help that. Neither can we help comparing our State with those places which have tried to make these drastic changes. I can hardly imagine anyone saying that Queensland has sprung ahead, and prospered exceedingly ever since the great day when it was able to put a dagger into the heart of its Upper House.

Mr. Chesson: Its population has greatly increased over what it was.

Mr. NORTH: Increased population must always be accompanied by other factors before it can be accepted as an indication of prosperity. In India and China the increasing population is a damnable nuisance.

The Premier: Do you suggest that increased population is a nuisance in any State in Australia?

Mr. NORTH: Increased population by itself is a most dangerous factor to take as an indication of prosperity, unless it is associated with other important factors. I refer particularly to the proportionate increase in the wealth of each of the inhabitants. If Western Australia were offered an opportunity to double its population on the basis of each inhabitant having £50 as against its present population with each inhabitant being possessed of £120, I would rather have things left as they are. In considering the population of a country we must remember that there are other things besides mere numbers to consider. We have

to consider the efficiency and the wealth of each person making up those numbers. I am told that Queensland's population is increasing at a faster rate than heretofore, but that does not satisfy me until I know that there is also a proportionate increase in the wealth per head of the population, and that the wealth they are storing up in the banks is also increasing.

The Premier: What an extraordinary argument!

Mr. NORTH: Mere numbers can be dangerous. We assume that because the population is increasing in Western Australia there is also a proportionate increase in the wealth of the people in it.

Mr. Chesson: You certainly reduce the per capita charges when you increase the population.

Mr. NORTH: That argument may apply to one State, but it cannot apply in all, because Australia as a whole must get its money out of the same people.

The Premier: Fancy arguing that increased population is bad for Western Australia's progress!

Mr. NORTH. I may have put up some novel arguments for the consideration of the Premier.

The Premier: You have indeed put up some strange arguments.

Mr. NORTH: I do not wish to be pulled to pieces afterwards, so I will make my points again. In the first place, I do not think it is a good or safe argument to urge that people should be prepared to drop production and put their money into State avenues. This may be good for some, but not for many. It may be necessary for public-spirited persons and Treasurers at times to urge them to do this. During the last ten years in Australia, because of the harassing methods adopted by the Taxation Departments, we have found that many wealthy pastoralists and others have dropped the business of extending their holdings, because by extending them in a certain way they will derive less return for their money, and more will go to the State. This sort of thing is driving money into Government securities and causing people to invest in public avenues. That is a dangerous thing for the country. I was surprised to hear the Premier take up the cudgels on behalf of those who live in hotels rather than have homes of their own.

The Premier: That is not so.



Mr. NORTH: He said they deserved to have a vote. He referred to these cultured and wealthy persons.

The Premier: The hon. member is misquoting me. I did not say that. I talked of cultured persons apart from wealthy persons. I spoke of cultured poor people.

Mr. NORTH: I think the Premier did say he did not desire that those people who lived in hotels and other places should go without a vote. He said that if they chose to live there they should have a vote for the Legislative Council. It is not a good thing to encourage citizens to evade their responsibilities, and to avoid running a home of their own, to avoid working with their money to put their capital into bonds and such-like investments. So far as that goes, there are people in the world who should not be entitled to vote under any particular Constitution. If people, who avoid their civic duties as I have suggested, are as tired as that, they are too tired to take an interest in politics.

The Premier: I was speaking of war bonds.

Mr. NORTH: Nothing I am saying, nor anything the Premier said applied to war bonds as such, because they were subscribed for years ago. I wish to deal with his point regarding artists, musicians and others for whom the Premier desired the vote. If we had two or three premier artists who could play the piano or the violin and they happened to reside here, I do not think that would seriously affect the evil and justify the Bill. The points I raise are not against the Bill as such. I am in favour of household suffrage for Western Australia and I am sure all hon. members agree with that, but we wish to see a reasonable attitude adopted. Knowing what politics are, we must have clearly before us the position regarding the Upper House. We do not want to have a single parliamentary Chamber in this State, in view of the experience in Queensland. We know the Bill will be carried in this House, but it is our duty to draw attention to various points arising from the introduction of the Bill. The unicameral Parliamentary institution has not been advantageous in any part of the world that I know of. Money could be saved, as well as time if, instead of tinkering with the position such as we are doing under the Bill, we sent a few reporters to those countries that have made this experiment. If we could get them to Russia, all the better.

Hon. G. Taylor: They would never come back.

