

The Minister for Education: The definition clause shows that it includes all these.

Hon. J. NICHOLSON: That is the position. It would be a pity if we had to instruct directors of companies who are men supposed to be possessed of a little common sense who would naturally only advance on properties which would be safe, to act on the suggestion advanced at the present stage.

Progress reported.

House adjourned at 2.53 p.m.

Legislative Assembly,

Tuesday, 19th October, 1920.

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

QUESTION—RAILWAYS, DEMURRAGE.

Mr. JONES asked the Minister for Railways: What was the amount of demurrage paid by Dalgety's, Elder, Smith, & Co., and Wilcox & Moffin on trucks of goods in the sheds at North Fremantle, Fremantle, and Perth, for fortnight ended Saturday, October 16th?

The MINISTER FOR RAILWAYS replied: The amount of demurrage incurred by the firms named at the stations enumerated during the period ended 16th October, 1920, was £504 17s.

QUESTION—CATTLE LOSS, TICK FEVER.

Mr. DURACK asked the Honorary Minister: 1. Has the Stock Department any information confirming the heavy loss of cattle in shipments from Derby to Fremantle said to have taken place during the present ship-

ping season in consequence of tick fever? 2. What is the estimated loss covering total shipments of cattle from Derby this year? 3. What action does the Department propose taking to try and remedy this in the future? 4. In view of heavy loss and wastage from tick fever and tick infestation, together with the consequent spread of tick by travelling stock, will the department bring in regulations making it compulsory for all cattle in the Kimberleys to be dipped before leaving their runs?

The COLONIAL SECRETARY (for the Honorary Minister) replied: 1. The losses from tick fever averaged about three per cent. 2. The estimated losses from all causes are 616 head. The total number shipped is 17,161. 3. A dip was last year erected on the Fitzroy River to deal with travelling stock, and prevent the southward spread of tick. In pursuance of representations by the Commonwealth Institute of Science and Industry, a State committee was appointed to advise regarding the application to this State of a proposed Federal scheme for dealing with the question of tick eradication throughout the Commonwealth. The scheme contemplated co-operation with the States and a sharing of expenses. The committee reported to the Commonwealth Institute of Science and Industry, and the decision of the Federal Government has not yet been communicated. The committee's recommendation included the construction of further dips in suitable localities. The chairman of the committee has been making recent inquiries on the matter in Melbourne, with a view to expediting finality. 4. This matter will be dealt with when the application of the Federal scheme to this State is determined.

MOTION—GOVERNMENT BUSINESS, PRECEDENCE.

The PREMIER (Hon. J. Mitchell—Northam) [4.35]: I move—

That on Wednesday, 27th October, and each alternate Wednesday thereafter, Government business shall take precedence of all motions and orders of the day, in addition to the days already provided.

For eleven weeks now we have had Wednesdays devoted to private members' business. A good deal of legislation has yet to be brought before the House. It is usual after the first two months or so to move the motion that I am proposing. Some of the business to be brought before the House will be controversial. In the course of other sessions it has been customary to move this motion at about the present stage, and I am anxious not to sit here after the end of November.

Mr. O'Loughlin: Why?

The PREMIER: Because it is getting near Christmas, and there are quite good reasons.

Hon. P. Collier: Let us make our swan song.

The PREMIER: Many of the matters to come forward will not be controversial, and I hope that the House will agree to the motion.

Hon. P. COLLIER (Boulder) [4.38]: It is, of course, a fact that as the session advances each year, the leader of the House moves to eliminate at least one private members' day each fortnight. That is usually done because after private members have had eight or ten weeks, as mentioned by the Premier, to deal with matters they consider important, they have managed to get through most of the motions they desire to deal with. Another factor is that the Notice Paper at this stage is usually crowded with Government business, and I rather think, having regard to the condition of the Notice Paper, it would be much more equitable as far as members are concerned that two days should be devoted to private members' business.

The Premier: We will pass this motion first.

Hon. P. COLLIER: The Government business only consists of four or five unimportant Bills, which could be dealt with in three or four days, while members will observe that there are at least two pages of private members' business, all of which, I think, is of more importance than the Bills which the Government have down for consideration.

The Premier: Some of these notices are very long, of course.

Hon. P. COLLIER: They are long, but, what is more, they are important. If private members are to be deprived of one day a fortnight, I am afraid that the Premier will end the session at the beginning rather than at the end of November.

The Premier: I wish I could.

Hon. P. COLLIER: If we are going to close down in November and this is our swan song, I do not know that we should not make it, if not mournful, at least as long as possible. Members will have to consider whether in the circumstances they think they will have sufficient time to deal with the subjects on the Notice Paper. Naturally, as the Premier says, it is usual in accordance with practice, to give the Government three days a week at least once a fortnight at this stage of the session.

Mr. O'LOGHLEN (Forrest) [4.43]: I am a little surprised that the leader of the Opposition has not put up more pronounced opposition to the motion.

The Premier: Why, he has done this himself many a time.

Mr. O'LOGHLEN: As he has rightly pointed out, we have had a different state of affairs existing at this stage of the session in previous years. As a matter of fact, the Notice Paper has very little of import-

ance on it, from the Government standpoint. It is customary for Governments at the end of a session to be anxious to get into recess as quickly as possible, before the elections. As a matter of fact, members are aware that the third session is usually the one in which the most useful work is done. In the first session members are finding their feet, and in the second session very little practical legislation is dealt with.

Mr. Hudson: You must be in favour of six-year Parliaments.

Mr. O'LOGHLEN: That is not under discussion, but many members approve of that. If we take matters standing on the Notice Paper, we find that many of them are of great significance.

I do not say that the adoption of the motion itself would lead to much immediate relief, but certainly there is material in some of the motions which deserves discussion by this House and deserves a good deal of attention at the hands of the public.

The Premier: You will get an opportunity to discuss the motions.

Mr. O'LOGHLEN: I fear not; in fact I feel sure that we will not. Take the motion brought forward by the member for Gascoyne (Mr. Angelo) relating to the treatment of this State by the Federal Government. That is a very important question.

Hon. P. Collier: A fortnight's debate.

Mr. O'LOGHLEN: It could be profitably debated for at least a couple of nights. Then take the matter of the petition from Geraldton.

Mr. Hardwick interjected.

Hon. P. Collier: There are several motions in the name of the member for East Perth.

Mr. O'LOGHLEN: They are of no importance. The question of making available pastoral areas for returned soldiers—

The Attorney General: How many returned soldiers have signed that petition?

Mr. O'LOGHLEN: I do not know, but in conversation with Mr. McLarty I learned that in the Geraldton district he had not a solitary farm available for returned soldiers, and that he was prepared to buy any estate offering there. In the Geraldton district no returned soldier, he said, could get a farm because none were available.

The Minister for Mines: You are anticipating the motion.

Hon. P. Collier: That was in reply to an interjection.

Mr. O'LOGHLEN: The motion for the development of trade with Java and Singapore is an important one.

Hon. P. Collier: There would be no business during this session but for private members' business.

Mr. O'LOGHLEN: The Notice Paper would be bare but for the activity of private members.

The Premier: I wish it were bare.

Mr. O'LOGHLEN: The question of harnessing the tides of the North is no laughing

matter, though some members seem to treat it with levity.

The Minister for Mines: What about the tides down here?

Mr. O'LOGHLEN: The Minister for Mines knows how to take them at the flood. The question of harnessing the tides is one on which many members are not competent to speak, simply because it is a scientific question which they have not studied.

The Minister for Mines: What about a select committee on it?

Mr. O'LOGHLEN: A select committee would be—

Hon. P. Collier: A waste of time.

Mr. Munsie: Make it a Royal Commission.

Mr. O'LOGHLEN: It might be advisable to get a report on the subject. The harnessing of tides may prove to be of very great significance to the future development of the North.

Mr. SPEAKER: The hon. member must not discuss the motions, but must confine his remarks to the question before the House.

Mr. O'LOGHLEN: I merely wish to emphasise that private members' business on the Notice Paper is of outstanding importance as compared with Government business.

The Premier: Put ours through and we will give you a week on the other business.

Mr. O'LOGHLEN: I do not know that the Premier is showing any breakneck anxiety to get through the Government business. He certainly has shown no desire for rapidity. Take the Government measures: what are they? There is the Rottnest Island Bill, a twopenny-halfpenny measure which does not matter much to the progress of Western Australia whether it goes through or not. There are the Dentists and the University Bills. The last named would occupy a matter of a couple of hours.

Mr. Underwood: Would it?

Mr. O'LOGHLEN: Well, its importance would not warrant any greater time being devoted to it.

Mr. Underwood: The cutting out of it would warrant a week.

Mr. O'LOGHLEN: The Public Service Appeal Board Bill is in its final stage, and in addition there are the Lunacy and Architects Bills. They are fairly trivial measures. Then there are some of the annual measures.

Hon. P. Collier: Government business could be finished this week.

The Premier: Thank you!

Mr. O'LOGHLEN: Recurring legislation such as the Land Tax and Income Tax Bill would not take up any time worth mentioning, and I fail to see the justification for wiping off the Notice Paper—that is what it amounts to—75 per cent. of the business standing in the names of private members.

The Premier: Let us settle down to business.

Mr. O'LOGHLEN: The Premier should think of settling up. He wants to get into recess in a fortnight. That is his goal and ambition.

The Premier: I will give you six weeks.

Mr. O'LOGHLEN: The Premier wants to get his Estimates through and he is not particular as to the fate of some of the Government Bills. The Factories and Shops Bill may take a long time, or it may go through promptly. It all depends on the temper of the opposition by organisations which are interested in the passage of the measure. There is no meat at all in the Government measures. There is nothing in them to warrant the Premier's desire to deprive private members of the business which they have put on the Notice Paper or of discussing any business which they might desire to bring forward. The leader of the Opposition has given notice of half a dozen motions.

The Minister for Mines: They are all trivial.

Mr. O'LOGHLEN: They are not trivial and the Minister knows it. All his lifetime the Minister has been stressing the importance of them. For years he has featured the good effect which would follow the introduction of such motions.

The Minister for Mines: Quite so, the good effects which would follow such motions, but you will not get any effect from these.

Mr. O'LOGHLEN: That merely shows a lack of sincerity on the part of the Government. If the Government were desirous of carrying the motions, they would give effect to them and introduce Bills following on the passing of such motions. Suppose every motion on the Notice Paper standing in the name of a private member were carried, the Government would not follow it up by introducing a Bill this session to give effect to it. They might do so next session. Therefore, there may not be much utility from the point of view of getting legislation this session, but the people of the State have a right to know that these matters are being discussed. While they may appear to be trivial or unimportant to many of us, the members who introduced them doubtless had solid and valid grounds for bringing them forward. The public requires to be educated in these matters. Considering the state of the Notice Paper—and this is my only ground for opposing the motion—I fail to see why the Government should desire to debar private members from getting their motions considered and passed.

The Minister for Mines. It will not debar them.

Mr. O'LOGHLEN: The Minister has had sufficient experience to know that it will.

The Minister for Mines: They have always had sufficient opportunity.

Mr. O'LOGHLEN: No, they have not; once the Estimates are passed private members' business can go by the board.

The Premier: Oh, no!

Mr. O'LOGHLEN: The Premier knows better than to deny it.

Hon. P. Collier: The Premier says he is going to close up next month.

Mr. O'LOGHLEN: The Premier has not been quite frank with us.

The Minister for Mines: It is not intended to close up until the business is put through.

Mr. O'LOGHLEN: Once the Estimates are passed, the Premier will want to go to the country for a few days and then there will not be much time to consider private members' business. The Premier has propositions on hand for inspecting some parts of the country. Further, it may be necessary for the Premier to go to Melbourne. A conference to deal with the wheat is mooted and if he goes to Melbourne, this will mean that the business will be expedited even more.

Mr. Munsie: If that is the case, Mr. Premier, you had better get away.

Mr. O'LOGHLEN: I did not intend it in that way. The Government Bills are not of sufficient importance to warrant the passing of this motion. The Government are not particular whether several of their Bills are passed. Ministers, apart from those who actually introduced the Bills owing to some little pressure, are not much interested in several of these measures.

Mr. Underwood: They desire to drop them.

Mr. O'LOGHLEN: Perhaps they do not desire to drop them, but they show no very great desire to get them passed. If the measures are passed without much trouble or opposition, the Government will go on with them. The state of the Notice Paper does not warrant the Government depriving private members of their opportunity. During this session more than at any other time, private members should have this opportunity not on account of approaching events, but on account of the barrenness of the Notice Paper. I trust that private members will retain for a few weeks longer the right to dispose of the motions which they have considered of sufficient worth to bring forward. If they are not able to defeat this motion, I hope they will show sufficient belief in their action in tabling the motions by fighting for the retention of private members' day. The Premier has made out no case for depriving members of time to discuss these motions, many of which are of outstanding importance compared with the programme of the Government. I oppose the motion.

Mr. UNDERWOOD (Pilbara) [4.55]: I oppose the motion on similar grounds to those advanced by the member for Forrest. The leader of the Opposition and the member for Forrest have well pointed out that there is no Government business on the Notice Paper worth consideration. As members of Parliament we are now paid £400 a year and I see no reason whatever why we should not sit at least until Christmas.

The Premier: We probably shall.

Mr. UNDERWOOD: If we shall, then there is no reason for bringing this motion forward to-day.

Hon. P. Collier: Better sit an extra day a week to get through.

Mr. UNDERWOOD: Yes; the paucity of Government business is partly due to circumstances of the present times, but it rests largely with the Government themselves. The proposals of the Government are scarcely worthy of consideration. We of the Nationalist party have laid it down that Parliament is to take charge of affairs.

Mr. Munsie: That was the ideal.

Mr. UNDERWOOD: And as an idealist, I am not getting away from it.

Hon. P. Collier: Some of your members have slipped.

Mr. UNDERWOOD: But I have not done so. Because the Government have no business to bring forward and do not intend to bring any forward, that is no reason why private members should be debarred from bringing forward their business.

The Premier: You will not be debarred.

Mr. UNDERWOOD: We shall be. The object of the motion, as stated by the Premier, is to close the session at the end of next month.

Mr. O'Loghlen: What hope would a private member have if he gave notice of motion now?

Mr. UNDERWOOD: None whatever. Even the motion about generating electricity by tides which the member for Forrest ridicules—

Mr. O'Loghlen: I did not ridicule it.

Hon. P. Collier: I think he is much impressed by the possibilities.

Mr. UNDERWOOD: Even that motion is worth consideration for a night or two.

Mr. O'Loghlen: I think so anyhow.

Mr. UNDERWOOD: The very great benefit which the successful harnessing of the tides would confer on Australia is worthy of even a week's debate. The Government have no business on the Notice Paper and, therefore, they desire to close Parliament. If the Government have no business they have no right to prevent other members of Parliament from bringing forward their business.

The Premier: We do not; you have brought it forward.

Mr. UNDERWOOD: The Premier said he wanted to close the session next month. Why not sit till the end of the month after that?

Mr. O'Loghlen: Another fourteen days.

Mr. UNDERWOOD: Yes, why not sit for another 14 days? Why should Parliament not sit?

Hon. P. Collier: Why should Parliament loaf on the job?

Mr. UNDERWOOD: I should like the Premier to answer that question. I think Parliament met later this session than in any year since I have been in the House and that is 14 years.

Hon. P. Collier: And the Premier wants to close earlier and to loaf in between.

