Legislative Assembly.

Thursday, 3rd December, 1936.

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

QUESTION—RAILWAYS, PASSENGER TRAIN FAILURE.

Training for Footplate Work.

Mr. STYANTS asked the Minister for Railways: 1, Is it a fact that a locomotive hauling an important passenger train failed between Maylands and Mt. Lawley on the 18th November due to the melting of the fusible plugs, and thus seriously delayed passengers? 2, What length of service had the youth (as a cleaner) who was acting as fireman on the above occasion? 3, How many days' firing experience had this cleaner had prior to the date mentioned? 4, Does the department consider this period to be a sufficient time for training a youth before placing him in a responsible position as a fireman on important passenger trains? 5, Is it the intention of the Commissioner to engage sufficient cleaners to allow a reasonable period of training before using them for footplate work?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, Seven months. 3, Six days. 4, Yes. 5, Sufficient cleaners are employed.

QUESTION—HOSPITALS, PERTH AND KALGOORLIE.

Costs and Revenue Per Bed.

Mr. STYANTS asked the Minister for Health: 1, What are the costs per bed per day in the Kalgoorlie Government Hospital and the Perth Hospital respectively? 2, What is the respective average amount received in payment for each bed per day in the above-mentioned hospitals?

The MINISTER FOR HEALTH replied: 1, Cost per occupied bed per day for year ended 30th June, 1936—Kalgoorlie, 10s. 5.4d.; Perth, 9s. 4.9d. 2, Revenue per occupied bed per day for year ended 30th June, 1936—Kalgoorlie, 3s. 2.1d.; Perth, 3s. 5.1d.

QUESTION—UNEMPLOYMENT, PROJECTED CONFERENCE.

Arbitration Act and Apprentices.

Mr. SAMPSON asked the Minister for Employment: 1, Has he been approached by the Federal Government regarding the holding of a conference to deal with unemployment, to be called by the Federal Government in conjunction with representatives of State Governments, and, if so, is it proposed to participate in the conference? 2, Has any decision as to the date of the conference been reached? 3, Is it his intention to take action to amend the Arbitration Act and/or regulations thereunder whereby an increased quota of apprentices in the different trades would become mandatory? 4, Further, does he propose to endeavour to insist on the employment of apprentices to the full extent permitted by the different agreements and awards?

The MINISTER FOR EMPLOYMENT replied: 1, Yes. 2, No. 3 and 4, These matters are receiving consideration.

QUESTION—DRAINAGE WORKS, MADDINGTON, DISMISSALS.

Mr. RAPHAEL (without notice) asked the Minister for Employment: 1, Is he aware that a large number of sustenance workers have been discharged from their employment on the Maddington drainage scheme? 2, Why have married men been discharged and single men kept on? 3, Why have men from Victoria Park, for the most part, been singled out for discharge? 4, In view of the near approach of the festive season, why could not the men have been employed for a further period?

The MINISTER FOR EMPLOYMENT replied: It is true that men are losing employment on the work mentioned because of the fact that it is nearing completion. Im-

mediate steps are being taken for the commencement of other works for the purpose of re-employing those men. If the hon. member desires further information, I suggest that he gives notice of a question that can be answered on Tuesday next.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Reciprocal Enforcement of Maintenance Orders Act Amendment Bill.

BETTING CONTROL BILL SELECT COMMITTEE.

Extension of Time.

Order of the Day read for the presentation of the Betting Control Bill Select Committee's report.

Mr. SPEAKER: Is there any report? Is there not any member of the select committee present to move any motion.

Mr. Sleeman: Let it lapse.

Hon. C. G. Latham: Hear, hear!

Mr. Sleeman: The chairman of the select committee is not here.

Mrs. Cardell-Oliver: I am a member of the select committee. I do not know that there is any report to be presented.

Mr. SPEAKER: The hon. member can move for an extension of time.

MRS. CARDELL-OLIVER (Subiaco) [4.33]: I move—

That the time for bringing up the report be extended to the 17th December.

MR. SLEEMAN (Fremantle) [4.34]: It seems to me that what I said at the outset has proved to be correct. This is merely a way of shelving the business. I object to the select committee getting extensions of time from week to week.