Mr. NORTH: The reporters could tell us of their experiences in those countries and when we had the evidence that would be submitted in their reports, we could apply the results achieved there to our conditions in Western Australia at a later date. In the meantime the State has many other problems confronting it and the Premier has so much to do that his attention could be better occupied in dealing with those administrative matters, instead of tinkering with the Constitution.

MR. HERON (Mt. Leonora) [5.33]: I am not like the member for Murray-Wellington (Hon. W. J. George), the member for Avon (Mr. Griffiths), the member for York (Mr. Latham) and others who have spoken for those who will not take the trouble to get on the rolls. I wish to address myself to the Bill in the interests of those who want to be enrolled, but cannot meet with success when they submit their applications. I also speak on behalf of many against whom summonses have been issued because they got their names on the roll. While I was in Leonora I was challenged three times to show cause why my name should not be struck off the Legislative Council roll. I considered I was entitled to the franchise, and I am always prepared to fight for what I regard as my rights. I have been able to keep my name on the Council rolls.

Hon. G. Taylor: But you complied with the necessary qualifications.

Mr. HERON: I will deal with the qualifications. In 1917 the authorities went so far as to send the police to my house to inspect it. That was done in the hope that their report would enable my name to be removed. However, the police returned and stated that my home was worth what I claimed, and that I was qualified for enrolment.

Hon. G. Taylor: I have not heard anything about that.

Mr. HERON: I suppose the hon. member knows of the summonses that were issued in 1917 for the purpose of harassing pioneers in the back country. The party he supports now was responsible for those summonses being issued. Some members on the Opposition side of the House know all about it, and some members on the Government side of the House, who did all they

could to help the men who were harassed at that time, are also aware of the circumstances. We have heard a good deal during the debate about the necessity for a Redistribution of Seats Bill. Mention has been made of the Leonora roll and also that for the Menzies electorate, but nothing was heard about the Mount Margaret constituency. In the North-East Province there are included three Assembly seats and while there are 1,400 persons enrolled for the Assembly seats, there are not 250 electors on the Council rolls from those three seats. While we have heard a lot about Menzies, we have not heard anything about the enrolments for the Province I refer to.

Hon. G. Taylor: Are all enrolled who are entitled to the franchise?

Mr. HERON: All are enrolled who are allowed the privilege of the franchise. Out of the 250 who are enrolled, many have gained the qualification because they hold mining leases and have not secured the vote for the Council because of their homes. We know that the places where the people live in the outback parts are not palaces, but they serve the purpose of the occupants who are pioneering the outback and rearing families. I can name many who were reared in humble homes outback and have risen to high places in various parts of the world. In one home that I know of, two Rhodes scholars were drawn from the one family. From another a daughter is at present in England studying music and singing and has passed all the examinations she has sat for, and is doing very well in the Old Country. It will be agreed, therefore, that homes do not make the people. Some of our most brilliant children have been reared in shanties outback.

The Minister for Mines: Two Rhodes scholars from one house, and yet the parents are not entitled to a vote for the Council!

Mr. Richardson: Wonderful!

Mr. HERON: In the North-East Province there are five Assembly constituencies and these contain 6,844 electors on the Assembly rolls, but there are only 3,003 names on the Council rolls.

Hon. G. Taylor: How many votes were recorded at the last elections?

Mr. HERON: I have not got those details. The figures I quote give an average of 1,368 electors for each of the five Assembly seats, but 1,003 electors only in respect of the Council franchise. I have gone to the

trouble of getting photographs of some of the humbler homes in the outer districts, homes that have served to rear the families of the pioneers of the State. I have pictures of the homes of an underground foreman, a moulder, a contractor, a grocer, a secretary, and a worker's inspector. Not one of those homes, according to the road board valuations in the districts concerned, qualifies the occupants for inclusion on the Council rolls. The annual values fixed by the road board for the various homes were £10, £10, £15, £10, £12, and £10 respectively. One of those I mentioned happens to be a snap of my own home at Gwalia. I was challenged three times in connection with that home, and I was able to retain my qualification simply because the house stands on a leasehold block valued at £12 by the department.

Hon. G. Taylor: But your home constitutes a qualification as well.

Mr. HERON: No, it did not.

Hon. G. Taylor: Then it should.

Mr. HERON: I would like hon. members to inspect the photographs for themselves.

Mr. Sampson: What about your city home?