Mr. UNDERWOOD: The Premier wants to close earlier. I have always opposed the I.W.W. and I oppose the I.W.W. in the persons of the members of the present Government and I oppose I.W.W. methods in this Parliament. I contend that, in view of the Government business on the Notice Paper, the motion is not warranted. If the Gov-

ernment have no business to go on with, private members have, and they should be given an opportunity to go on with it.

Mr. MUNSIE (Hannans) [5.0]: I intend to oppose the motion.

The Premier: I thought you would.

Mr. MUNSIE: I have every reason to oppose it. It is no use reiterating what the two hon. members who have preceded me have said, but there is no doubt about it that the private members' business which is on the Notice Paper is of more importance than that of the Government. What will be the use of discussing private members' business in this House if the present motion is carried? The Premier gave us to understand that he was desirous of closing the session at the end of next month. That will mean that private members will have three days at the very most in which to discuss their business.

The Premier: Four days.

Mr. MUNSIE: If the motion is carried they will have to-morrow and two other Wednesdays. Then the session will be closed.

Mr. O'Loghlen: There will be only two days altogether.

Mr. MUNSIE: I want to see Parliament sit for some time in December, if only to discuss the result of the resolution which was carried the other evening, the resolution dealing with tributings. Hon. members were given to understand that a Royal Commission would be appointed, and if it is intended to close the session at the end of next month, how can the report of that Committee be considered before legislation dealing with the matter is passed?

The Minister for Mines: The legislation will be down in a couple of days.

Mr. MUNSIE: But the Commission's report will not be available by then. There is a notice of motion standing on the Notice Paper in my name that I desire to have further discussed. A deputation waited on the Premier a few days ago in connection with the same subject and I desire to see the Government do something in connection with that matter.

Mr. Hudson: What motion is that?

Mr. MUNSIE: The motion dealing with workers' compensation. If the Government cannot give us everything that is asked in the motion, they should bring down a measure giving one or two things.

Mr. SPEAKER: I cannot allow the hon. member to continue to digress.

Mr. MUNSIE: I am sorry I am digressing but it was my desire to emphasise the point in connection with workers' compensation, because it is a matter of such importance not only to the workers but to the organisations and the insurance companies, and in fact everybody in the State. If the motion before the House at the present time is carried, not only will that motion of mine not be discussed, but nothing more will be done in connection with the matter. More than half of the business set down against the names of private members will be dis-

charged at the end of the session. The Government, from the very beginning of the session, have shown no genuine desire to get their own business through—

Hon. P. Collier: They have not any.

Mr. MUNSIE: Then the very little that they have. They have not even shown a desire to get through the Estimates. I intend to oppose the motion.

Mr. ANGELO (Gascoyne) [5.5] According to the Standing Orders, private members are only entitled to two hours in which to transact their business on one day of each week. If it is the will of the House at 7.45 o'clock, the discussion of the business of private members must cease.

The Minister for Mines: After the tea adjournment you can go on with the orders of the day which may include private members' business.

Mr. ANGELO: It is not asking too much that private members should continue to have two hours on one day of each week. I would also point out to the Premier that night after night during the last few weeks the House has adjourned at 9 o'clock.

The Premier: No, never.

Mr. ANGELO: Well, the sittings have terminated before 10 o'clock on many occasions. I intend to oppose the motion, because I consider private members should have, at any rate, a couple of hours on one night each week in which to discuss their business. If it is found that private business is not of very great importance, and that it is desired to go on with Government business, then the House can close down at 8 o'clock on whatever private member's matter is then under consideration.

Hon. T. WALKER (Kanowna) [5.7]: It would be a great mistake at this early stage of the session to cut out private members' night. No one on the Treasury bench can deny that the business up to date introduced by private members is of more importance so far as the general public are concerned than the business introduced by the Government. Of course the Estimates are a formal matter and must be discussed; they are incidental to every session and to every Parliament. The new measures, however, are not of general public importance and yet we are to give the whole of our time to them. There is an Architects' Bill which, in effect, is a private Bill. It deals only with a small section of the community.

Hon. P. Collier: Brought forward at the request of a few private members.

Hon. T. WALKER: Undoubtedly, to give class privileges to a few in the community.

Mr. Pickering: The same privileges as you have.

Hon. T. WALKER: Then there is the Dentists' Bill.

Mr. Pickering: What about that for a section of the community?

Mr. SPEAKER: Order!

Hon. T. WALKER: We have evidence in this building itself as to how architects are protected.

Mr. SPEAKER: I cannot allow the hon. member to proceed on those lines.

Hon. T. WALKER: I am allowed to answer interjections.

Mr. SPEAKER: Interjections are disorderly.

Hon. T. WALKER: The interjection dealt with the Bill to which I was referring.

Mr. SPEAKER: That Bill is not under discussion.

Hon. T. WALKER: I was discussing the relative importance of the Architects Bill and was replying to the hon. member's interjection.

Mr. SPEAKER: Interjections are disorderly.

Hon. T. WALKER: But if made they must be answered. We cannot allow interjections to score and not reply to them. The same thing may be said of the Dentists Bill. I am in favour of a measure of that kind, but it is really a private Bill fathered by the Government. Bills of this description have always been considered as subordinate measures which could be relegated to the waste-paper basket if there were not adequate time in which to consider them. They should never displace important public business introduced by private members. It is significant that every measure that has been introduced by members on this side of the House, as well as the other side, in their capacity of private members, has been of unquestionable public interest and importance. Not one has been frivolous or merely academic. In every instance there has been some State purpose or Commonwealth purpose to serve. You, Mr. Speaker, have had long experience in this Chamber; you have seen newcomers take their places.

The Minister for Mines: Why appeal to the Speaker; he has not a vote?

Hon. T. WALKER: His wisdom and sagacity in this respect are worth appealing to. I venture to say that you, Mr. Speaker, in all your experience have never seen such a bald programme as that presented by the Government during the present session.

Mr. O'Loughlen: Would he not speak eloquently on the matter if he were down here?

Hon. T. WALKER: If you, Sir, were on the floor of the House, and were in anything like your old form, you would make these rafters—even though they be made of concrete—rattle with your eloquence and the sonorousness of your voice. On the Notice Paper at the present time there is nothing that we can hold over.

The Minister for Mines: It is wonderful how eloquent you can be on nothing. You say there is nothing on the business paper.

Hon. T. WALKER: What we have had to debate has been debated in the form of a protest on account of the paucity of the matter and the weakness of invention and creation on the part of the Government. It

requires to be made known how futile, how abortive the Government have been in all their legislative attempts this session. The public should know of it. There has not been any factious opposition to Government measures.

Hon. W. C. Angwin: There has not been any for four years.

Hon. T. WALKER: They have been given a free hand.

Hon. W. C. Angwin: And have made a mess of it.

Hon. T. WALKER: And they are dying a natural death so far as creative energy is concerned.

The Premier: When you ask that we should adjourn at 11 o'clock I will keep the House going until 1 o'clock.

Hon. W. C. Angwin: You will have a job to keep the House together.

Hon. T. WALKER: There should be something worth discussing, something of importance to the community, while our vital energies are not lacking, and then we should go to our natural rest to be fit for work next day, after having sat here until 11 o'clock. That is quite long enough. It is not the hour of closing, but it is the submission to us of frivolous matters, upon which frequently more time is spent than on really important matters. We have already a sufficiency of important matters on the Notice Paper, and we cannot possibly deal with them if one private members' day is cut out every fortnight. The private members constitute the Government; they really are doing that which is for the good government of the country, whilst all that feature is being neglected by the Government themselves. When this Parliament was first constituted, it was constituted on what was termed a national basis, with the idea that there should be no parties, that all responsibility of government was cast to the four winds, and that there was no set policy for the Administration to follow. It was to be go-as-you-please, and nothing was to affect anybody's seat or anybody's position in office. That was the attitude of the Nationalists. There is no sense of responsibility anywhere among the Government. The object of this motion is not to accomplish anything good, but simply to enable the Government to get away from Parliament, to get into recess, to get out of the grip of the people.

Mr. O'Loughlen: So that they can attend to administration.

Hon. T. WALKER: Of course. The present Government have had a longer recess than any other Government have had, and yet they want more recess. This is the Government of recesses, of deep and hollow recesses. I oppose the motion.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [5.19]: We have been discussing for about 45 minutes what is usually regarded as a formal motion.

Hon. W. C. Angwin: Not at this stage of the session.

Mr. O'Loughlen: It has been discussed every year when it has been introduced.

The ATTORNEY GENERAL: The motion has been opposed by members who on conscientious grounds always oppose the Government, and from whom we cannot expect anything else. Then there have been speeches put forward by members on this side of the House who want an excuse for opposing the Government.

Hon. T. Walker: That is imputing motives.

The ATTORNEY GENERAL: The excuse put forward is that there is very little business on the Notice Paper. But do hon. members really imagine that what is on the Notice Paper to-day, represents all that is going to be put on the Notice Paper? There is not a single member of this House who supposes that.

Hon. P. Collier: All important Bills ought to be down by now.

The ATTORNEY GENERAL: The Premier has mentioned several new Bills.

Hon. P. Collier: Yes, and he is going to close next month.

The ATTORNEY GENERAL: The Premier has mentioned several Bills which he hopes Parliament will pass.

Mr. O'Loughlen: Next session.

Hon. P. Collier: The Premier intends to close next month.

The Premier: I hope to.

The ATTORNEY GENERAL: There is not the slightest possible chance of closing at the end of next month.

Hon. P. Collier: Of course, that alters the position.

The ATTORNEY GENERAL: There is any amount of legislation on the Notice Paper now, and taking into consideration the legislation that is to come from another place and the legislation that will shortly be introduced, the House will be kept going fully up to Christmas in the ordinary course of events. Besides there are complaints every session from another place that the Bills passed by this House get there only during the last few minutes of the session.

Hon. P. Collier: It will be the same this session.

The ATTORNEY GENERAL: Not at all. And yet the time of this House is to be occupied one day every fortnight by private members' business. There are many matters relative to private members' business which can be discussed when the important Bills have gone up to another place. Certainly the matters which private members bring forward do not require deliberation in any House but this. In the circumstances the opposition to the motion is nothing more an excuse put forward by one or two members for voting against the Government.

Hon. W. C. ANGWIN (North-East Fremantle) [5.21]: I am surprised at the Attorney General's remarks. Of course we know those remarks cannot apply to members sit-

ting on this side of the House. Therefore, they must apply to some hon. members sitting on the Government side. The Attorney General suggests that those members want to show their spite against the Government by voting against this motion. For my part, I cannot hold that those members are showing spite in endeavouring to retain private members' day a little while longer. The Attorney General has put up the argument that private members' motions can be discussed after we have disposed of the important Bills; that is to say, during the time the Legislative Council is dealing with those Bills. But has that ever been the practice? Can any hon. member who has been here for years recall private members' business being dealt with at the close of the session? There is no chance of it whatever. Before the most important Bills have been dealt with in this Chamber, all the other business will have been struck off the Notice Paper, more especially with a view to letting members generally know what business there is to be dealt with. That was done last session, and it has been done every session during the 16 years I have been a member of this House. I agree that there are some important Bills yet to be brought down. In every State Parliament but this there has been a wheat marketing Bill. We have not yet seen anything of that measure. Such a Bill will take some time to deal with in this Chamber. And there are other important measures to be brought down. All those measures should have been here at the beginning of the session instead of being left to the end. I fail to see that the important motions now on the Notice Paper should be set aside simply because the Government have neglected their duty and failed to introduce their most important Bills at the commencement of the session. I hope hon. members will for a little while longer retain private members' day once a week.

The PREMIER (Hon. J. Mitchell—Northam—in reply) [5.26]: The Government will give hon. members an opportunity of discussing every important motion on the Notice Paper, unless hon. members themselves deprive one another of that right. Every notice of motion now on the Notice Paper, with the exception of two, has already been advanced a stage. Every one of them has already been discussed.

Mr. O'Loughlen: You know the fate of private members' motions every session.

The PREMIER: But with the exception of two they have all been discussed in the present instance. The two exceptions are notices of motion by the member for Kanoona (Hon. T. Walker) and by the member for William-Narrogin (Mr. Johnston). All the other motions, I should think, can be disposed of in one sitting.

Mr. Munsie: What about the Bill introduced by the leader of the Opposition? Can that be disposed of in one sitting?

The PREMIER: The leader of the Opposition will have an opportunity of discussing the Bill to-morrow.

Mr. O'Loughlen: There are three other motions to go on the Notice Paper.

Mr. SPEAKER: Order!

The PREMIER: We have been sitting now for 11 weeks. If we sit to the end of November there are still six weeks to go; and if we sit into December, as I suppose we shall, there is even a longer period ahead. I have no desire to deprive hon. members of the opportunity of discussing anything of importance to the State. Notices of several Bills were given to-day, and various other measures are to come down—one or two of them of importance to the farmers. There is, for instance, a Bill to amend the Land Act. There is also a wheat marketing Bill, as mentioned by the member for North-East Fremantle (Hon. W. G. Angwin). Probably notice of that measure will be given to-morrow. We have also the Annual Estimates to discuss, and thereafter the Loan Estimates. I do not quite appreciate the importance of legislating in the same way as the leader of the Opposition and the member for Kanowna appreciate it, but I say that before we close this session we shall have passed many useful measures. I may also mention that a Bill to amend the Worker's Compensation Act is to be brought down. The member for Gascoyne (Mr. Angelo) has told the House that we adjourn constantly before 9 o'clock.

Mr. Munzie: The hon. member did not say that. He said the House had repeatedly adjourned before 9 o'clock.

The PREMIER: The hon. member said "night after night." I think the hon. member is generally here when the House adjourns; otherwise I should have said that he must be in the habit of leaving before the House rises. As a fact, we have generally sat till about 11 o'clock. Of course, we can sit later if hon. members desire it. I hope the House will realise it is important that the Government Bills should pass this House and that we should get on with the business.

Mr. O'Loughlen: What about the bulk handling Bill?

The PREMIER: It is not even drafted yet.

Mr. O'Loughlen: Why is it not drafted?

The PREMIER: The company that deals with the erection of grain elevators must first supply the information necessary for the drafting of the Bill. I understand, too, from the Chairman of the Wheat Board that it is not very important that the measure should go through this session. I hope the House will agree to the motion which I have moved. Notwithstanding the remarks of hon. members opposite, I venture to say that while there is a great deal of the utmost importance in the Government business, many of the matters brought forward by private members, having already been discussed to some ex-

tent, can be disposed of in a very few minutes.

Mr. O'Loughlen: Some motions moved by private members will, if carried, be followed by Government action.

The PREMIER: I hope so.

Mr. O'Loughlen: But not this year.

Question put and a division taken with the following result:—

Ayes	..	..	..	24
Noes	..	..	..	13
Majority for				11

AYES.

Mr. Broun	Mr. Mullany
Mr. Brown	Mr. Nairn
Mr. Davies	Mr. Pickering
Mr. Draper	Mr. Plesse
Mr. Durack	Mr. Pilkington
Mr. George	Mr. Robinson
Mr. Griffiths	Mr. Scaddan
Mr. Harrison	Mr. Smith
Mr. Hickmott	Mr. Teesdale
Mr. Hudson	Mr. Veryard
Sir H. B. Lefroy	Mr. Hardwick
Mr. Maley	(Teller.)
Mr. Mitchell	

NOES.