Hon. C. G. Latham: They have not done any work.

Mr. SLEEMAN: The session will be concluded in three weeks or so.

The Premier: Oh, no!

Mr. Doncy: Three days, more likely.

Mr. SLEEMAN: The session may be concluded in a week or two but, at any rate, it should be concluded in not more than three weeks. We should not grant an extension of time for the select committee. Here we have a select committee appointed to carry out an investigation, and they have done nothing. I believe the chairman is in the Eastern States. Is this House going to wait until the chairman chooses to come back and decides to go on with the job? We should refuse the application for an extension of time and come to a decision regarding the Bill itself. We should decide whether we want it, or whether it should go out. Let us have a show down. I am against any further extension of time. It seems that the members of the select committee appointed by this House have done nothing to date. They have merely asked another place to appoint some of their members to help them in their job. I think the position is wrong, and I hope the House will not grant an extension of time. Let us deal with the Bill and decide whether we will pass it or not.

HON. C. G. LATHAM (York) [4.35]: I endorse the remarks of the member for Fremantle (Mr. Sleeman). I believe it was tacitly understood that the select committee would be converted into an honorary Royal Commission. I do not desire the Premier to be bound to appoint members of Parliament to such a position. I believe he could get persons more qualified to deal with the matter. We would tie the hands of the Premier if we were to ask the select committee to continue their inquiries. We should let the matter lapse. I know this House has made a request to another place to appoint members to participate in the work of the select committee, but that has not yet been finalised. In my opinion, we should allow this matter to drop as the member for Fremantle has suggested. We would then leave the choice entirely to the Government. If they propose to conduct such an inquiry, they can have freedom to make appointments to give effect to the decision to hold an inquiry. If they desire to avail themselves of the services of members of Parliament in an honorary capacity, well and good. If they do not desire to do that, the Government will probably appoint others more efficient than members of Parliament.

Mr. Raphael: We have some of the best punters in the State in this House.

Hon. C. G. LATHAM: I am not a good judge of that and I do not know if what the hon. member says is correct. Certainly I do not endorse that view. I understand that the members of the select committee

met for half an hour or so since we asked them to inquire into this matter. I believe a chairman has been appointed, but no real preliminary work has been carried out. The Standing Orders have not been complied with. They have not displayed any notices within the precincts of the House as required by the Standing Orders. I hope the House will allow the select committee to lapse and throw the responsibility on the Government to make the necessary appointments if they decide to go on with the matter.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.39]: There has been no declaration by the Government that any select committee that the House might appoint would automatically be converted into an honorary Royal Commission.

Hon. C. G. Latham: I did not say that.

The PREMIER: There may have been some such statement in the Press.

Hon. C. G. Latham: It was said in this House.

The PREMIER: Possibly a recommendation may be made to the Government regarding the matter. The Government have no intention at present of taking any such action. It may be that a recommendation will be made to the Government that, the House having prorogued or being about to prorogue, the committee should be converted into an honorary Royal Commission in order that they might conclude their inquiries within a few days. The Government might then consider adopting that course in order to get the fullest information that is desirable and to enable the select committee to complete inquiries they were undertaking. We might do that if we had the assurance that the inquiries would be completed in a short time. The Government certainly have not decided that this particular phase of our social life demands the appointment of a Royal Commission for investigation purposes. If circumstances arose affecting that position, they would be dealt with and the proposal considered on its merits. The select committee were appointed four or five weeks ago and at that stage they had sufficient time within which to conduct their inquiries and complete them. It was expected that the committee would bring down a report that would provide members with more enlightenment particularly as a result of evidence from official quarters well able to tender such evidence for the information of Parliament. We hear of people outside who are anxious to place their views before members.

Mr. Patrick: The select committee did submit a report.

The PREMIER: Yes, in the form of a request that we should ask the Legislative Council to appoint five of their members to co-operate on a joint select committee.

Hon. C. G. Latham: And they asked in the same report that they should be appointed an honorary Royal Commission.

The PREMIER: No.

Hon. C. G. Latham: Yes, I think so.

Hon. P. D. Ferguson: The mover mentioned that point when submitting the motion.