Mr. HERON: Although my home in Gwalia was good enough for my wife and myself when we had to rear a family, when we came to Perth we secured a home that was possibly a bit more pretentious, but not a bit better for the purposes of rearing a family. Here, however, I found that both my wife and myself could be enrolled for the same place. On the other hand, I contend that there is no difference, from the standpoint of rearing a family, between our home at Gwalia and our present home at Cannington. I support the second reading of the Bill.

Question put.

*Absolute Majority—As to Division.*

Mr. SPEAKER: Ring the bells.

The Premier: No division was called for. It was a unanimous vote.

Mr. SPEAKER: An absolute majority of the House is required to pass the Bill and I order the bells to be rung.

The Premier: But there was no division called.

The Minister for Works: It is only necessary to count the House.

Mr. SPEAKER: For my own protection I am calling for a division. I must have the

voting accurately, so that I may have it placed on record.

Division taken with the following result:—

Ayes	..	..	..	26
Noes	..	..	..	16
				—
Majority for	..	..	..	10
				—

## AYES.

Mr. Chesson	Mr. Lutey
Mr. Clydesdale	Mr. Marshall
Mr. Collier	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Munroe
Mr. Cunningham	Mr. Pantou
Mr. Heron	Mr. Rowe
Miss Holman	Mr. Sleeman
Mr. W. D. Johnson	Mr. Troy
Mr. Kenneally	Mr. A. Wansbrough
Mr. Kennedy	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Lamond	Mr. Wilson

(Teller.)

## NOES.

Mr. Angelo	Sir James Mitchell
Mr. Baynard	Mr. Richardson
Mr. Brown	Mr. Sampson
Mr. Davy	Mr. J. M. Smith
Mr. George	Mr. Taylor
Mr. E. B. Johnston	Mr. C. P. Wansbrough
Mr. Latham	Mr. North
Mr. Lindsay	
Mr. Mann	

(Teller.)

Mr. SPEAKER: I declare the question carried by an absolute majority.

Question thus passed.

Bill read a second time.

The PREMIER: You called for the "Ayes" and for the "Noes," Mr. Speaker. Will the result be recorded as a division? There were no "Noes"; no one opposed the Bill.

Mr. SPEAKER: I declared the second reading carried by an absolute majority. As "noes" were called and there were "Ayes," I wished to be doubly sure that there was an absolute majority.

The PREMIER: Do I understand that the result will be placed on record as the "Ayes" voting for and the "Noes" against the second reading?

Mr. SPEAKER: Yes.

The PREMIER: But that was not so, for no division was called for.

Hon. G. Taylor: I called "No."

The PREMIER: Hon. members did not want a division. No one wanted to vote against the Bill. No division was called

It is not representing the true facts of the case to have it on the records of the House that so many voted for the Bill and so many voted against it.

Hon. G. Taylor: Some "Noes" were called.

The Minister for Mines: No division was called.

Mr. SPEAKER: The position is that in a case of this kind, under the Constitution Act a measure requires an absolute majority to pass the second reading, and I, as Speaker, am bound to satisfy myself by reliable means that an absolute majority is in favour of the Bill. I took the course I did to ascertain that there was an absolute majority voting in favour of the Bill.

The PREMIER: I desire to take whatever steps may be necessary to have the matter placed on record properly. I submit it is quite correct that in the case of a Bill requiring an absolute majority you must be satisfied that an absolute majority is voting for the Bill. That can be done by certifying that the number of members present who are supporting the Bill is 26 or more, but the records will show now that a division was taken, and that 26 members voted for the Bill and that a number voted against it, whereas no division was called, and no member wanted his name recorded as having voted against the Bill.

Mr. SPEAKER: I do not know what the point of order is.

Hon. W. J. GEORGE: I agree that it is impossible for you, Mr. Speaker, or anyone else to be able to say that there is an absolute majority present, unless a division has been called to enable you to count the members present.

Hon. G. TAYLOR: When you, Sir, put the question, "Noes" were called on this side of the House.

The Premier: But no division was called.

Hon. G. TAYLOR: You, Sir, had then to satisfy yourself that there was an absolute majority in favour of the Bill. If there had been no "Noes" called, the Speaker could have said, "As there is no objection to the Bill I have counted the House and I find there are 26 members present." But as "Noes" were called you followed the proper procedure.

Mr. SPEAKER: I do not desire this debate to proceed. As a matter of fact I followed the rules that have been adopted

in all cases of this kind. When I asked for the voices, they came from both sides of the House. It is true that no one called for the division, but it might have been possible in the event of a division that there were as many "Noes" as there were "Ayes." As Speaker, before I can certify that a measure has been carried by an absolute majority, I must assure myself that there is an absolute majority present in favour of the measure. I took the means to bring that about.