Mr. Angelo	Mr. Munzie
Mr. Angwin	Mr. Roche
Mr. Collier	Mr. Underwood
Mr. Foley	Mr. Walker
Mr. Jones	Mr. Willcock
Mr. Lambert	Mr. O'Loughlen
Mr. Lutey	(Teller.)

Question thus passed.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Message from the Governor received and read recommending the Bill.

BILL—STALLIONS REGISTRATION.

Received from the Council and read a first time.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

Received from the Council and, on motion by Mr. Smith, read a first time.

BILL—PUBLIC SERVICE APPEAL BOARD.

Read a third time and transmitted to the Council.

BILL—LUNACY ACT AMENDMENT.

Second Reading.

Debate resumed from 14th October.

Hon. P. COLLIER (Boulder) [5.37]: I hope I shall not be accused by the Attorney General of merely fulfilling the functions of

an Opposition when I say I am going to oppose the Bill. I had hoped that, as the result of the very prolonged discussion which took place in the House last session in regard to the control and administration of the Hospital for the Insane at Claremont, and also as the result of the exhaustive inquiry held by the select committee, and the recommendations made by that body, the Minister would have brought down, this session, something of a practical and useful nature. I am surprised and disappointed in that the Bill now before us will not improve matters in any degree whatever.

The Colonial Secretary: Why?

Hon. P. COLLIER: Because it does not provide for any effective alteration from the condition of things disclosed by the investigations of the select committee. Although the Bill consists of 21 clauses, it may be said that 19 of them are merely of a formal or consequential character. The only alteration which the Bill seeks to make in the existing law is that the body now known as the official visitors will in future be described as the board of visitors. Moreover, it will consist of five, instead of three members as at present. Again, the board shall visit once a month instead of once in every three months, as prescribed in the existing Act.

Hon. W. C. Angwin: It should have been a board of control.

Hon. P. COLLIER: The fault I have to find with the board of visitors is that it is to have insufficient power. The powers it is to have are no greater than those enjoyed by the official visitors to-day, except that the majority of the board will be entitled to release any inmate of an institution. That is the only additional power the board will have.

The Colonial Secretary: No.

Mr. Pilkington: A pretty important power.

Hon. P. COLLIER: It is certainly an important alteration that in future the board will have power to release any inmate of an institution instead of, as at present, that power reposing solely in the hands of the Inspector General of the Insane. But the power is to be hedged around in this respect, that the board is to be composed of two medical men, one lawyer, and two laymen, of whom one shall be a woman. It is also provided that, included in the majority of the board which might decide to release any inmate, there must always be one of the medical members of the board. However, I do not know that that is of any importance. It seems to me that if in the past, because of the opposition or attitude of any controlling medical officer, there have been grounds for complaint as to the rights of inmates to be released, that system is only buttressed and strengthened by the provision now laid down. If the Minister makes provision for the release of inmates by means other than that of the permission of the Inspector General, it must be admitted that the very making of that provision is a recognition of the

fact that the system which has obtained in the past has not been satisfactory.

The Colonial Secretary: It is the select committee's recommendation.

Hon. P. COLLIER: I take it the Minister would not adopt the recommendation even of the select committee of this House unless he is satisfied that it will mean an improvement on the existing Act.

The Colonial Secretary: It undoubtedly is.

Hon. P. COLLIER: No Government would be justified in adopting a proposal merely because it had been a recommendation of a select committee, unless they did so after due consideration and inquiry, and were satisfied that the alteration was necessary and that it would beneficially affect existing conditions. I think I am justified, unless the Minister will admit a weakness in dealing with the Bill, in assuming that he in turn is satisfied that an alteration is necessary. If in the past it has been difficult or impossible for patients to get past two medical officers, namely the Inspector General of the Insane and the Superintendent of the Institution, I am of opinion that, even though there is to be a board composed as it will be under the Bill of these two officers and one other medical man, it will mean that any unfortunate inmate will then have to surmount the objections of three medical officers instead of only two. That, to my mind, will be the effect of the alteration. Perhaps the Minister will be able to tell us whether the boards, which control similar institutions in Great Britain, are composed entirely of laymen or whether there is a similar provision to that contained in the Bill.

The Colonial Secretary: The conditions are entirely different there. The member for North-East Fremantle can tell you that.

Hon. W. C. Angwin: They have Commissioners there.

The Colonial Secretary: Twenty Commissioners.

Hon. W. C. Angwin: At £1,300 a year.

Hon. P. COLLIER: I am sorry we have not something like that here. While the question of releasing any inmate in the institution is important, it is not everything. Although I believe that persons have been held in the institution in the past who ought to have been released, I am not prepared to say that the number would be very great.

The Premier: You will admit that it is important.

Hon. P. COLLIER: It is important. I believe that in the past, if not now, persons have been held within that institution who should have been given their liberty. It may seem rather egotistical if not presumptuous, for one to say this against the opinion of the Inspector General of the Insane and the Superintendent of the Asylum. I believe I could show, if it were necessary and relevant to the discussion, that by their actions in the past these officers have admitted that people have been held in the institution who ought to have been released.

Mr. Davies: What would be the object of holding them?

Hon. P. COLLIER: I do not know.

Hon. T. Walker: There are wheels within wheels.

Hon. P. COLLIER: It is perhaps a psychological problem. It is difficult for us to understand the object that persons may have in many things that they do from day to day. It is a psychological study, well worthy of the hon. member's consideration and attention. There is such a thing as professional dignity, not to say jealousy, and once black is declared to have been black, black is going to remain black so far as some men are concerned for ever and ever afterwards. The hon. member may look up the file that is now lying on the Table of the House. I could give instances showing that men have been held in the institution, who ought to have been released, and it is difficult indeed to find a motive for this. I could mention one case, that of the man Cooledge, as shown on the file. This man's relatives reside in Victoria. The mother was informed last year that if she sent over the cost of the patient's transfer to Victoria, he would be released. She sent over the necessary amount—I think it was £40 in all—but no receipt was sent to her and no reply to her communication was received by her, and she then wrote to me on the matter. I found upon inquiry that Cooledge was not sent over in compliance with the request. The money was held here because it was not then considered safe to send him. The man was said to be dangerous. The hon. member will see for himself the statement on the file. After I had made inquiries a report was called for, and the report by Dr. Bentley, the superintendent of the institution, is on the file. The superintendent states that he considered the man was suffering from delusions and unfit to be released.

Mr. Teesdale: Perhaps in the interim this development occurred.

Hon. P. COLLIER: No, for he was taken into the institution suffering from delusions. He was held there for that reason. Notwithstanding the fact that he was suffering from delusions he was allowed to leave the institution and make the trip to Victoria.

The Colonial Secretary: With attendants.

Hon. P. COLLIER: With one attendant.

Hon. W. C. Angwin: One patient used to go on the race-course with him and take part in the betting.

Hon. P. COLLIER: Two or three weeks before the man was released Dr. Bentley said he was unfit to be at large and was suffering from delusions. Subsequently I was informed that the patient had left two or three days before by boat. I asked if he had gone over by himself or whether he was accompanied by attendants. Dr. Bentley replied that he had gone with one attendant and he added, "I would not like to be the

attendant." If a medical officer will release an inmate and allow him to go to Victoria and then say, "I would not like to be the attendant," it reveals a very peculiar state of affairs.

Mr. Davies: He may have meant he would talk his head off.

Hon. P. COLLIER: He may have meant anything.

The Colonial Secretary: He would be a danger to himself and not to the public.

Hon. P. COLLIER: If a man is a danger to himself there is just as much reason why he should not be released, as if he were a danger to the public.

The Colonial Secretary: Oh no!

Hon. P. COLLIER: The life of the unfortunate patient would not count.

The Colonial Secretary: He would not live long if he was allowed to go without an attendant.

Hon. P. COLLIER: That does not count.

The Colonial Secretary: It does count.

Hon. P. COLLIER: That is an important alteration, but it is the only alteration provided in the Bill. Is there any provision in this measure to prevent in the future such a condition of things as was found to exist in the institution last year? The report and recommendations of the select committee disclose a state of affairs discreditable to this Parliament. This position of affairs having been disclosed under the management that then obtained, what has the Minister done and what has he provided in the Bill to affect an alteration in the control or management of the institution? Where does it provide that these things may be avoided in the future? There is nothing in the Bill whatever in this direction. The man in charge of the institution, the Inspector General, or the Superintendent, or whoever was there, was responsible for the condition of affairs discovered by the select committee, and this person still remain in control of the institution. He is not to be over-ruled in any way. There is no other body set up to control the institution. This board is not set up to have any control over the administration or management of the asylum. The same methods are to be continued in the future which led to the results of the past. That is where I complain that the Bill is weak. I do not wish to weary members by reading the report of the select committee, but I think it would be well if they obtained a copy of it, and refreshed their memories on the many points brought forward by the committee. They will find that, even with regard to the question of fire, the institution was in a dangerous position. There were no alarms. The food supply we find to have been, if not insufficient, at all events of insufficient variety. The committee found that the food supplies were not as they ought to have been.

Mr. Teesdale: Not sufficient in quantity!

Hon. P. COLLIER: I will read the report on this matter—

At the same time your committee is of opinion that a greater variety of food might, with advantage be supplied to the patients. Bread and butter, and bread and jam for breakfast and tea every day in the year is not the best for the patients, and should be varied. More fruit should be used and the committee recommend that all the pigs raised at the institution farm, and not sold as stock to farmers, should be consumed at the institution instead of being disposed of for outside consumption.

The committee found that bread and butter, and bread and jam, was the diet every day in the year.

Hon. W. C. Angwin: Twice a day.

Hon. P. COLLIER: Yes. Is the Minister going to improve conditions of that kind? What power will this board have? Where is the board given power to see that this does not happen in the future?

Mr. Teesdale: The laymen and the women members of the board will stick to it.

Hon. P. COLLIER: There is a board now with a woman on it.

Mr. Teesdale: It is a differently constituted board.

Hon. P. COLLIER: No, all these things have been going on all the time, and grew up under such a board. I remember when the Labour Government were in office that we appointed a woman to the board as an official visitor.

Mr. Teesdale: But the board had no power.

Hon. P. COLLIER: And the board to be composed under this Bill will have no power. That is the point. With regard to fire, the select committee reported—

While the regulations of the institution provide that the attendants shall take certain action in case of fire, nothing whatever is done in the way of fire drill and the appliances are in bad order. Your committee recommends that early attention be given to this important provision in the regulations.

What power will the board have to attend to a matter of this kind? If the Superintendent or management of the institution had allowed this condition of affairs to exist and grow up as in the past, how is this board going to have power to alter it for the future?

Mr. Teesdale: What would the board's duties consist of, if not to supervise the comfort and safety of the patients?

Hon. P. COLLIER: That was supposed to be the duty of the official visitors in the past.

Mr. Teesdale: Does it not show that they are incompetent and that we want a change?

Hon. P. COLLIER: They have no power. All the visitors may do is set out in the Bill. They may go round and inspect the whole institution. They may speak to the inmates and find out their general condition, and may enter up all these things in a record book in the institution.

Mr. Harrison: And make recommendations?

Hon. P. COLLIER: No recommendations at all. They may enter up the things as they find them and report to the Minister.

The Colonial Secretary: Would not the Minister take action?

Hon. P. COLLIER: I do not know.

Mr. Jones: Did the Minister take action?

The Colonial Secretary: Undoubtedly.

Mr. Jones: No!

Hon. P. COLLIER: Owing to the multifarious duties that the Minister is called upon to perform he can only pay perfunctory attention to the numerous reports that come before him from the different institutions under his control. We want a board, or Commission, which will have some power to alter the things that are wrong, and give the necessary instructions to those who are administering the institution.

Mr. Davies: You suggest a board of management?

Hon. P. COLLIER: A board to control the management.

Mr. Teesdale: Even if they clash with the Superintendent.

Hon. P. COLLIER: One might as well say that the control of the Perth Public Hospital by a board clashes with its administration by the officers.

Mr. Teesdale: You admit that in his province the Inspector General must not be interfered with?

Hon. P. COLLIER: Of course, within his province. There are innumerable duties requiring an officer's attention apart from that requiring the exercise of his medical knowledge.

Hon. W. C. Angwin: There are savings of thousands of pounds a year to be made.

Hon. P. COLLIER: For this institution, we are providing £84,000 this year. That is a very large sum from public funds, and yet the whole administration is in the hands of one man. Members will realise that we may have a man in the medical world, or in the various professional spheres, who may be a perfect genius in his particular line, but who may be a hopeless failure at a business such as the management of an institution like that under discussion. There are something like 1,100 inmates there, and to manage such an institution with so many patients of the type inevitable at such a place, a man must be more than a medical man; he must be able to manage and control this big business undertaking, and must, in addition, have no small administrative capacity. As I have said, these outstanding features must be possessed by the man in charge quite apart from the question of medical functions to be carried out at the Hospital for the Insane. The report of the select committee has shown that the method of control has been deficient in the past. When this House starts out to legislate in the direction suggested by the Bill, we should set out to prevent these abuses and insist that the position should be such that they cannot exist in the future.

The Colonial Secretary: The board will do that.

Hon. P. COLLIER: That is a complacent way of treating this matter.

The Colonial Secretary: You want to take the control of the institution out of the hands of the Government.

Hon. P. COLLIER: There is the brand of the rubber stamp, "Do you," says the Minister, "want to take the control out of the hands of the Inspector General?" Why, that is a tale that has been pumped into him.

The Colonial Secretary: I said out of the hands of the Government.

Hon. P. COLLIER: The Government are not the management. What is the good of talking like that? It is the Inspector General who is in charge. That is the tale that has been pumped insidiously into the ears of the Minister for months past.

Mr. Teesdale: Define the powers within reasonable limits and I will support you.

Hon. P. COLLIER: I am pointing out the defects of the Bill at the present stage. I did not frame the measure.

The Minister for Works: Point out the defects.

Hon. P. COLLIER: What else am I doing? We must clear away the rubbish before we start to improve the Bill. As a practical man, the Minister must know that we cannot start a work before clearing away the debris.

Hon. T. Walker: And then you must start on a solid foundation.

Hon. P. COLLIER: Look at the section as it stands in the Act. Section 95 reads—

The board of any institution or a majority (which shall include a medical practitioner) of such board shall, once at least in every month, and also at such other times as the Minister may direct.

Then follow the powers, and the member for Roebourne (Mr. Teesdale) should note the powers which are specifically conferred on the board.

"(a) Visit such institution with or without any previous notice."

There is a flaw in the first line. It says "with or without notice." I do not see that it is necessary, with a board of this description, who inspect at least once a month, to give any notice.

Mr. Teesdale: It is optional.

Hon. P. COLLIER: Yes, but it is a weak point. The paragraph continues—

and at such hours of the day or night and for such length of time as they may think fit; (b) Inspect every part of such institution and every outhouse thereof whether communicating therewith or detached therefrom; (c) See every patient confined therein so as to give everyone, so far as possible, full opportunity of complaint; (d) Inspect and consider, so far as may be deemed necessary, the orders, requests, and certificates relating to patients; (e) Make such inquiries, exam-

inations and inspections as are set forth in Section 57 of this Act; (f) Enter in the Inspector General's book a minute of the then condition of the institution and such other remarks as they may deem proper.

Mr. Pickering: Read Subsection 3 now.

Hon. P. COLLIER: No, I will finish the whole section as I am proceeding. Subsection 2 says—

After every visit the board shall transmit to the Minister a statement of the number of patients admitted or discharged since the date of the last visitation, together with a copy of the entry made by them in the Inspector General's book, and any other information they may consider necessary.