Hon. C. G. Latham: But the point was included in what appeared in the Orders of the Day.

The PREMIER: Then that position will have to be faced when it comes before the House.

Hon. C. G. Latham: That is why I raised the point about 10 members being too many.

The PREMIER: It was thought, when the select committee was decided upon, that there was sufficient time to enable the inquiry to be completed and sufficient information gained to enlighten the House with regard to the proposals in the Bill. Apparently the request that the Legislative Council should co-operate in the select committee has not been dealt with.

Hon. C. G. Latham: The resolution has been discussed but not finalised.

The PREMIER: If Parliament concludes its deliberations at the end of next week, the select committee will not have an opportunity to report and the Bill will then possibly go the way of other pieces of legislation that have for their objective something of this description. The Government have reached no decision on the question of an honorary Royal Commission, and it is no part of their policy to appoint a Royal Commission to deal with this matter.

MR. WARNER (Mt. Marshall) [4.43]: The House knows full well that the select committee presented a report to members and that report was agreed to, following upon which the Legislative Council were requested to participate in a joint select committee. Since then the Assembly's select committee members have been awaiting a reply from the Legislative Coun-

cil. So far there has been no response. I assure the member for Fremantle (Mr. Sleeman) that there is no desire on my part, as a member of the select committee, to shelve the Bill. His presumption that he was correct in his initial remarks regarding the appointment of the select committee may be in accord with his views, but not with mine. I want a full inquiry to be conducted. I agree with the member for Murchison (Mr. Marshall) that it is time something was done regarding this particular problem. No meeting of the select committee has been held since, because we have been awaiting a reply from the Legislative Council regarding our request that they should participate in a joint select committee.

MR. RAPHAEL (Victoria Park) [4.44]: It was rather amusing to hear a request for an extension of time for 14 days seeing that the Premier told members that there was a probability of the House adjourning next week.

The Premier: I said there was that possibility.

Mr. RAPHAEL: The Premier definitely said that there was a possibility or a probability of the House adjourning next week. That would appear to bear out the argument of the member for Fremantle that the select committee were appointed to shelve the Bill. We know that whenever gambling legislation is introduced there are always repercussions as the effect of that legislation. I think the arguments of the hon. member have been more than borne out. The select committee appointed by this House have decided that the job is too big for them, and so within the first week or ten days of the commencement of their efforts, they are squibbing the job. Now they have decided that, the job being too big for them, they will call up the reserve forces of the other House. According to the report of the debate that has taken place in the Council, the members there are going to squib it too. The scare about accepting an office of profit has definitely precluded members of that Chamber from sitting on a Royal Commission, even an honorary Royal Commission.

Mr. SPEAKER: There is here no question of a Royal Commission; it is a question of extending the time of the select committee.

Mr. RAPHAEL: I may not be in order in discussing a Royal Commission, but this House has carried a certain recommendation.

Mr. Sampson: Is the hon. member in order in sitting down and then rising again?

Mr. SPEAKER: Yes, the hon. member is quite in order.

Mr. RAPHAEL: You have ruled, Sir, that I am not in order in discussing the Royal Commission, but from Press reports one gathers that members of another place are definitely not going to agree to this honorary Royal Commission. That being so, it is up to this Chamber to get on with the job. In reading the remarks of Mr. Nicholson and other members of another place, it seems to me they are not going to accept any responsibility for this legislation. They claim that if they take a trip to the Eastern States, even without remuneration, they will be receiving payment from the Crown, and they are not going to accept that responsibility. I do not think this House should accept the responsibility of putting our own members in the position in which Mr. Clydesdale found himself.

Mr. SPEAKER: The hon. member must not discuss a Royal Commission. There is before the House no question of a Royal Commission, but only the question of an extension of time for the select committee.

Mr. RAPHAEL: But the suggestion is——

Mr. SPEAKER: I cannot allow the hon. member to discuss it on a suggestion.

Mr. RAPHAEL: I hope the House will not agree to an extension of time. It is up to us to get on with the job. Definitely the betting laws of the State require to be cleaned up, and cleaned up quickly, for at present there is one law for the poor and another for the rich. I hope the extension of time will not be granted.