Mr. LAMBERT: With all due deference, Mr. Speaker,—

Mr. SPEAKER: I have given my ruling.

Mr. LAMBERT: I do not know that you have given a ruling, but I take it you will allow the records of the House to be correctly made, and with the greatest possible respect for you, Sir, I would say that the records will not be correct if you carry out your intention. No division was called for; it would appear from Standing Order 304 it is necessary that the Clerk shall certify on the Bill, that an absolute majority has voted in favour of it. It is not clear from the Standing Order, however, that the Clerk certifies that an absolute majority voted for the Bill. That has no connection whatever with the carrying of the second reading. I should say that if no division was called, the second reading could be declared carried on the voices.

Mr. SPEAKER: What is the hon. member's point?

Mr. LAMBERT: The point I desire to make is that no division was called, and that therefore a division list should not appear in the records of the House. There should be a certificate to the effect that the Bill, on its second reading, was carried by an absolute majority. That is all that is necessary. It is not necessary to give the number of the "Ayes" and the "Noes" for the reason that no division was called.

Mr. SPEAKER: The hon. member has raised no point of order, and I have nothing to answer. I do not wish to go over the ground that I have already covered. There was just a bare majority present, and when the question was put there were those who answered "Aye" and there were those who answered "No." One could not judge the numbers by the mere calling of "Aye" and "No." In a House situated as this is, with

a Bill of this kind, one must know decidedly that the measure is carried by an absolute majority, and the only means I have of ascertaining the numbers is by dividing the House. It will go upon the records that I asked for a division. Section 73 of the Constitution Act reads—

The Legislature of the colony shall have full power and authority, from time to time, by any Act, to repeal or alter any of the provisions of this Act. Provided always, that it shall not be lawful to present to the Governor for Her Majesty's assent any Bill by which any change in the Constitution of the Legislative Council or of the Legislative Assembly shall be affected, unless the second and third readings of such Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly respectively.

I have to ascertain clearly, not that I think the "Ayes" have it, as is the custom with other matters, but that there is an absolute majority present, and I have to declare—it is no opinion or belief—to unquestionably declare, that there is an absolute majority in favour of the measure. The only way to ascertain that is to have the votes clearly evidenced.

Hon. G. Taylor: You adopted the proper method, Sir.

Mr. SPEAKER: If there had been no "Noes," I should then have been able to count the House and declare the measure carried by an absolute majority. But once the "Noes" had been voiced then I had to ascertain by the established custom of the House that there was an absolute majority.

The PREMIER: I have no wish to prolong the discussion, but I am anxious that the records should be correct.

Mr. SPEAKER: They will be correct.

The PREMIER: It is true that there were "Noes" called as well as "Ayes," and that it was necessary then to ascertain that there was an absolute majority. But no division was called for and hon. members did not know they were voting for or against the Bill. It may well have been that members were aware that their names were going to be recorded amongst the "Ayes" or the "Noes." Some members may have crossed the floor of the House.

Hon. G. Taylor: The Speaker gave us that opportunity by putting the question.

The PREMIER: There was no division called, no announcement of a division, and

I venture to say that a number of the members did not know they were taking part in a division.

Hon. G. Taylor: What nonsense!

The PREMIER: What nonsense! The wise head who was such a wise Speaker when he filled that position! No division was called. How could tellers be appointed when no division was called? The whole proceedings were irregular. Members may have crossed the floor during the proceedings. They did not know they were voting "Aye" or "No" because no division was called.

Mr. SPEAKER: I do not know that I need offer any further explanation. If I have adopted the wrong procedure, it is for the House to decide the course it shall take. According to precedents and custom, if not of necessity, in such cases the procedure I have followed is the right one. My only object was to ascertain that the second reading was being carried by an absolute majority. Therefore the matter is ended and the records of the proceedings will be accurately made. There need be no fear of any misunderstanding in consequence of the course that has been taken. I may say that there was a division called. I called the division for the purpose of deciding the point so that there should be no possible question after the declaration had been made as to the Bill having been carried by an absolute majority as required by the law.

#### *In Committee.*

Mr. Lutey in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 15:

Hon. Sir JAMES MITCHELL: I hope the Committee will vote on this clause and reject it. The clause is the Bill. There is no need to discuss it further, because we have already discussed its principle at considerable length. I shall vote against the clause.