Mr. Pickering: Now this is the portion I referred to.

Hon. P. COLLIER: Subsection 3 reads—

A board may at any time make a special investigation of any case, and visit and report to the Minister upon the mental and bodily condition and treatment of any lunatic or alleged lunatic in any such institution as aforesaid.

That has nothing to do with the matter I am dealing with. That subsection gives the board power to investigate any particular case. I am talking about the general powers of the board. After an inspection, after interviewing everybody and inquiring into the working of the whole of the institution, the board goes to the Inspector General's office and enters up a minute as to the general conditions they find. That is all. Where have they any power to alter anything the members find wrong at the institution? That is the point. Take this position: suppose they make their investigation and find that the fire alarms are defective—

Mr. Davies: You mean that they can only make a recommendation?

Hon. P. COLLIER: No, not even a recommendation. They just enter up what they find. Suppose after their inspection they find, as the select committee found when they reported as follows:—

The wards are supposed to have alarms in case assistance is required by attendants at night, but we find that very little attention is given to the alarms. All the attendants should have perfect knowledge of the alarms in each ward. Your committee, from its inspection, is of the opinion that the alarms should be put in proper order. Each attendant's room should be connected and the attendant should be instructed as to the use of the alarm. This should also apply to the Perth Public Hospital mental ward.

The alarms mentioned here, of course, refer to all alarms, not only to fire alarms. However, suppose this board, on one of its periodical visits, finds something wrong. What power have they to alter it? Where is there any provision in the Bill to enable the board to effect a remedy? That is the whole weakness of the

proposal. There is nothing in the Bill, except power to release inmates. The Inspector General may take notice of what is entered in the book, or he may not. Apparently, if the official visitors in the past had been doing their duty, they must have entered up the book from time to time.

Angwin: They sent in a report once in three months.

Hon. T. Walker: They do it monthly now.

Hon. P. COLLIER: Where are the results, spread over a matter of years past? We should at least ensure against any such condition of things happening again, but, as the Minister says, the Inspector General has taken care of that. The Inspector General wants to have the whole of the powers which he now possesses in this new measure.

Hon. T. Walker: They have taken out the regulations and put them in the Bill.

Hon. P. COLLIER: Yes, that is the position and they are giving statutory powers now for what was formerly laid down in regulations. For instance, the Inspector General will have power to fine attendants up to £1 without the right of appeal.

The Colonial Secretary: He has that right by regulation.

Hon. P. COLLIER: Yes, but by putting these regulations in the Bill any successive Government which might desire to do away with that power could not do so except by bringing forward an amending Bill.

The Colonial Secretary: You could ask Parliament to pass that.

Hon. P. COLLIER: The Minister should know that we strengthen the powers of the Inspector General by making them statutory, instead of merely conferring power by regulation, which could be altered by any Government. Powers under regulations do not have the force of powers conferred by Act of Parliament.

The Colonial Secretary: It is left to Parliament to make alterations, not to the Government. It is done for that purpose.

Hon. P. COLLIER: Then it is to take away power from the Inspector General? Well, the Inspector General slipped a little there. I am sure that every line and every word of the Bill meets with the approval of the Inspector General, and if he allowed this to go through with the intention of depriving himself of any powers that he now possesses, the Minister must have got him in a weak moment. From my reading of the Bill, he has set out from first to last to see that the powers he now enjoys, shall not be curtailed.

The Colonial Secretary: The Inspector General did not frame the Bill.

Hon. P. COLLIER: No, but he advised the hon. member.

The Colonial Secretary: No, he did not.

Hon. P. COLLIER: Well, he gave the hon. member his views.

The Colonial Secretary: No, he did not.

Hon. P. COLLIER: The Minister cannot tell me that the Inspector General did not have an opportunity of expressing his opinion

on the various clauses of the Bill. If the Minister had been left to himself, with the assistance of others in his department, we would probably have had a better Bill. The very fact that we have a useless Bill before us is evidence to me of the hand of the Inspector General right through. Surely the Minister recognises that, after the disclosures made last year by the select committee, the House expected from him a Bill which would prevent the possibility of such a condition of affairs occurring in the future.

The Colonial Secretary: The Bill will do that.

Hon. P. COLLIER: I am sorry that the Minister, in introducing the Bill, did not explain to us how it will do so. I should like to know what particular clause is going to achieve the purpose the Minister claims for it. I am not able to find it.

Hon. W. C. Angwin: The Bill is no better than the conditions that obtain now.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. SPEAKER: The member for Boulder may proceed.

Hon. P. COLLIER: I would prefer to have a quorum present.

[Bells rung and quorum formed.]

Hon. P. COLLIER: I rather think there must be something in the contention of the Premier that we should close down by the end of November. There seems to be something of a feeling of weariness coming over members of the House, or it may be that some members do not regard the question of lunacy reform as of very much importance. The Colonial Secretary stated that there is power in the Bill to rectify or remedy the conditions which were found by the select committee to exist at the Hospital for the Insane. I would very much like the Attorney General to point out wherein that power lies in the Bill. The whole defect of the Bill lies in the fact that it contains no provision which will compel remedial measures to be taken unless the Inspector General of the Insane chooses to take them. That is the fact in a nutshell.

Hon. T. Walker: It intensifies his power.

The Premier: No; the board will have powers.

Hon. T. Walker: It will give the powers of the Inspector General statutory definition and will solidify them.

Hon. P. COLLIER: The very title is sufficient—"A board of visitors." The Colonial Secretary stated that he has given this board power to release patients because that was recommended by the select committee; but he has not adopted the recommendations of the select committee with regard to the powers that the board of commissioners should possess. The select committee recommended in their final paragraph that legislation be introduced in the direction of appointing a board of commissioners who would

have full control of all mental defectives in Western Australia.

Hon. T. Walker: That is the point.

Hon. P. COLLIER: And in response to that recommendation the Colonial Secretary provides not a board of control, but a board of advice, a board of observation, merely to pass through the institution and record their impressions as to how they found things. Surely the Colonial Secretary will recognise the wide distinction between a board of advice and a board of control. There is all the difference in the world. The board of advice which the Bill provides for would leave things at the institution exactly as they are at present, and exactly as they have been unless the powers that be—the Inspector General—chooses to alter them. A board of control, on the other hand, is quite a different thing. A board of control would give instructions to the Inspector General to alter things which were found to be unsuitable. They would not be content to merely record in the minute book in the Inspector General's office their impressions, but they would give instructions, and I say rightly so too, not instructions where medical knowledge was required, but instructions with regard to the hundred and one things which affect the well-being of the inmates of the institution and upon which a layman is qualified to express an opinion. The insufficiency of the number of attendants would be a matter for a board of control composed of laymen to form a judgment upon, and not merely to record their opinion, but to give instructions to the administration. Similarly with a hundred and one other things. Let me refer again to the recommendations of the select committee—

We desire to draw special attention to the evidence of Dr. Birmingham, one of the official visitors. When visiting America and Europe he made special inquiries, at the request of the Government, regarding hospitals for the insane, and on his return furnished a report. Dr. Birmingham believes that greater freedom in the grounds of the institution should be given to patients, instead of keeping them confined to small airing courts. While he recognises the difficulty which exists at Claremont by reason of the system of confinement having been in vogue so long, he points out that there are many patients now in the institution to whom more liberty might be given. All new patients, too, should be allowed free use of the grounds, and to quote his words, "the institution should be looked on as a hospital, not a prison."

Hon. T. Walker: Hear, hear! That is the whole point.

Hon. P. COLLIER: The report continues—When patients realise this there will be very few escapes and greater benefit result to the patients. Your committee is of the opinion that, with the erection of a new building, this system of greater freedom to patients should be carried out.

This is a matter upon which any visiting board is just as well qualified to form an opinion as is any medical officer in charge, but I would ask, has the Inspector General of the Insane carried out that recommendation? I am informed that only last week the Inspector General, or some officer under him, ordered the attendants to keep the patients off the grass. We have heard of that phrase before. There is no power contained in this Bill to compel the doctor to give effect to a decision of that kind. All the board need do is to record their impressions, and Dr. Anderson, or anyone else could snap his fingers at their recommendations and ignore them. This is not what we want. We want a board of commissioners to give instructions that effect shall be given to such recommendations, and that such recommendations should not remain a dead letter in the office at the whim or will of the Inspector General. The report continues—

Many complaints have been made that there are insufficient attendants on duty at night, particularly in the hospital or No. 3 ward. The evidence states that patients have to be put under restraint, and that this would not be necessary if there were more attendants on duty. Whilst this is a professional question, it appears to your committee that such is the case. The evidence discloses that Sergt. O'Meara, V.C., is kept under restraint in a strait-jacket for approximately 14½ out of the 24 hours every day. He is put in the strait-jacket each evening between 8.30 and 9 o'clock, when one of the attendants goes off duty, and is not released from the restraint until about 11 o'clock next morning. This patient is in the same ward between the hours of 4 p.m. and 8.30 p.m. without being under restraint, but there are additional attendants then on duty. Your committee is of opinion that there should be an additional attendant in the hospital ward at night, and that all night attendants should be under a charge attendant who should be on duty.

Suppose the board of advice provided for in the Bill were to make a similar observation and enter it up in the minute book in the Inspector General's office, where is there any power to compel the Inspector General to give effect to it? He could please himself; he could allow things to go on in future as they have done in the past. That is the whole defect of the Bill. I could quote other paragraphs in the report of the select committee which would disclose a condition of things undesirable in the extreme; but for which no remedy is provided in this Bill. That is the whole weakness of this Bill. No remedy whatever is provided. The Inspector General is still king of the whole place. He is still to be permitted to go on in future as he has done in the past. The committee further reported—

Your committee is of opinion that sufficient time is not given by the doctors to

the patients. Too much of their time is taken up by routine work. There are approximately 760 male patients, and the time given to them by the medical officer is, on an average, from one and a half to two hours each day; while in the female division there are 371 patients and approximately the same time is given to them, though the doctors are at the office to be called if their services are required. This is a matter of which the doctors should not be allowed to be the judges. If they neglect to give sufficient attention to their patients, if they fail to give sufficient time to the patients, who is to compel them to do it? There is no authority or power in this Bill to say that the doctors shall be compelled to give better attention to the inmates of the institution. Without labouring the question any further, I say the Bill is worthless.

Mr. Davies: Did you say the position of the board of visitors would be suitable to a board of management?

Hon. P. COLLIER: I object first of all to the title. I say again that the Inspector General has approved of this Bill. He has not even allowed anything to creep into the title which would seem to take away the power he possesses at the present time. The Bill provides for a board of advice. We want a board of control, within certain limits of course, with powers defined, but a board of control. From the very fact that any body of men or women are looked upon as a board of advice to visit an institution periodically and spend an hour or two there, there would be a tendency not to take the duty seriously, more particularly when they had no power to give effect to any changes they might desire to bring about. They would probably say, "We are only a board of advice."

The Attorney General: They could order the discharge of patients.

Hon. P. COLLIER: Subject to that reservation which I have already mentioned; that is the only power given in this Bill, and not possessed by the official visitors to-day. With regard to changes, alterations, or improvements which might or ought to be effected in the institution, the board would recognise that they had no power. They would be only a board of advice and could only record their opinions, and the tendency would be to carry out their duties in a more or less perfunctory manner. We want a board of control, and I hope the House will lay it down that some control is going to be assumed over this institution by statutory power, and over the Inspector General who has held sway for ever so long, and not in the best interests of many of those concerned. I am reliably informed that many of the recommendations made by the select committee, which could have been effected by the Inspector General without very much trouble or inconvenience, have not been carried out up to date, that they have been ignored,

and that this is going to continue under the board which the Government propose to appoint. That board will have no power to make the Inspector General do what they think he should do. The Bill is weak. There should be some power to release other than that of the Inspector General alone. An inmate now has to get past the Inspector General and the Superintendent, and under the proposed board he will have to get past another medical officer. It is true that three other members of the board will not be medical men, and that one of them will be a lawyer. I fail entirely to understand why one must be a lawyer.

Hon. W. C. Angwin: They have copied the English Act; it is a good thing when evidence is being taken to have a lawyer on the board.

Hon. P. COLLIER: I do not know about the taking of evidence. We find that when it comes to a common sense and practical view of evidence, a layman can judge it just as well as a lawyer. In any case, the board will consist of three non-medical men. They will deal with cases of release. The lawyer is to be the watch-dog all the time, and in addition there will be the other layman and a woman.

Mr. Teesdale: The woman will be all right.

Hon. P. COLLIER: They always are. It would want to be a very strong case, and they would require to be independent-minded people, who would ignore the united opinion of the Inspector General, the Superintendent, and the medical member of the board. That is what the three laymen would be up against.

The Colonial Secretary: The majority of the board has power to release a patient independently of the Inspector General and the Superintendent. Why bring them in?

Hon. P. COLLIER: Because I am justified in bringing them in. Before the case came before the board the release would have had to be refused by the Inspector General and the Superintendent. What would the board do in the face of the refusal of those two medical officers of the institution to release a patient? The board would have the knowledge that the medical member of the board would also be against release.

The Colonial Secretary: There will be two medical men on the board, and one may be in favour of the release of a patient. The majority of the board would then decide.

Hon. P. COLLIER: But it is possible that the board would not go against the judgment of three medical officers.

The Attorney General: The lawyer would be a layman for the purposes of lunacy.

Hon. P. COLLIER: It stands to reason that the board would attach great weight to the opinions expressed by the medical men. I intend to oppose the second reading of the Bill unless I can get some assurance that there will be a possibility of effecting radical amendments in Committee.

Mr. HICKMOTT (Pingelly) [7.53]: I agree with what the leader of the Opposition has said. We know that there has been a great deal of dissatisfaction in connection with the management of the Hospital for the Insane, and I agree also that too many medical men are to have a say in connection with the proposed future control of the institution. With two medical men on the board, I do not see that it will be possible to effect any improvement in the management of the institution in the way that the select committee investigated the position of affairs there desire. What we want is a board of control to take full responsibility. We know that there has been ill-treatment of patients there.

The Colonial Secretary: By whom?

Mr. HICKMOTT: By the warders.

The Colonial Secretary: The facts then are not known.

Mr. Jones: They came out in evidence.

Mr. HICKMOTT: The select committee reported that there should be more care shown in the treatment of the patients. It is my intention to oppose the second reading of the Bill in its present form. We should have a board that will take over the whole of the management and see that the institution is properly conducted and better treatment is meted out to the patients. We know that there are men in that institution at the present time who are as fit to be at large as many members in this House.

Hon. members: Hear, hear!

Hon. P. Collier: That is a doubtful qualification for liberty.

Mr. HICKMOTT: I have known some of those inmates and I have known them to be allowed out in charge of women. They have visited the city and have attended places of entertainment. We know that Mable has been allowed out for a week at a time. We were told that this man's case was practically incurable. Mrs. Mable was allowed out, though the doctor stated that she was suffering from the same complaint as her husband. Mable has been allowed a good deal of liberty and no one has been in charge of him. If Mable is fit to be at large for days at a time surely he is fit to be discharged from the institution. I know of the case of another man who came from my own district, a man whom I have known for years. He has had his periods of liberty, and at those times I have talked to him on every subject that would be likely to excite him, and I found that there was no difference whatever in the man's demeanour; in fact, he was just the same as he was before he first went into the institution. Cases of that description require close investigation. I trust that the Minister will adopt the recommendations of the select committee and appoint a board of control which will have the power to give instructions to the Inspector General.

Hon. T. WALKER (Kanowna) [7.56]: After the able speech made by my colleague, the leader of the Opposition, little more

perhaps need be said. The hon. member has pointed clearly to the weaknesses in the measure. To my mind it is not a measure which adds anything to what exists, excepting that qualified provision for release in certain circumstances of patients upon which the majority of the visitors are agreed. The cases on which they can come to a conclusion, those where it is transparently evident that the person should be set at liberty, they are empowered to set at liberty. But that is the only instance. For the government of an institution such as the Claremont Hospital for the Insane, more is required than even monthly visits to know what is going on. The sad spectacle to me is the fact that there are hundreds of patients there who are allowed to wander about and some of them allowed to leave the grounds and go to town and converse with their friends, and who have had no medical examination, no real test applied, as to their alleged delusions or mental sufferings. They can go on from week to week and year to year without a doctor paying anything like special attention to them. In fact, it is one of the most serious charges of the committee that recently sat to investigate the matter, that the medical men were too few for the number of patients at the asylum. Even if they devoted to the duty all their time during the 24 hours of the day, they could not possibly give special attention or even examine each of the patients. It is all left to chance; apparently almost to accident. The institution, apart from management and feeding of the patients, superintendence of the attendants, and reports to proper officers, runs itself apparently. I question whether even the Government know all that is going on there. Certainly the general public do not know. I cannot vouch for the rumour which is afloat that even during the recent Royal Agricultural Show week something like half a dozen patients got out of the institution, and that some of them have not returned there yet. The public know nothing of that, and the Press is silent. Now, if those events can happen and the public be completely ignorant of them, we can imagine what events are happening of lesser importance, but still of vital concern to the sufferers there. What can a visiting body—for that is all the Bill proposes—do in a great institution like that? Of course they have power to go oftener than once a month. They can go every night or every day, either with notice or without notice. They can spring a surprise. But that is rarely done with these visiting bodies. There has been experience of them not only in this State but in every part of the world. Such bodies as a rule grow perfunctory, grow weak in their enthusiasm. They do not perform the work entrusted to them with any degree of zest or initiative. They do it as a sort of duty that has to be performed in order to carry out the trust which has been placed upon them. That is about

all that is done. With all the visiting bodies we have had in connection with our public institutions, what special benefit has ever been conferred upon the community? A visiting body is merely a sort of sop to Cerberus. It is something to keep the public investigation away from the main issue, away from the main facts. These boards are supposed to take some responsibility off the Medical Superintendent and some responsibility off the Minister. The result is to so distribute the responsibility that in the end it rests nowhere, that we cannot make anyone in particular responsible for the disorders that happen in the institution. That position is exceedingly serious. We have had visiting committees and visiting boards to the asylum. We have had lawyers on those visiting boards, and I believe we have had doctors on them. We have had women on them. But what have the boards ever done for the inmates? I know of cases where an inmate has approached the board and has placed his case before them, and has given fact upon fact for investigation. Yet not one investigation has ever taken place. What has been done? Who has been moved? Who has stirred? Who has cared?

Mr. O'Loghlea: That is the point.

Hon. T. WALKER: The whole thing has been left just precisely where it was until a point has been reached when the Medical Superintendent and those on his immediate staff have become the governors of a sort of little colony of people where they are absolute autocrats and can do what they please, and are screened by the Minister in charge, protected by him, the public being kept in absolute ignorance of what is going on. And events can happen, have happened, which, if properly told, and the facts fully placed before the public, would cause the community to shudder. I need only mention the Andinach case. That case has received judicial investigation, but in spite of that the facts have never yet been properly told or properly weighed.

Mr. Jones: Hear, hear! The man who knew about them is dead now.

Hon. T. WALKER: I do not for a moment say that the tribunals which had the consideration of the Andinach case were swayed by any bias. They took the facts as they were presented; but they were presented not with a colour of the bench or the law, but with the colour and bias of the asylum itself. Let me say here that long before those investigations took place, a gentleman interviewed me—and I call him a gentleman with strict propriety—who had the misfortune to be in the observation ward at the very time when Andinach was done to death. Long before he gave any evidence, long before it was expected that there would be any public investigation, he gave to me the same facts as he gave in evidence, and he gave them in the same order and with the same conviction and with the same obvious sincerity and truthfulness. When

those facts were presented in court, how were they answered? They were answered by the Medical Superintendent, who said, "The man has a tinge of insanity." That is to say, the man had been in the observation ward of the Perth Public Hospital. The Medical Superintendent urged, "Do not believe him." There is too much of that kind of dismissing evidence, genuine evidence; in the Andinach case the evidence of the only man who could tell the real facts, the man who was in the room on the fateful night. His evidence was thrown aside because he too happened to have been in the observation ward, though at the end of his period of detention there he was discharged as perfectly sane. When such things as that can happen, and when the doctors can give them that kind of colour, what chance is there for these poor incarcerated individuals, confined in an institution that on the whole may be considered as worse than our gaols? There is no chance for them whatsoever. The Bastille of old France was not one whit worse than these institutions which can keep a man incarcerated for ever, incarcerated until death releases him from his afflictions. And are we not going upon these principles all the way through? There are certain men in that institution whom I know, whom I have visited more than once, whom I have had visit me. They are accused of having delusions. Investigate those delusions, and it will be found that they are facts, that they are the truth. But there is no effort to investigate on that score. The cry "Delusions!" ends all inquiry, stops all further investigation, fastens the fetters on these unfortunates, puts them under lock and key, keeps them from the public ear. As I say, I know of cases where what the patients are accused of imagining is the truth, as can be ascertained by investigation. But of course investigation is altogether too cumbersome, too troublesome, too wearisome for a Minister or a medical officer. It is an easier thing to keep these people in the asylum, to say that they ought not to get out, that they are not fit to be at liberty. But how these things can change when it happens to suit the doctors! There is within my knowledge a case where a man was repeatedly declared to be unfit to be at large, declared to be suffering from the worst possible kind of delusions. Possibly he may have had some of those delusions. His is not a case that I put on all-fours with those I have previously mentioned, where the delusions, if examined, would be found to be facts. However, this is what the man confessed to me. He said, "I am going to make an alteration in my conduct. I am not going to argue with the doctors any more. I am going to make no noise or trouble. They are afraid of me because I know a little too much about a particular case. I am just going to humour the doctors and fall in with their ways, and be obedient, mild, humble, and flattering to them." He did what he said he would do; and what was the result? He is out of the asylum, away in New Zealand. He is in New Zealand at the present time unless he left there within the last

week or two. Such is the value of the testimony of these doctors. A man is unfit to be at large, but if he will only get out of the road, so that he cannot complain or tell his story to the world, the decision is, "Go, boy, and good luck to you!" He is sent away without guardians or attendants. That happened in connection with our own lunatic asylum, here close to Perth. But none of us cares. We do not trouble. We do not lose a wink of sleep over it. And what improvement does this Bill propose on that state of affairs? Suppose we get that visiting committee or visiting board, with two doctors on it, with a lawyer on it, with two laymen on it, and a lay woman on it. They go to the institution. Now, mark, they are only there on a visit, and cannot watch a patient. To test a person's sanity close observation is necessary, even in his solitude, when he is alone as well as when he is, so to speak, in a crowd. What is required is close observation of his conduct, and the evidence by external signs of his internal mental and nervous state. One cannot guess at that; neither is it a thing that one can sound with an instrument. Knowledge depends entirely upon observation in such a case. What chance of observation can these people have visiting once a month, and not all of them there perhaps at the time? What have they to do? They have to take the opinion of the Medical Superintendent. They have to ask him. And what his opinion is we know from how he has treated cases in the past. What his opinion is we know from the report of the select committee, which states that there is too little medical supervision and that the doctors cannot attend to all the patients. Is it not a folly to play with those things, when we are playing with mentality, with those great powers that distinguish us from the brute, from the plant life; when we are dealing with those factors which have created all the marvels of mind, have adorned and beautified and electrified the world? We do not want to play; we want to be serious. We do not want to be callous, indifferent; we require to have a little human sympathy in our composition, and I say that the doctors in charge of that institution have not those qualities. They have held, not only over the lunatics but also over the attendants, a state of terrorism, not merely prior to the inquiry, which was a consequence of that terrorism, but since that inquiry; and at the present day the spirit prevailing there is one of determination to make every man and every woman on the spot knuckle under and work in the groove, and go along smoothly. Complaints of every kind must be got rid of. That is the prevailing spirit of the government of that institution now. And it is on the advice of the medical men there that the visiting board is to act. For they cannot superintend them. They cannot be constantly in watch of the patients. They cannot observe each individual case, or even the special cases as they require to be referred to. They have to still depend

on the autoerats of the institution, and what then can they do to better the conditions? It is easy for the Minister—I know he has been worried about all these things—to approve of this sort of thing. He is to be out of it. "Do not come bothering me; go to the board; go to the superintendent; leave me alone; I can do nothing. There are men in charge, paid men and paid women." We are to take away every responsibility; but to my mind we can never do it. The Minister who has charge of this great department of State, one of the by-products of our civilisation, must be responsible; and if there are people down there in torture, if there are people down there inhumanly treated, we must make him responsible, all the boards he likes to create, notwithstanding. I object to the Bill because it takes away from the Minister the responsibility.

Mr. O'Loughlen: Without clothing others with it.

Hon. T. WALKER: It does not clothe any with it. I am sure that this very board, with its boasted power of liberation, is a farce and cannot work practically. It cannot get the data and the material to do it. It has to depend still on the doctors in charge. The first thing I should recommend, if I had the power to carry out my own recommendation, would be the dismissal of the heads of that institution and the substitution of up to date men in their places—

Hon. P. Collier: Hear, hear!

Hon. T. WALKER: Men who are expert in the treatment of this particular malady or misfortune called insanity. You speak of your doctors; you must never go against your doctors. I have here a work which is particularly Australian. It was presented to the Parliament of Western Australia by the author himself. It was presented to the late Sir James Lee Steere, the Hon. the Speaker, with the author's most respectful compliments. It is entitled "Lunacy in many Lands." It is to be found in our own library. There is no excuse for members not consulting it when they desire information on the subject. This book consists of more than 1,562 pages, for it is from page 1562 I am going to read a little. It shows that the subject is not one which a layman or a lawyer or anyone else can deal with flippantly. It shows that investigations and studies in connection with the subject are enormous. This is how this authority speaks of certain matters which bear intimately upon our own asylums—

Some superintendents ignore medicine from a belief that that moral treatment is more beneficial, others advocate one kind of medicine, others something else, few agreeing but each following his own fancy—

It shows that the superintendents require something more than a visiting board to look after them when they are dealing with

this terrible misfortune of mankind, madness. The author continues—

while some again leave all to Nature, except when they use medical and mechanical restraint—

Which has been done in our own institution. The author continues—

which might be well dispensed with.

Hon. W. C. Angwin: They have been dispensed with in most parts of the world.

Hon. T. WALKER: Yes, except in Western Australia. We are right away behind, and we propose to perpetuate the system in a new Bill. The author continues—

These collected opinions warrant the belief that until the study of mental diseases is conducted with greater uniformity and on sounder scientific principles, and until research of all kinds is made incumbent on the medical officers at every asylum or hospital for the insane, the present unsatisfactory conditions must remain, unless some more correct method is discovered by chance, or some of the medical profession outside of asylums make insanity a study and work out the problem of treatment. Indeed it is doubtful whether our present knowledge of mental diseases is not less due to the mental officers of institutions than to the outside profession.

The Attorney General: What is the date of that book?

Hon. T. WALKER: It is not very recent. I have read a nice little speech on the death of the author by the late Sir Henry Parkes. This work was published in 1887.

Mr. O'Loghlen: What does the date signify?

Hon. T. WALKER: If in 1887 these opinions were abroad, what are we doing in 1920 with the things the author complains of still in vogue in our own asylum? The book is not right up to date, but it is so far up to date that it shows us where the reforms are still to be made.

Mr. Jones: It is in advance of our methods here.

Hon. T. WALKER: That is so. The author continues—

Judging from the returns of cured in various countries, it will be seen that the proportion of recoveries is about the same in most well-conducted institutions, where normal and hygienic means are alone relied upon, and that the proportion is not altered by the most elaborate medical treatment, but that the rate of cures is greater where no restraints are used—

That is the point I am impressing upon members. This was known in 1887, but it is not yet realised by the Attorney General. The author continues—

and where quietness and good management are principally relied upon, as in the case of small, well organised institutions. The recovery of patients will be seen to be ex-

ceedingly small if the returns are computed on all under treatment during the year instead of as at present on those admitted during the year, for those admitted during that time may form no portion of those discharged cured for the year. Under the present form of calculation—and it is adopted in most countries—the best results are shown for the institution, but the public are misled. The right of the insane to be treated, at least as nearly as possible, like other human beings should be insisted on, for it must be borne in mind that the numerous forms of mechanical restraint, enforced baths of all kinds, and the variety of other irritating, vexatious, and unnecessary restrictions are proved to be injurious, and are shown to be the outcome of each superintendent's own whim and fancy—in many instances to save trouble, and in others the result of ignorance. Insanity is much the same in its features in all parts of the world, and therefore if a large proportion of superintendents can conduct their institutions without restraint with positive benefit to all concerned, no argument is left in its favour. As a rule, where restraint is most used, it will be found that the management is the most defective, and disorder reigns throughout.

That was the opinion of a learned New South Wales doctor in 1887.

Hon. P. Collier: It fits Claremont today.

Hon. T. WALKER. If he had written about the Claremont asylum in the last few words I have read, he could not have come at the point more fully and directly.

Mr. Davies: Are you against the board of control?

Hon. T. WALKER: No, but I am against the visiting board. I want a permanent institution with power to say to Dr. Anderson, if it were necessary, "You are not fit to have charge of this institution. Your disposition is not such, or your actual attainments"—I am not questioning his attainments in certain directions, but others might—"are not sufficient for the post." For whatever reason it may be, they say, "You are not the man to have charge of this delicate disease known as insanity. We regret it but you will have to go." That is what is wanted. Now we can do nothing. I have been a student more or less of that institution for many years. I knew the late Dr. Montgomery. I had some prejudice against him at first, before I knew him well. But I learned to respect him for I knew that he understood his work, and the delicacy of what he had in hand. What a contrast to the man in power now! That institution, so far as its improvements are concerned, and so far as its being brought into line with the great advancements in other parts of the world are concerned, was founded by the late Dr. Montgomery. What has gone ahead since? Perhaps the Minister in charge can tell us. What has been

done since the death of the late Dr. Montgomery? He was a man who did command the respect even of his patients. He was a man who could be trusted in the work he was doing. Unfortunately the sickle of death mowed him down, and he has been succeeded by a man of entirely different temperament and different qualifications, a man who wants to be more than that, who defies Ministers and who, in fact, gets his own way, for this Bill is his measure. Something had to be done to meet the wishes of this House. After last session's inquiries something had to be brought forward, and this abortion of a measure is what is supposed to satisfy an enlightened public and meet the necessities of the hour. It is an insult to intelligent men. It is a wrong to the asylum. That is where it must be felt most, by these poor wretches suffering in their infirmity. It is an additional load that they have to bear. They become aware of what is happening. They know that when a Bill like this passes, their lot in life is hopeless. How can we expect a man of withered intellect to blossom forth afresh if he is deprived of the mainstay of hope? Take that away from a man and his whole being becomes moribund. That is what this species of legislation does. I have no words of indignation to pour forth to meet the situation when I know that Ministers can indifferently let this matter pass on from day to day and week to week, and fancy they are reformers, when they place this power more firmly in the hands of the very tyrant whose right to be where he is we are questioning. I am not speaking with any rancour towards Dr. Anderson. He is nothing to me; nor are the doctors anything to me. It is for these unfortunates that I care and on whose behalf I speak. They have no voice. Even if they articulate they are not always consequential; they are not always coherent. When the mind of man has become enfeebled and disease has settled on this most delicate portion of the human frame, they must have someone to speak for them. Thank goodness there are men in this Chamber who can give them the voice that they need. Thank goodness that the movement which has humanity as its object, which takes its inspiration and very atmosphere from the sufferings of humanity, and which is represented on these benches, is loud in its desire to assist these helpless ones, and to heap scorn upon this abortive measure, which fortifies stronger than ever the evils and abuses that have been allowed to persecute humanity too long, even in this enlightened century and supposed civilised country.