Clause put, and a division taken with the following result:—

Ayes	..	..	..	24
Noes	..	..	..	17
				—
Majority for	..	..	..	7
				—

#### AYES.

Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Collier	Mr. Munzie
Mr. Corboy	Mr. Panton
Mr. Coverley	Mr. Rowe
Mr. Cunningham	Mr. Sleeman
Mr. Heron	Mr. Troy
Miss Holman	Mr. A. Wansbrough
Mr. W. D. Johnson	Mr. Willcock
Mr. Kennelly	Mr. Withers
Mr. Lambert	Mr. Wilson
Mr. Lamond	
Mr. Marshall	

(Teller.)

#### NOES.

Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. Richardson
Mr. Brown	Mr. Sampson
Mr. Davy	Mr. J. H. Smith
Mr. George	Mr. J. M. Smith
Mr. E. B. Johnston	Mr. Taylor
Mr. Latham	Mr. C. P. Wansbrough
Mr. Lindsay	Mr. North
Mr. Mann	

(Teller.)

#### PAIR.

AYE.	NO.
Mr. Kennedy	Mr. Maley

Clause thus passed.

Mr. Latham: I rise to a point of order. Are we in order in proceeding with the Bill when it has not been read a second time?

The Chairman: I take it the Bill has been read a second time and declared carried.

The Premier: The Speaker has certified that the Bill has been carried by an absolute majority.

Mr. Latham: The point I am raising is not whether the Bill was carried a second time, but whether it was read a second time.

The Chairman: The hon. member should have raised the point at the time. The second reading has been carried, and it is too late now to raise a question as to the Bill having been read a second time. However, I feel sure it was read a second time.

Clause 3—agreed to.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported without amendment.

Hon. W. J. George: On a point of order, Mr. Speaker. The question has been raised that the Bill was not read a second time. Will you kindly inform us whether it was read a second time? We do not take the assurance of the Chairman.

Members: Oh!

Mr. Speaker: The Clerk did read the Bill a second time. He was interrupted by the Premier.

Hon. W. J. George: The Bill has been read a second time?

Mr. Speaker: Yes.

Hon. W. J. George: Thank you, Sir. We would like to have the records right.

On motion by the Premier, report of Committee adopted.

## **BILL—TRUSTEES ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the 22nd September.

**HON. SIR JAMES MITCHELL** (Northam) [6.11]: I do not offer any opposition to the Bill. Under it nothing can happen except with the approval of the court, which must be approached if the executor is to be empowered to carry on. There are, however, some special licensing laws which are fairly drastic; and two major offences under the Act are liable to be committed, thereby jeopardising the license. In a recent case a license was cancelled and a premium was charged for its renewal. I do not think the position is right; however, such is the law of the land. In the case of an executor carrying on a hotel business, the licensee might jeopardise the license and thus destroy the whole value of the estate. If a big hotel such as that just built in Perth by Mr. Guilfoyle were deprived of its license, there would be little value in it, because the structure is unsuitable for other purposes. Therefore we should be careful in passing legislation of this sort. I suggest to the Minister that he take into consideration the advisableness of making the position fairly safe for the estate where a business is conducted under a statute such as our licensing law.

The Minister for Justice: The trustee would have to get a temporary license, and would be responsible.

Hon. Sir JAMES MITCHELL: The Supreme Court, when approached for permission, will not inquire into the suitability of the licensee. That matter will rest with the licensing bench.

The Minister for Justice: If the licensing bench will not give the trustee the license, he must make arrangements with someone else.

Hon. Sir JAMES MITCHELL: An estate is not protected in the same way as a hotel proprietor who himself runs the premises. If in place of the proprietor a lessee or a manager were put in, and if there were carelessness and a major offence were committed, the license would be lost. I do not know how that contingency is to be guarded against, but it should be considered by the Supreme Court when hearing applications for permission to continue licenses.

The Minister for Justice: If the license were not continued, the place would have to shut down.

Hon. Sir JAMES MITCHELL: The hotel, of course, has to keep going; but the continuance might be a matter of years. I merely raise the point; I do not oppose the Bill. Nothing can happen except by order of the Supreme Court, and everybody concerned in an estate will have a perfect right to go to the court and will be heard by the court. I am merely drawing attention to the risk of destroying part of the value of the estate. I do not know whether the Minister has considered the point. I understand similar legislation operates in other States, but those other States have not quite the same licensing legislation as obtains here. Our licensing laws are pretty stringent. Would it be possible, I wonder, if the Minister consulted with the Parliamentary Draftsman, to insert such a provision as I have suggested?

The Minister for Justice: I do not see how it could be done.

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

Hon. Sir JAMES MITCHELL: I have very little more to say. I am content to allow the second reading of the Bill to be agreed to, having expressed the doubt that was in my mind.

**MR. DAVY** (West Perth) [7.32]: The Bill is a highly proper one and I do not think that the fear expressed by the Leader of the Opposition is well founded. All that is proposed is to remove the doubt that exists as to whether an executor or administrator can apply to the court under the Trustees Act. There has always been some doubt as to when an executor ceases to be an executor and becomes a trustee. The general idea that is accepted, but is not laid down by any authority, is that after the administration of an estate—that is, the col-

lecting of the assets and the payment of debts—has been completed, the administrator becomes a trustee and can then apply to the court under the provisions of the Trustees Act. Before he has arrived at that stage, it is doubtful whether he can approach the court to get permission to do certain things under Section 45 of the Act.

The Minister for Justice: An administrator does it at his own risk.

Mr. DAVY: Yes, and the Bill will clear up the position. There can be no reason why the court should not give permission to do all the things enumerated to an executor, just as it does to a trustee. I think the legal profession, who have to carry the burden of the doubt, will welcome the proposed amendment.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

## **BILL—WORKERS' COMPENSATION ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 27th September.

**HON. SIR JAMES MITCHELL** (Northam) [7.37]: The Bill contains two proposals. When we passed the amending Workers' Compensation Act in 1924, we undoubtedly intended to provide that medical and hospital expenses should be met. We thought we had set out clearly that not only should doctors be paid, but that medical expenses should be covered as well. I believe every member held that view. Apparently there was an omission in the drafting of the Act, and the Minister seeks to rectify the position in the Bill. Of course it goes without saying that hospital expenses are just as important as medical expenses and, in fact, they are probably more important because a man may require little medical attention but may have to remain in hospital for a considerable time. We directed that injured workers should be compensated and their expenses should be covered. I do not offer any objection to the amendment that is sought under that heading. I do not know how the section that is to be amended

has operated. The Minister, however, will know, because the Act applies to some of the funds administered by the Government. I refer to such as the funds under which we insure our own employees. I hope that the hospital charges that have been levied have been reasonable. I notice that at Fremantle there was some discussion as to whether an injured person should be admitted to the Fremantle Hospital. I do not know if any such individuals were refused admission.

The Minister for Works: I do not think so.

Mr. Pantou: They are not admitted at all to the Perth Hospital except as emergency cases. The honorary staff will not treat them for nothing.

Hon. Sir JAMES MITCHELL: But, of course, the conditions are not the same regarding medical men everywhere. There is no honorary staff in many outlying centres.

Hon. G. Taylor: The Perth Hospital has an honorary staff apart from the C.R.M.O., and the junior resident medical officers.

Hon. Sir JAMES MITCHELL: I know the custom that is followed in the metropolitan area, but in the country areas medical men treat such cases without charge although they are permitted to charge patients who are in a position to pay. Provision to that end was made years ago and it still operates. Naturally if a worker is injured and he comes within the scope of the Workers' Compensation Act, the necessary funds are provided by the insurance company. Compulsory insurance is in operation so that every worker must be covered by a policy, the provisions of which will furnish money for the charges we are discussing.

Hon. G. Taylor: But they object to that.

Hon. Sir JAMES MITCHELL: I think the objection was to the payment of charges for maintenance while in hospital. We ought to make the position quite clear. We passed the Act and we cannot go back. We must amend the Act to make our intentions perfectly plain. That is what the Minister seeks to do. I, therefore, raise no objection to the first proposed amendment. Regarding the second portion of the Bill, it will be remembered that in the Act we provided that if a medical certificate was disputed, the matter should be settled by a medical referee. The Minister told the House that that provision had not worked satisfactorily. From the standpoint of the mine workers at Kalgoorlie, I should think that the proposal in the Bill is a highly satisfactory one. The