Mr. O'LOGHLEN (Forrest) [8.35]: My remarks will be brief after the eloquent speech we have just heard in opposition to the Bill. I realise that when the Minister makes an attempt to bring in legislation aiming at reform, it is the generally accepted

policy in Parliament to take half a loaf rather than no bread. I think most hon. members will come to the conclusion that this Bill has many shortcomings. I am disappointed in it. I believe the majority of members will be able to impress upon the Minister the fact that he has hopelessly failed to represent accurately the views that were put forward from both sides of the House last session. When the select committee was appointed from this House, to investigate the glaring accusations which were levelled at this institution, there was appointed to it a group of men whose word could be taken regarding this institution, and who applied themselves with diligence to carry out their allotted task to get at the root of the position that existed, and put forward to the Assembly recommendations which would lead to a decided improvement. These recommendations have now been placed before us. I believe the reason which prompted the Minister to delay the introduction of the Bill was that more money was required to enlarge the institution before a scheme of reform could be brought forward, and before the recommendations of the committee could be taken into consideration. If that were the case we can only regret that the Minister, perhaps owing to a lack of experience in his department, allowed so long a time to elapse before taking the necessary steps. I realise that it is an important department and that the Minister in charge of it requires to have exceptional gifts and a strong character. Possibly it is owing to the inexperience of the Minister in the administrative work of this country that has prompted him to bring down a Bill that falls so far short of the requirements of the situation. The leader of the Opposition and the last speaker hit the nail on the head. It is not necessary for me to enlarge on their points, when they drew attention to the inadequacy of the proposed board. A board of advisers is one that cannot have any lasting benefits. It may be an improvement on the present system, inasmuch as it may expedite the negotiations for the release of inmates. It may help on the sympathetic efforts that may be made to place cases in the right quarter. If we look back over the position of honorary boards in this country, we cannot feel that they have accomplished very much. I would be the last to disparage the efforts of men and women who throughout Western Australia have given their time and attention to overlooking our public institutions. You, Sir, have had experience in your own district where the Education Department, following out what they believed to be the honourable policy of appointing school boards of advice, have found that these boards have fallen into disuse.

Mr. Davies: They are dropping them now.

Mr. O'LOGHLEN: Yes, because experience has taught them that in the individuals selected to serve in these boards, there is a lack of enthusiasm and desire to perform

the necessary duties allotted to them. So it comes about that one of the important departments of State is dropping altogether the system of honorary boards.

The Attorney General: This is not an honorary board.

Mr. O'LOGHLEN: The appointments at all events, are not made attractive. The remuneration is not such as would enable a person to live entirely on it. The point made by the speakers on this side of the House is that there should be a board set up, no matter what the cost may be. I do not think that the people of the State would object to the cost. There should be a board of Commissioners set up, furnished with extended powers which would enable them to look upon their duties as religion itself, and apply themselves towards probing every case where probing was necessary. There should be a group of men and women, or professional men or laymen, who would have the confidence of the country, and who would be able to present in their annual report the actual state of affairs as they existed. I believe that after a period of years their experience would be such that we would see tangible results. Are we getting results to-day? I do not know that the Minister is entirely to blame, or that the superintendent of the institution or anyone else is to blame. The community as a whole requires to have a more intimate knowledge as to the management of this institution. Admittedly it is a difficult problem that confronts the Minister. They are evil environments for anyone to work in. I believe the system advocated in some continental countries, and to a certain extent in the Old Country, is that the whole staff, the doctors, the nurses, and the warders are periodically taken away for a change, and transferred from that environment so that they can forget the conditions which come before their gaze every day. If hon. members were put out of occupation to-morrow this particular work would be the last in the world with which they would identify themselves, namely, the management of those who are unfortunately afflicted with mental darkness. Most hon. members shudder on visiting the institution, knowing the awful conditions that must exist there, and which cannot be prevented perhaps by the best intentioned Government that ever existed. An effort should be made in the direction of supervising the control of this institution. To this end a group of men and women, possessed of the elements of human sympathy, such as is required for so painstaking and difficult a work, should be appointed. I contend that all is not well with the Claremont Hospital for the Insane. I am prompted to make that remark through having been brought in daily contact with men and women who have worked in that institution. These men and women have grievances, and they would not have them unless there was a deep-seated reason for them.

There is a lack of co-operation between the superintendent and the staff in the home. If there is one institution in the Commonwealth where there should be unanimity between the superintendent and staff it is the Claremont Hospital for the Insane. Quarrels may eventuate in public departments and the Minister may be called in to settle disputes, but these are trivial matters compared with a lack of harmony, distress, dissatisfaction and discontent in an institution such as this. If the Minister came down with supplementary Estimates to provide money which would give a greater measure of comfort and more accommodation to the inmates of this institution members would have no hesitation, I feel sure, in passing them. The select committee put forth a damning indictment against the lack of accommodation in many respects and the lack of attention, and they drew special attention to the case of one of our winners of the Victoria Cross, who was put under restraint for an unduly long period. The case may be a hopeless one, and there may be hundreds of cases similar to this, yet we must know from our own experience that there are many persons in the institution for whom there may still be entertained a gleam of hope that they can get out provided they have kindly treatment and the best possible attention that the State can give them. I am not saying that the Minister is acting in a callous spirit. I do hold the opinion, however, and I am sincere in this, that if there is one office in Western Australia that requires the widest possible knowledge and experience it is the office of Colonial Secretary. The present Minister is a layman, and is largely in the hands of his officers. If these officers have not the proper disposition and temperament, and have not that knowledge of human affairs or that amount of human sympathy that is necessary, the Minister becomes to a large extent merely a rubber stamp. I am not saying that of the present Minister, but I am referring rather to another. It was said during the war that many of the huge blunders which were afterwards brought to light in the Defence Department were largely made owing to the fact that the Minister in charge was a layman, and was dominated too frequently by high military heads. I believe that the military spirit is not altogether absent from the administration of the Claremont Hospital for the Insane.

Mr. Jones: Too true.

Mr. O'LOGHLEN: There are two conflicting methods employed there, and as a result there is a lack of harmony. I hate to hear employees of an institution continually railing against the heads and the Inspector General; I hate to know that the Inspector General has his knife into the individual employees on the staff. We cannot get satisfactory service under such conditions, and I will not accept the assertion that scores of people working in an institution, attending to the needs of their un-

fortunate afflicted fellow men and women, are entirely in the wrong every time. I believe that the lack of co-operation and harmony can largely be laid at the door of the administrative staff—the Inspector General and those immediately under him. I have known people go to the institution never to come out of it, unfortunately. I have known others who have been liberated, and are now doing well. In the whole history of human affairs, if there is one section of the community who should enlist the sympathy and interest of not only members of this House but of the community as a whole, it is that section which is detained within this institution to-day. I believe the Minister would be wise if he insisted on a change so far as the Inspector General is concerned for a period of 12 months at any rate, and transferred other officers to different positions for a period, so as to give them a change from their every day surroundings at Claremont. That would enable them to forget their environment, and it is a matter of common knowledge that our environment has a great effect in the moulding of our lives. Where is there a worse place where this influence can come into play than in the administering of affairs of an institution like this? So far as I am concerned, I would be prepared to justify this Government in any part of the country, if they provided a larger vote to further the work of the institution. I hope the Minister will not persist too much with this Bill, for the reason that it does not go far enough. It sets up a board without giving that body the powers that the select committee of this House, after taking voluminous evidence, recommended should be given.

The Attorney General: The board has nearly all the powers of the Inspector General now.

Hon. W. C. Angwin: It has no power of management.

Mr. O'LOGHLEN: It has no power of control. I trust that the Attorney General knows that I do not disparage medical opinion.

The Attorney General: I know that.

Mr. O'LOGHLEN: The member for Pingelly (Mr. Hickmott) knows of a man who, while out on leave from the institution, appeared to be as sane as any man.

The Colonial Secretary: And the man he mentioned has been examined since and has been proved to be absolutely insane.

Mr. O'LOGHLEN: None of us can set up an opinion against the opinions of medical people. I know of a man in there who came from a district which you, Mr. Speaker, represent, a man with whom I worked. Anyone can speak to that inmate on almost every subject under the sun, and he will appear to be as sane as possible. There is only one question, regarding electricity, upon which he is really insane. He flies off at a tangent

just as the member for East Perth (Mr. Hardwick) flies off regarding astronomy.

Mr. Hardwick: There are a lot of patients there who should be out, and a lot out, who should be in.

Mr. O'LOGHLEN: Yes, and the board will not let them out. That is why we protest against this provision.

The Colonial Secretary: That is not so.

Mr. O'LOGHLEN: Yes, that is what it amounts to, because the system is so tortuous and cumbersome that the board will be guided by the overwhelming medical opinion.

The Colonial Secretary: Would you agree to three laymen releasing any patient from the institution?

Mr. O'LOGHLEN: No, not without a medical opinion.

The Colonial Secretary: Exactly, and that is what we provide for.

Mr. O'LOGHLEN: The Minister has already been told that the two medical men on the board have already given their opinion. They have already shown their attitude, and in answer to an inquiry said they were not prepared to liberate a patient.

The Colonial Secretary: Yes, but this board is given power to deal with that.

Mr. O'LOGHLEN: They may be given the power, but it is a power which the board will fail to exercise in view of the prejudice and hostility that is sometimes shown by the Inspector General and those immediately under him. If the member for Kanowna (Hon. T. Walker) was correct to-night—

Mr. Hardwick: He was not correct.

Mr. O'LOGHLEN: Do you assert that he was not correct when he detailed the case he instanced?

Mr. Hardwick: I do not take notice of a 50 years' old matter.

Mr. O'LOGHLEN: The hon. member is himself back in the stone age, and he will never get out of it. The case quoted to-night was that of a man who had shown a different attitude towards the Superintendent and the medical staff. He is now in New Zealand. I know an individual who is in South Australia at the present time, and she has never suffered from anything in her life which justified her in going into this institution. They sometimes go there, and they are occasionally released. The board proposed to be set up will still be the creature of the Inspector General; it will still be the instrument by which he will exercise his dominating influence, as he has been accustomed to do for years past. Members may go through the streets and meet people who have been in the institution, and they will find that, rightly or wrongly, there is a pronounced prejudice against the administrative methods employed at the institution.

The Attorney General: The real difficulty is the question of management, as well as the functions of the board.

Mr. SPEAKER: Order! These are matters for the Committee stage.

Mr. O'LOGHLEN: The Attorney General knows as well as any other member that when Parliament appointed that select committee, they did not appoint them for picnic purposes. The House selected men who were the most capable available to carry out the investigation into the charges that had been made. We as a Parliament asked the Government to carry out the recommendations of that select committee. The Inspector General has not given effect to any of those recommendations. He may have instituted a few reforms, but, generally speaking, the recommendations have not been given effect to. There were whoops of delight from the Inspector General and other medical men when the first Royal Commission was proposed and rejected, and the Inspector General publicly stated that he did not believe in the select committee. I have never met the Inspector General, and I do not desire to disparage any medical man who is engaged in this very important work. I contend, however, that there exists at the institution a position that does not augur well for its future. I think that the Minister in charge of this department will require to stiffen his spine to a very great extent in order to bring about a better system of administration in order to get away somewhat from the state of affairs which exists there at the present time, and to secure co-operation and unanimity among warders and nurses for the benefit of the patients. We will then have an institution costing more money, but what are a few thousand pounds weighed against the welfare of such patients?

Hon. W. C. Angwin: You will save money if you have a board of control.

Mr. O'LOGHLEN: We are prepared to take the advice of the select committee who investigated this problem, and there is no one who carries more weight than the member who has just interjected. Why have not the Government accepted this proposal? Why have the Government, after we hearkened to their request to close up Parliament last session and let them get into recess so that they might attend to these affairs, produced, after all this time, a Bill that is absolutely futile, and which fails to give those reforms which every humanitarian in this country desires to see brought into operation? For these reasons I trust that the Minister will take notice of the reforms foreshadowed by the leader of the Opposition, and that he will redraft this Bill to give the board greater powers. If he does not do so, I predict that the bulk of the inmates of the institution to-day and those who will go there in the future, will lose heart and lose all initiative or desire to improve at all, and that across the gates of that institution we might just as well write, "Abandon hope all ye who enter here."

On motion by Attorney General, debate adjourned.

HILL—CITY OF PERTH ENDOWMENT LANDS.

In Committee.

Resumed from the 30th September. Hon. G. Taylor in the Chair; the Attorney General in charge of the Bill.

Clause 20—Power to run motor omnibuses and motor-cars:

The ATTORNEY GENERAL: The Committee reported progress on this clause. What was in the mind of the Committee was the possibility of motor buses being used by the city council to compete with the Government tramways. The clause as it stands gives the council power to run motor buses within the lands covered by the Bill. If they go outside this land, they have to obtain the consent of the Governor in Council. There was also another question regarding the power to make by-laws. In order to avoid any possibility of conflict between the Government and the city council regarding the services, I propose to move a couple of amendments to omit the words "for passenger traffic" and also the words "to make and enforce by-laws" in the clause, and also to add a proviso. I move an amendment—

That in line 2 after "cars" the words "for passenger traffic" be struck out.

Hon. W. C. ANGWIN: The council should have power to build a tramway or run motors from the nearest point of the existing tramways to the extreme boundary of their own land, and they should be able to lease or sell their own tramway to the Government. That is all the council should ask. They should not be able to run in opposition to the Government system. If the words are struck out, it will be impossible to carry passengers out to this area until tramways are constructed, and how can the council expect people to purchase land there unless they can be conveyed to and from the city? In London wherever 'buses are running, the trams are empty. In fact, the fare from one terminus to the other between the hours of 10 and 4 is only 2d., the object being to encourage traffic on the trams. The 'buses are quicker and they convey people nearer to their homes.

The ATTORNEY GENERAL: I am as anxious as the member for North-East Fremantle to prevent competition with the Government tramways. Clause 7 gives the City Council power to run tramways within the endowment lands and the Lime Kilns Estate, and also outside that area with the consent of the Governor. If the council built a tramway within the Lime Kilns Estate there would be a big gap between the Government tramways and the council tramway.

Mr. Foley: It would be two and three-quarter miles.

The ATTORNEY GENERAL: This clause gives the council power to run motors outside the two estates with the consent of the Governor, but the consent of the Governor would be required to connect up with the Government tramways. Let us assume

that the Government not only continued their tramways to the boundary of the City Council lands, but obtained a lease of the tramways on these estates. Unless there was something to prevent competition, the City Council might compete within their estates without obtaining the consent of the Governor. By passing the amendment, every possibility will be safeguarded.