Minister proposes that the dispute shall be referred to a board of three, the medical officer at Kalgoorlie to be chairman, and each party to appoint a member to the board of reference. The only doubt I have in my mind is as to whether such a board can operate throughout the whole State. I doubt whether such a board could deal with all the cases that will be referred to it. Great delay may be occasioned if the chairman, with the other members of the board, have to travel considerable distances in order to deal with cases as adequately as they would like. I have discussed the position with the Minister, and I hope he will give some attention to the point to determine whether or not he can provide an alternative. Where it is possible for the medical officer at Kalgoorlie to preside, it would be well for him to do so, but it is useless asking him to do the impossible. Many of the claims that will go before the board of reference will not be so serious as those that will be dealt with at Kalgoorlie. It may be that the Minister can provide an alternative under which cases can be heard in the more distant parts of the State under conditions that will be satisfactory, but without the necessity for the medical officer at Kalgoorlie to visit centres at a considerable distance. It is in the Minister's mind that at a sitting at Meekatharra, for instance, the board of reference could deal with cases drawn from a considerable area of the Murchison fields. Fortunately we have some work going on at Marble Bar, and even further north. I am glad the Minister has said he will give this matter consideration. We only want to make for the proper and convenient working of the Act. In doing that, we have to consider the enormous area of country separating one industry from another, in some cases by thousands of miles. I do not want the present proposal altered in any way, but I really think some alternative should be provided to the work we are to ask this one medical officer to do. It is always a good thing to bring legislation up to date and make it clear. Still I do not think it desirable that legislation affecting an industry, and which must be understood by a very large number of people, should be altered unnecessarily. It would lead to confusion. It is difficult at the first attempt to get exactly what we wish, and so it sometimes remains for us to discover that a clause does not seem exactly what we thought it did. Par-

ticularly is that the experience when the provision is interpreted by professional gentlemen. With all due respect to the judgment of hon. members generally, I must say we often provide trouble both for ourselves and for other people. This proposal is merely asking that we should give effect to the intentions we had when we passed the Act of 1924. With that I am entirely in accord.

**HON. G. TAYLOR (Mt. Margaret)** [7.48]: I am glad the Minister has brought down the Bill, for I am satisfied the clear intention of the House when we passed the Act of 1924 was that the £100 for medical and hospital service was to cover sustenance. Many people who come under the Act seem to think that £100 for medical services is rather a high figure. To put it in their own language, some of those people declare the medical profession is making somewhat a welter of it.

Mr. Panten: There is frequently no doubt about that.

**Hon. G. TAYLOR:** I think the Minister agrees with me—I have talked with him on this point—that our difficulty is to put into the Bill something that will avoid that condition of affairs. We do not want to do anything that will make it worse for the unfortunate persons that are brought under the Act. Still I do not know that we are justified in leaving the field open for medical men to make a welter of it, and keep their patients out of action merely for the sake of performing certain functions. One man who had his thumb nail hurt had to go to the doctor. The quick had to be lifted, which meant an operation. There were two or three guineas for that. A day or two afterwards the patient had to go back. There were two or three further inspections. The patient was convinced that unnecessary attention and skill were being devoted to his injury.

The Premier: The doctor was taking great care.

**Hon. G. TAYLOR:** We desire that due care shall be taken, but we do not want to have the medical men making a welter of it. I submit these remarks so that the Minister, if he finds there is any truth in what I have said—it is supported by the member for Menzies, a gentleman closely associated with hospitals—will inquire as to the necessity for doing something to meet the position. I am quite sure that the House, when passing the parent Act, intended that the



£100 should cover sustenance in hospital. I am sorry the insurance companies have taken a different view, thus necessitating the bringing down of the Bill. I shall be pleased if the Minister can find means to remedy the situation I have outlined.

**MR. SAMPSON** (Swan) [7.53]: I am not surprised to find that I can heartily support the Minister for Works and the Leader of the Opposition on this occasion. The disputed medical reports, I understand, have caused a good deal of trouble. The proposed board in many instances should provide what is required. Possibly the medical officer in charge of the laboratory at Kalgoorlie could be relieved in certain cases where his attendance would be inconvenient. Of course his substitute would have to be a medical officer approved by the Minister for Health or by the Principal Medical Officer. Doctors do disagree, although I am told it is not difficult to get a doctor to agree that a person is sick or, on the other hand, to secure from a doctor a certificate that a person is thoroughly well. I remember some years ago viewing a medical certificate setting out that certain migrants were in thoroughly good health. However, on examination in Australia one of those migrants was found to be wearing some medical harness on his leg.

The Premier: No, he had a cork leg.

**Mr. SAMPSON**: Possibly that was another case. However, it is remarkable that notwithstanding the certificate of health the examination showed that certain of the migrants were far from being in good health. Of course there was the possibility that the certificate did not relate to the same individuals. One of them had one arm two inches shorter than the other.

The Premier: That would be handy for axe work.

**Mr. SAMPSON**: I applaud the action proposed to be taken. It should be very helpful in the administration of the Act. As to the hospital sustenance, it certainly was the intention of Parliament that such sustenance should be provided. It might be argued that sustenance or maintenance is not a part of medical treatment. However, the argument would not stand examination, for nursing would be by no means

complete unless there went with it proper feeding. I should be surprised to learn that objections have been raised by the insurance companies to payment for hospital services.

Hon. G. Taylor: Yes, there have been.

Mr. Panton: Of course there have.

**Mr. SAMPSON**: But not to any great extent. In some instances payment has been made to provide for those odd cases where consideration has not been given. The Act should be amended to give effect to what was clearly the intention of Parliament when the Act was originally before the House. In important measures, such as the Workers' Compensation Act, there will be continually arising matters for amendment. I realise the importance of those amendments, and I am sure all members will support the Bill.

**THE MINISTER FOR WORKS** (Hon. A. McCallum—South Fremantle—in reply) [7.58]: I am glad the reception given to the Bill by the Leader of the Opposition and members opposite has been so friendly. As they say, the first clause is only making clear what was originally intended. I will adopt the suggestion made by the Leader of the Opposition and, when we reach Clause 2, report progress so that we can give further consideration to the necessity for the chairman travelling all over the State. But it is most important that the man who presides over that board shall be competent, not only to conduct the X-ray examination, but also to read the plates. It needs special training, and not every medical man can do it. As I said the other night, in one instance two doctors over-rode the decision of the Commonwealth laboratory doctor. That plate was sent to Sydney, where a conference was being held, and nine of the best experts in the Commonwealth examined the plate and all supported the view of the doctor of the Commonwealth laboratory. They said they could not understand how the other doctors had come to disagree with him, but pointed out that to read a plate necessitated special training. To give our own doctor an insight into the latest appliances, we sent Dr. Mitchell to the Eastern States for some weeks. He visited Broken Hill and other places in order to obtain first hand knowledge of what was happening. Not every doctor gets an opportunity like that.

Hon. G. Taylor: About five or six years ago very few of the ordinary medical practitioners could read a plate.

The MINISTER FOR WORKS: The Kalgoolie laboratory is the only one of its kind in the State; it is the most up to date that science can suggest, and no medical man outside the laboratory has had an opportunity to study the work. We want to see that justice is done to both parties and that the man who presides is the best obtainable. After the completion of the annual examinations arrangements are made for the laboratory officers to travel. They have been through the Murchison district and they were in Leonora when I was there a few weeks ago. They have a small portable plant, and if they are doubtful of any cases or the appliance will not give a clear diagnosis, they send them to Kalgoolie where the more elaborate appliances are available. That course of action has been found quite satisfactory, and there have been no complaints in behalf of the men interested. I shall agree to postpone consideration of Clause 2 so that the point may be further considered. The member for Mt. Margaret (Hon. G. Taylor) said some doctors had been making exorbitant charges. I have received a number of complaints. The British Medical Association have appointed a committee and any account that is disputed by the State office is examined by the committee. The association have set up a schedule of what they consider to be fair charges, but it is difficult to set up a schedule of charges for operations.

Hon. Sir James Mitchell: All the expenses are guaranteed under the Act and doctors should not need to charge as much as is charged ordinarily.

The MINISTER FOR WORKS: It is a difficult and complicated matter. The British Medical Association, however, are willing to assist us to ensure that a fair thing is done. They have demonstrated that by appointing the committee.

Hon. G. Taylor: And the decision of the committee will be accepted?

The MINISTER FOR WORKS: Yes. Two or three accounts have been submitted to the committee by the State office. I do not know the details because the actuary deals with them, but he has been satisfied with the decisions. At present the private insurance companies do not take these risks.

The State office is the only one that is catering for cases of this kind.

Hon. Sir James Mitchell: There are not many doctors who would keep a man away from work if he was fit to go to work.

The MINISTER FOR WORKS: The Act has not been in operation sufficiently long to enable us to pronounce on many of the points. When we break new ground and pass such intricate legislation, only time can reveal its weaknesses. The Government thought it undesirable to bring down comprehensive amendments so early. After we have had more experience of the Act we may be able to propose sounder remedies than we could do at present. I agree with the Leader of the Opposition that it is not right to be frequently tampering with legislation of this kind. If we are going to amend it we should do so only when we have substantial proposals to remedy any abuses. Next year we may be in a position to bring down a comprehensive amending Bill, but this year we are not.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Lutey in the Chair: the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Progress reported.

*House adjourned at 8.9 p.m.*