Hon. W. C. Angwin: Why are you cutting out passenger traffic?

The ATTORNEY GENERAL: It might be desirable to run motors for other purposes.

Hon. P. Collier: The clause as amended will include passenger traffic without specifically stating so.

The ATTORNEY GENERAL: That is so.

Mr. FOLEY: If the words are struck out the council will be able to run motors for purposes other than passenger traffic. The City Council must have this right in order to cart stone from that area. The Lime Kilns Estate was purchased largely on account of the supplies of building stone there.

Hon. W. C. Angwin: There is nothing to prevent them from running motors for stone.

Mr. FOLEY: Quite so, but if the clause were limited to running motors for passenger traffic, the council might be prevented from carting stone or other material, and thus the estate would become a white elephant. The city of Perth is safeguarded by the fact that the Attorney General has put in the proviso "that the consent of the Governor in Council must be obtained." That will have the same effect as the proviso that is now in Clause 20.

Amendment put and passed.

The ATTORNEY GENERAL: I move a further amendment—

That in line 4 the words "and make and enforce by-laws" be struck out.

Amendment put and passed.

Hon. W. C. ANGWIN: I would like some information with regard to the proviso of the clause. It reads "Provided that the council shall not run any such omnibus or motor car service beyond the endowment of lands and the Lime Kilns Estate without the consent of the Governor." Under that proviso will it be possible for the Government to impose limitations, or will it be possible to conduct a service outside the endowment lands?

The ATTORNEY GENERAL: I should interpret the proviso to mean that it gives power to run to such and such a place and only to that.

Hon. P. COLLIER: The proviso can be made clear by saying "in such districts or areas." In that way we can make sure that we retain the power to limit the activities outside.

Mr. FOLEY: Power is asked to enable the council to run these facilities themselves or to lease them to other people. On the other hand, the Government have the right either

to grant the rights wholly or in a limited manner. The general feeling of the Perth City Council was that they should run motor buses or other vehicles on the estate and if possible to connect those vehicles with the tramway system. Whatever system is put into effect it will be run as part of the tramway system under arrangement between the council and the Government.

The ATTORNEY GENERAL: I have drafted an addition which I think will meet the wishes of the member for North-East Fremantle. I move an amendment—

That the following words be added to the proviso, "and the route of such service shall be limited and defined by the terms of such consent."

Mr. FOLEY. The amendment is not necessary. When the council put their request before the Government they had plans showing the route of the proposed tramway or motor car service. No Government would give anyone a concession unless they had the fullest knowledge of what the concession meant. I do not suppose, however, that the amendment will do any harm.

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That the following further proviso be added—"Provided also that the council shall not run any such omnibus or motor service within the endowment lands and the Lime Kilns Estate without the like consent if at any time the Council tramways are acquired by the Governor."

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

Clauses 21 to 24—agreed to.

Clause 25—Government right of purchase:

Hon. P. COLLIER: Why is the right of purchase by the Government restricted until after the expiration of 25 years? Is the reason to be found in the provision that nothing shall be paid for goodwill? The Government should have the right to purchase at any time. Most of the capital cities of Australia, and also important towns elsewhere, have found occasion to regret having given rights over their roads and streets to tramway companies for periods of 25 years or so. It is for that reason Melbourne has had to put up with the antiquated cable system so long. We ought not to tie the hands of future Governments in this way. Perth is young, and it is growing, and as regards its outer suburban areas it will be vastly different in the course of 15 or even 10 years.

The ATTORNEY GENERAL: This clause has been inserted partly for the reason that nothing is to be allowed for goodwill. Suppose the tramway was constructed to-day; it must be run at a loss for four or five years at least. If the Government had the right to purchase at any time, this situation might arise: the tramway having been run

at a loss for seven years, the Government step in and purchase in the eighth year—purchase, that is, for the value of plant and construction without any allowance for goodwill. However, I am not wedded to the period of 25 years.

Hon. P. Collier: It seems to me that the better course would be to strike out the 25 years limitation and allow something for goodwill.

The ATTORNEY GENERAL: I hardly like that suggestion, because I know what sometimes has to be paid for goodwill. There was the case of the Perth Gas Company, for instance. However, I do not think goodwill would amount to very much in this case. Some term should be fixed for the protection of the Perth City Council.

Hon. P. COLLIER: I recognise the force of the point raised by the Attorney General. We know what amounts are allowed by tribunals for goodwill in the case of such undertakings as this one. Perhaps the period of limitation might be reduced to 15 years. On principle I like to retain the right of the Government to acquire these utilities at any time when the Parliament of the day may deem it advisable. The loss incurred during the period of operation by the Perth City Council might be recouped to them. I propose to move an amendment that in Subclause 1 the words "after the expiration of twenty-five years from the passing of this Act" shall be struck out.

The MINISTER FOR MINES: The Perth City Council approached me in connection with this matter when they first requested the Government to extend the existing tramway system to the Ocean Beach. I then pointed out that we were not in a position to construct what might be considered a recreation tramway while settled portions of the metropolitan area were still waiting for tramway facilities. The object of the Perth City Council, of course, was to develop their endowment lands. Usually in such cases the idea is to make a profit, not from the tramway traffic, but from the sale of the land made available for settlement by the construction of the tramway. The Perth City Council objected that they could not be expected to find the capital for the construction of the tramway while there was the risk of the Government stepping in at any time to purchase. If we take the right of compulsory purchase of the tramway to be constructed by the Perth City Council, we ought to protect the municipality by a provision that any loss incurred by them during the period of their operation of the tramway shall be added to the cost of plant and construction. Of course, during the period of their operation the Perth City Council will have had the benefit of development of their lands by reason of the existence of the tramway. The Government could profitably extend the existing tramway system as far as Selby-street, and the remainder of the construction required to meet the desires of the Perth

City Council is not very great. I think we should retain the right of purchase, subject to no loss being allowed to accrue to the Perth City Council.

Hon. P. Collier: They might make a loss on the running of the tramway, and yet make a huge profit on the sale of their lands.

The MINISTER FOR MINES: Exactly. Their only object in constructing the tramway would be to sell their lands. If that area is settled, as I think it will be, when tramway conveniences have been made available for other portions of the metropolitan area, the Government should construct this tramway also. If, on the other hand, the Perth City Council want their lands developed at an earlier stage by means of a tramway, they should construct that tramway themselves, subject to compulsory purchase by the Government on the terms I have suggested. The policy of the State should be that the whole of the metropolitan tramway system must remain with the Government.

Mr. FOLEY: From the State's point of view, I think it would be better to let the clause stand as it is. If the Government cannot construct this tramway, then the nearest approach to the Government, namely the local governing authority, should do the work. If the Perth City Council have only a certain period within which to run the tramway, at the end of which it must be handed over to the Government, that will be a strong incentive to them to improve their lands. The adoption of the suggestion made by the Minister for Mines would mean that the State might be called upon to pay for something that really the Perth City Council would have a right to pay for, seeing that the loss would be the result of their mistake. On the other hand, if the municipality construct the tramway, they will need a few years' running of that tramway to recoup them for the outlay of their money, through the medium of the increase in the value of the lands which they will have improved. All that would be left to the council would be the right to rate those people living there. At the end of 25 years the council and the Government would both know where they were. The Minister will be well advised to leave the clause as it stands.

Mr. O'LOGHLEN: I support the suggested amendment, and I wish to express my sympathy with the member for Leonora in his difficult position. I do not think it is altogether in keeping with the fitness of things that country members alone should be discussing a Bill dealing exclusively with metropolitan affairs. I suggest that progress be reported in order to allow metropolitan members to be present.

On motion by the Attorney General, further consideration of the clause postponed.

Clauses 26, 27, and 28—agreed to.

Clause 29—Special rate to cover liability for loan:

Hon. W. C. ANGWIN: Where is the necessity for striking a rate when there is every probability of a profit?

The Minister for Mines: A rate must be struck to ensure interest and sinking fund on the loan.

Hon. W. C. ANGWIN: The rate can be struck when required. Under this provision a rate will be struck for no better purpose than to deposit the resultant money in the bank. If at the end of the year the money is not required, it will have to remain in the bank or be used for some other purpose, because in the second year it will certainly not be required. The very next clause provides for excess profits. Where, then, is the reason for striking a rate?

The Minister for Mines: It is to provide a guarantee to the bondholders.

Hon. W. C. ANGWIN: Only in the case of a loss should a rate be struck. It might mean the interest on £250,000 lying in the bank for a considerable time.

The Minister for Mines: No, because if the money is not required, the rate will not be struck in the second year.

Hon. W. C. ANGWIN: But they will have the rate and the profits also for the first year lying in the bank. I have seen an instance of this in practice. It is a most unfair way of dealing with a public undertaking.

The Minister for Mines: For years you have advocated that the whole of the community should pay its share of the cost of such undertaking.

Hon. W. C. ANGWIN: But there is no necessity for the community to pay twice for the same thing in one year.

Clause put and passed.

Clauses 30 to 38—agreed to.

Clause 39—Powers of council over lands:

Hon. W. C. ANGWIN: I ask that the consideration of this clause be postponed. I wish to deal with the power of sale of endowment lands. I intend if possible to persuade the Committee not to agree to the sale of endowment lands. If I am not successful in that I will have an amendment drafted to provide that any money from the sale of endowment lands shall be put in trust with the Treasurer, to be retained as an endowment for all time. Under the clause the council has power to sell or lease lands which have been given by the Government to the city as endowment lands for the benefit of the rate-payers of Perth for all time. The clause will take away the rights of the people.

The Minister for Mines: No, it adds to their rights.

Hon. W. C. ANGWIN: Nothing of the sort; their rights are to be sold. If the money realised from the sale of the land is spent, the endowment is lost. Many years ago the Government thought it advisable to endow the city with land for the benefit of future generations. The present Government, who cannot see so far ahead, have decided to deprive future generations of this benefit.

Mr. Smith: What is the value of the endowment lands?

Hon. W. C. ANGWIN: A value which is increasing every year. If we give the city council power to sell, the proceeds should be invested for the benefit of future generations.

The ATTORNEY GENERAL: The member for North-East Fremantle wants all the proceeds from endowment lands to be invested in trust to form a perpetual source of income. That at first sight appears very reasonable, but when we consider the nature of the endowment lands and the amount required to be expended before those lands will be worth anything, the reasonableness of the suggestion vanishes. The money from the sale of these lands is to be applied to the repayment of actual sums borrowed to improve what is now worthless land.

Hon. W. C. ANGWIN: As the Attorney General will not agree to postpone the clause, I move an amendment—

That in line 2 of Subclause 1 after "lands" the following words be inserted:—"except the area of land granted as an endowment for the city of Perth."

The Minister for Mines: Under this clause the city council cannot sell without the permission of the Governor in Council.

The Attorney General: I do not know why you wish to restrict the powers which the city council already have.

Hon. W. C. ANGWIN: Members appear to be considering the question from the standpoint of Perth versus Fremantle. It shows how narrow-minded they are. The Committee will be acting wrongly if they allow the city council to sell land which was given as an endowment for ever. It was never intended that any public body should be able to sell such land. Take the land granted as an endowment for education.

Mr. Smith: What use is being made of it?

Hon. W. C. ANGWIN: None at present, but the value is increasing year by year.

Mr. Smith: It is only a paper value.

Hon. W. C. ANGWIN: These endowments were granted by men of foresight, but the member for North Perth desires to rob future generations of the benefit of these endowments.

Mr. Smith: I wish to turn these lands to account.

Hon. W. C. ANGWIN: Yes, to benefit the present generation. Members on the Government side do not care a hang about the future.

The Minister for Mines: You would not take away any rights which the city council enjoy at present.

Hon. W. C. ANGWIN: They have no rights at present.

The Attorney General: They have.

Hon. W. C. ANGWIN: Does the Attorney General wish me to believe that those who granted these endowment lands intended them to be sold?

The Attorney General: I do not think they would be such idiots as to put in those words if they meant nothing.

Hon. W. C. ANGWIN: What is the meaning of the word "endowment"?

The Minister for Mines: You might make an endowment straight out.

Hon. W. C. ANGWIN: Was it ever intended that the University endowment lands should be sold?

The Minister for Mines: Yes.

Hon. W. C. ANGWIN: Nothing of the kind was ever intended. If this permission is given, the principle must be extended to endowment lands throughout the State. There is 2,000 acres at Fremantle.

Mr. Foley: Under similar conditions?

Hon. W. C. ANGWIN: Under better conditions. We are not justified in giving the city council power to sell these lands for the purpose of effecting certain improvements, a large percentage of which will probably be on lands other than these. I believe in the principle of land endowment. It would be an excellent thing if more of our local authorities, our charitable institutions and so forth, were possessed of areas of endowment lands in various parts of the State. I trust the Attorney General will accept this amendment.

The ATTORNEY GENERAL: I postponed the consideration of this Bill in order that the hon. member might be here to discuss it. I have before me a copy of the certificate of title, which the hon. member can verify to-morrow. It is idle to say that the city council have no power to sell these endowment lands. This document certifies that the city of Perth are the sole proprietors of this land, containing about 2,181 acres, and that it is to be held as an endowment in perpetuity for the use and benefit of the said city, upon the following conditions: That the grantee shall not sell or convey the fee simple or offer any lesser estate or lease for any term exceeding 99 years the said land or any part thereof, without the consent in writing of our State first obtained. Does the hon. member say that these words, expressly put into a certificate of title, mean nothing?

Hon. W. C. Angwin: What do the other words mean?

The ATTORNEY GENERAL: Words are frequently found in legal documents which are subsequently qualified. The hon. member by his amendment desires Parliament to take away from the city of Perth a right that it possesses under this certificate of title. We simply ask that the proceeds of the sale of this land be vested in a sinking fund, or failing that, if there is any surplus, that it be vested in a trust fund by way of perpetual endowment to the city of Perth. I am opposed to the amendment.

Hon. W. C. ANGWIN: No Government would give the city council power to sell their endowment lands unless the money derived from the sale were held in trust for the bene-

fit of future generations of citizens of Perth. At all events, no honest Government would do such a thing. I have known of many things having been done in politics in order to save seats, but they were not done honestly from a political point of view. The wording of the certificate of title shows that the intention of those who left this endowment was that the land should be held by the city of Perth in perpetuity. It may be necessary to sell the land under certain conditions, but the principle of the endowment should not be lost. What right have the city council to sell this land, and with the money build tramways, roads, parks, gardens, places of amusement and other things so that the State at large may get the benefit? Was that the intention of those people who made this endowment?

The Attorney General: I have no hesitation in saying that it was their intention.

Hon. W. C. ANGWIN: The city council have got the Attorney General by the wool.

The Attorney General: The hon. member must withdraw that.

Hon. W. C. ANGWIN: I withdraw the remark. It was not intended as an insult. I asked, on my return to the State, that a clause should be drafted to deal with this question, and was informed that there was no time in which to do it for to-night's sitting. It is for that reason I have asked that the consideration of the clause should be postponed.

Hon. P. COLLIER: In the absence of a case being put up by the representatives of the citizens of Perth at the present time, I feel bound to supplement the remarks of the member for North-East Fremantle. It is true that the council has power to sell the land, provided they get the consent of the Governor in Council, but I do not know of any instance where the consent of the Governor has been given for the sale of any endowment land.

The Premier: There is very little endowment land available in the State.

Hon. P. COLLIER: Undoubtedly the intention was to preserve to the citizens of the State the benefits accruing from these estates for all time. Circumstances might arise when it would be good business to sell endowment land, and in these circumstances the proposal of the member for North-East Fremantle is a good one. By selling these lands, the ratepayers at the present time might receive the benefits which it was intended should be preserved for the ratepayers of 10 or 20 years hence.

Mr. Smith: Or to those of 500 years hence, and what have they done for us that we should contemplate such an action?

Hon. P. COLLIER: I have heard it asked, what has posterity done for the present. Each generation has responsibilities to inherit, and as we inherit those of the generation before us, so the generation coming after us will inherit our responsibilities. I think it would be hard to apportion the blame. However, to get back to the clause

I think that the proposal of the member for North-East Fremantle is a fair one and should be adopted by the Committee.

Mr. FOLEY: The amendment suggested by the member for North-East Fremantle seeks to take away powers which the city council have at the present time regarding their endowment lands. There is no analogy to be drawn between the University endowment lands and the city of Perth endowment lands. In the first instance, the University is specifically prohibited from selling any of its land and only has power to lease with the consent of the Governor in Council. In the case of the city council, a specific provision was inserted when the land was made available, and it is clearly set out in the Act dealing with the matter. The people who put in the words "lease, sell or convey in fee simple" inserted them for a purpose. They are not waste words and they show clearly that the present position was contemplated. The Attorney General's amendment proposes that, should a sale be effected, the money shall be spent in a certain manner.

Hon. W. C. Angwin: That applies to the Lime Kilns estate. I am not concerned about that. I am concerned about the endowment lands.

Mr. FOLEY: If the amendment is agreed to, the Government will have the use of that money for a certain time, whether by way of sinking fund or otherwise, but the people will have the knowledge that the money from the sale will be put to the best use in improving these lands. The city council will have the endowment for all time. If, as I say, there is specific provision for the sale of these lands, it is no good suggesting that these words were not meant by those responsible for the Act in the first instance.

Hon. W. C. Angwin: I do not say that, but I do say that the sale might be compulsory. Suppose the endowment lands were near the Fremantle harbour. They might then be compelled to sell. The proceeds would be kept in perpetuity.

Mr. FOLEY: I ask the Committee to support the Attorney General in his desire to give effect to what those who made the endowment lands available, intended to apply should an occasion such as this arise.

Amendment put and negatived.

The ATTORNEY GENERAL: I move an amendment—

That in Subclause 2 the words "in such manner and for such purpose as the council may from time to time determine, and until otherwise determined shall be accumulated" be struck out.

In the event of this amendment being carried, I propose to move that "in the development of the said lands and" be inserted in lieu of the words struck out, and also that the following be added to the subclause: "and the surplus (if any) shall be invested in such securities as trustees are by law authorised to invest trust funds." I fully realise the necessity for

preventing indiscriminate expenditure of the proceeds of any land sold in this way, and I think it is only reasonable to secure that such proceeds are invested in the improvement of the property itself, thereby enhancing its value, or else in trust funds. If hon. members desire to consider the sufficiency of what I propose, I am prepared to report progress.

Hon. W. C. Angwin: I repeat that I only wish to deal with the endowment lands, and that I am not concerned at all with the other lands of the Perth City Council. As regards the Lime Kiln estate, for instance, I do not object to the Perth City Council endeavouring to get the ratepayers' money back, if they can. But I maintain that the endowment lands were given to the citizens of Perth in perpetuity, and that if ever the municipality is compelled to ask for permission to sell those lands, say with a view to the construction of public works, the funds so derived should be invested for the benefit of the citizens of Perth in perpetuity, in the same way as the lands were granted. We have no right to take away these lands, or their value, from the future citizens of Perth.

Progress reported.

BILL—TREASURY BONDS DEFICIENCY.

Second Reading.

The PREMIER (Hon. J. Mitchell—Northam) [10.47] in moving the second reading said: This Bill has made an annual appearance for some years past. The first Act providing for the funding of the deficit was introduced some years ago. Last year's deficit amounted to £668,224. I propose under this Bill to ask for authority to raise £690,000 in order that this deficit may be funded. Hon. members are aware that there are always expenses in connection with the flotation of a loan. If this Bill passes, Parliament will have authorised the funding, up to the 30th June last, of deficits totalling £4,086,705, being the actual total of the deficits up to the 30th June last. The expenses so far incurred in connection with funding the deficits amount to £85,852.

Hon. P. Collier: The expenses?

The PREMIER: Yes, in connection with the raising of loans to fund the deficit. The amount represents about three per cent., which is not an unusual charge, but just about the average charge. I do not expect that we shall raise this loan more cheaply than any other. The total amount of deficit remaining to be funded is £1,279,051. We have not raised the money to fund this portion of the deficit, because so far it has not been found necessary to do so. We have had money in hand, and the deficit has been taken out of general revenue and out of loan moneys. Bonds have not actually been issued specially to cover this portion

of the deficit, although we have authority to issue them, and should of course issue them if it were necessary to raise the money. As a matter of fact, we have to-day a considerable sum of money in hand; and, notwithstanding that the House will probably pass the Bill I am now introducing, it may not be necessary for us to raise the amount for some little time. I do not know that I can say very much that will inform hon. members as to the reason for this Bill, when everybody knows—

Hon. P. Collier: That it is a hardy annual.

The PREMIER: Yes, and that we have had a deficit for some years past. I should like to again point out that, notwithstanding our deficit of £668,000 last year, our sinking fund increased by £694,000. The other day some representative men from South Australia said to me, "You are in a pretty bad way, are you not?" I said, "We are not as badly off as you are, because we have set aside a considerable amount with which to meet our obligations." They duly expressed surprise, and were palpably impressed by the figures which I put before them. When I told them that we had set aside by way of sinking fund more than had all the rest of Australia together, they said they had never heard of it before.

Hon. P. Collier: A few years back they never heard of it from the quarter from which they are hearing of it now. The sinking fund has been given a good deal of prominence of late years.

Hon. W. C. Angwin: Only last week I told them over there the same as you did.

The PREMIER: Then you told them the right thing. At any rate, I point out that this is so. If we had not set aside this sinking fund our deficit would be an enormous one for 320,000 people to face.

Hon. P. Collier: But our sinking fund has been gathered over very many years, whereas our deficit is of relatively recent origin.

The PREMIER: But our sinking fund accumulated since 1911 is much greater than the deficit incurred in the same period.

Hon. P. Collier: No fear!

The PREMIER: Yes, the increase in our sinking fund since 1911 represents £4,293,000 whereas the deficit since 1911 represents £4,100,000. Whilst we have been building up a deficit of £4,100,000, our sinking fund, including interest on the money invested, has totalled £4,293,000 or £193,000 more than the deficit. That is the position. We can gather some little comfort from that, although of course it would have been much better if we had not had any deficit. I have pointed out more than once this session that our borrowed money has been well invested and that posterity will be well served by the acts of the past Governments.

Hon. P. Collier: But the sinking fund is no sinking fund at all, because it has been swamped by the discrepancy between revenue and expenditure.

The PREMIER: Except that it has been set aside to pay off special debts and is available for that purpose. As a matter of fact, our borrowed money is invested in facilities, such as railways and harbours, which when our population increases, will be worth, not what they are to-day, but many times more. We could not build the railways we possess to-day at twice the amount they have cost; we certainly could not build our railways and harbours and equip them for much less than the total amount of our borrowed money.

Hon. P. Collier: In other words, our assets are greater than our liabilities.

The PREMIER: Yes, and the assets will increase with the population. For the first three months of this year the position has been very much better than it was during the first three months of last year, about £40,000 per month better. We were down £120,000 per month for the first three months of last year, and we were £600,000 short for the first six months of last year. This year the position is very much better than that. The monthly returns do not disclose the position.

Hon. P. Collier: They certainly do not.

The PREMIER: Because we pay our interest month by month, whereas we collect our interest only by the half year; and as we invest more and more money each week, there is still a greater amount of interest to collect. We have about eight million pounds lent to individuals, money on which we collect interest. The leader of the Opposition is quite right when he says that the monthly statement does not disclose the position, because whilst we provide for everything that we have to meet, including interest and sinking fund, month by month, we do not take into account the amount which we collect half yearly. However, it is so well known that there was a deficit last year, and so easily understood that it has to be funded, that I suppose it is hardly necessary for me to say any more just now. I move—

That the Bill be now read a second time.

Mr. ANGELO (Gascoyne) [10.57]: I should like to know from the Premier if, when advertising these Treasury bonds, it is provided that they are not subject to Commonwealth taxation.

The Premier: No, they are not.

Mr. ANGELO: But are subject to State taxation.

The PREMIER: No.

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—HEALTH ACT CONTINUATION.

Second Reading.

The COLONIAL SECRETARY (Hon. F. T. Broun—Beverley) [11.1] in moving the second reading said: The object of this Bill is to continue the operation of Section 256 of the Health Act Amendment Act, which was passed two years ago. This section deals with venereal disease. I do not think there is any need to deal with the question at length, because this is the third occasion on which it has been before the House. The Act provided that the Commissioner could take steps only on receipt of a signed statement, which he had reason to believe was correct, alleging that some person was infected with venereal disease. The operation of that section was limited to one year. This requirement interfered with the taking of action in several cases which came to the knowledge of the Commissioner. During last session an amending measure was passed which continued the operation of the section till the 31st December, 1920. The present Bill will continue the operation of this section for a further 12 months.

Hon. P. Collier: This Bill will only continue the existing provision for another year?

The COLONIAL SECRETARY: Yes. Since the legislation was first passed, about 40 cases have been dealt with under Section 256. Of these cases five were lost sight of; six were able to produce evidence that they were not infected, and in two cases the conclusion was unsatisfactory, because, although a bacteriological examination gave negative results, there was still suspicion that infection may have been present. In the remaining cases the persons against whom the allegations were made were infected and they were placed under treatment. Of the 40 cases, seven came under notice during the last 12 months. One of these is still pending; in one case a bacteriological examination of a specimen indicated a negative result; the other cases have received treatment. There has been no complaint of hardship regarding the operation of this provision, and I ask the House to agree to its continuation till the 31st December, 1921. I move—

That the Bill be now read a second time.

(Question put and passed.)

Bill read a second time.

In Committee.

Mr. Foley in the Chair; the Colonial Secretary in charge of the Bill.

(Clause 1—agreed to.)

(Clause 2—Continuation temporarily of Section 256:

Hon. W. C. ANGWIN: The clause refers to words in Section 256 of the Act, which words are printed in italics. What are those words?

The COLONIAL SECRETARY: The words deal with signed statements containing information respecting persons supposed to be suffering from venereal disease. Under the measure passed last year it was provided that the Commissioner could take action on verbal statements instead of on signed statements.

Hon. P. COLLIER: Does the latter portion of the clause mean that these provisions will now be permanently enacted in the Health Act? From my reading of the clause it will not again be necessary to introduce a continuation Bill. I think the object originally was to continue the measure from year to year so that, after the experience of a number of years, we could decide whether this provision should be permanently enacted. I do not want this provision to be permanently enacted by the passing of this Bill unless members clearly understand what they are doing.

The Colonial Secretary: I was informed it was only a continuation Bill.

Hon. P. COLLIER: Why is it not on all fours with the continuation Bill passed last year?

The CHAIRMAN: The title of the Bill is "For an Act to continue the operation of the Temporary Provisions of Section 256 of the Health Act, 1911-19." Standing Order 260 says—

No clause shall be inserted in any such draft foreign to the title of the Bill, and if any such clause be afterwards introduced, the title shall be altered accordingly.

Standing Order 261 says—

Every Bill not prepared pursuant to the order of leave, or according to the Rules and Orders of the House, shall be ordered to be withdrawn.

The title of the Bill is for an Act to continue and not to amend, and I think, therefore, the Bill must be withdrawn.

The ATTORNEY GENERAL: The title of the Bill is for an Act to continue the operation of the temporary provisions of Section 256 of the Health Act, 1911-19.

The CHAIRMAN: The words in the Bill "And from and after that date the words printed in italics in the said Section 256 shall be repealed, and the provisions of that section printed in erased type shall again come into operation" in my opinion constitute an amendment.

The ATTORNEY GENERAL: The temporary provisions referred to in the Bill are these—whenever the Commissioner has reason to believe that any person is suffering from venereal disease. It is simply desired by the Bill to continue the temporary provisions. They have only been in force for two years. They remained up to a certain point and last year were continued for 12 months, and we desire to continue them for another 12 months. Two years ago there was a controversy as to whether the Commissioner of Health could notify a person to come up for

examination without having a signed statement. It was contended strongly that if the signed statement were done away with all kinds of abuses would come about. To get over the difficulty it was arranged that the repeal of these words about the signed statement should only continue in force for 12 months. It is now desired to continue the same amendment until 31st December, 1921. Then at the end of December, 1921, unless the Act be further continued, the words "Whenever the Commissioner has reason to believe that any person is suffering from any venereal" come out and the words which were in the original section "Whenever the Commissioner has received a signed statement in which shall be set forth the full name and address of the informant, stating that any person is suffering from venereal disease, and whenever the Commissioner has reason to believe that such person is suffering from such" are automatically restored.

Hon. P. COLLIER: If the Bill is merely to continue the Act for the next twelve months, why does it differ in the wording from the continuation Bill of last year?

The Minister for Mines: If and during the next twelve months, no Bill is introduced, the Act goes back automatically to the signed statement.

Hon. P. COLLIER: If no continuation Bill comes forward next year, we go back to the signed statement about which the fight was waged last year?

The Minister for Mines: That is right.

Hon. P. COLLIER: That being the position, I do not raise any objection to the measure as it stands.

The ATTORNEY GENERAL: The last section of the Act last year provides that all copies of the Health Act 1911 shall be printed under the supervision of the Clerk of Parliaments as amended by any amending statutes, at that time in force, and all necessary references to such statutes shall be made in the margin. That is why there is a difference in the wording of this Bill, compared with last year's continuation measure. If this Act is to continue for twelve months, then the signed statement is done away with for that twelve months. Unless a Bill be introduced next year to further continue the operations of the Act, then the old Act comes into force and the signed statement is restored.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 11.35 p.m.

Legislative Council.

Wednesday, 20th October, 1920.

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

PAPERS—HERNE HILL ESTATE.

Hon. J. CORNELL (South) [4.32]: I move—

That all files relating to existing and past arrangements between the Government and the Ugly Men's Association in relation to the Herne Hill Estate be laid out the Table of the House.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.33]: I move—

That the debate be adjourned till the next sitting of the House.

I must have an opportunity to look into the matter.

Hon. J. CORNELL (South) [4.34]: Mr. President, this is—

The PRESIDENT: The hon. member cannot speak to a motion for adjournment.

Hon. J. Cornell: It is something extraordinary to move the adjournment on a motion like that.

Motion put and a division taken with the following result:—

Ayes	..	..	..	9
Noes	..	..	..	2
Majority for	..	..	..	7

AYES.

Hon. H. P. Colebatch	Hon. J. J. Holmes
Hon. J. E. Dodd	Hon. A. Sanderson
Hon. J. Duffell	Hon. Sir E. H. Wittenoom
Hon. J. Ewing	Hon. J. Mills
Hon. E. H. Harris	(Teller.)

NOES.

Hon. F. A. Baglin	Hon. J. Cornell
	(Teller.)

Motion thus passed.

BILL—SALE OF MARGARINE.

Introduced by the Minister for Education (for the Honorary Minister) and read a first time.