MR. SAMPSON (Swan) [4.48]: I regard the Bill brought down by the member for Murchison, and the appointment of the select committee, as being very important. The chairman of the select committee has been called away to Sydney on semi-public business, and because of that the inquiry has not proceeded with the expedition that was expected. I trust the motion for extension of time will be approved. It would be regrettable if in the absence of the members for North-East Fremantle and for Murchison the extension of time were not granted.

I fail to see how the required information can be secured if the select committee be not permitted to carry on the work that the House appointed them to do. I hope the House will approve of the extension of time, and that it will be possible for a meeting to be held and a report reach this House before the close of the session. As has been pointed out by speakers on many occasions, the problem of controlling betting is one of widespread interest.

Mr. SPEAKER: The hon. member cannot discuss that question.

Mr. SAMPSON: It seems to me the appointment of the select committee must do something towards securing the knowledge that is essential to members if we are to give consideration to the Bill.

Mr. SPEAKER: A very good argument for the appointment of a select committee, but not for this occasion.

Mr. SAMPSON: If the time be not extended, the work of the select committee may summarily come to an end. That I would very much regret. I will vote for the extension of time.

MR. PATRICK (Greenough) [4.49]: It must be remembered that we have already adopted a certain course of action. The select committee have made one report suggesting that the Legislative Council should be asked to appoint a similar select committee to join with the existing committee. That was on the 17th November. On the 18th November this House carried a motion that a message be transmitted to the Council requesting them to appoint a select committee of five members to join with the select committee of this House in considering the Betting Control Bill. So this House already has taken a certain course of action, and has practically adopted the first report of this select committee, who are now waiting for further action on the part of the Legislative Council.

MRS. CARDELL-OLIVER (Subiaco—in reply) [4.50]: I am sorry the other members of the select committee are not here, but I feel the time has been all too short for much to be done in this matter. We have been waiting on the Legislative Council, but seemingly nothing has yet been done in that House. However, I can assure members here that we members of the select committee were given the right to act in our own way. For my part I have written 200 letters, and I should not like to feel that all my efforts are to go for nought. Having done so much, one should be given a certain amount of time.

Mr. Patrick: But you say in your first report that you cannot send in your main report this session, because the time is all too short.

Mrs. CARDELL-OLIVER: So it is too short. It takes a long time to make all these inquiries. However, I want members to get rid of the idea that nothing has been done. I had three organisations write in yesterday asking when they could come and give evidence. I could not answer that question. However, I have secured quite a lot of evidence and, as I say, have written 200 letters and have paid the cost of them, so that I shall not be risking my seat by accepting any office of profit under the Crown. I can assure members that quite a lot is being done by the select committee.

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

Ayes	32
Noes	11
Majority for	21

AYES.

Mr. Boyle	Mr. North
Mr. Brockman	Mr. Nulsen
Mrs. Cardell-Oliver	Mr. Rodoreda
Mr. Coverley	Mr. Sampson
Mr. Cross	Mr. Seward
Mr. Doney	Mr. Shearn
Mr. Doust	Mr. F. C. L. Smith
Mr. Ferguson	Mr. Styants
Mr. Hawke	Mr. Tonkin
Mr. Hill	Mr. Warner
Mr. Keenan	Mr. Watts
Mr. Mann	Mr. Welsh
Mr. McDonald	Mr. Willcock
Mr. McLarty	Mr. Wilson
Mr. Millington	Mr. Wise
Mr. Munsie	Mr. Marshall (*Teller.*)

NOES.

Mr. Fox	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Miss Holman	Mr. Thorn
Mr. Latham	Mr. Withers
Mr. Needham	Mr. Lambert
Mr. Patrick	(*Teller.*)

Question thus passed.

BILLS (3)—THIRD READING.

1, Federal Aid Roads Agreement.

2, Pensioners (Rates Exemption) Act Amendment.

Transmitted to the Council.

3, Boat Licensing Act Amendment.

Passed.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

THE MINISTER FOR EMPLOYMENT (Hon. A. R. G. Hawke—Northam) [5.4]: I move—

That the report of the Committee be adopted.

I wish to take this opportunity of indicating to the member for Nedlands (Hon. N. Keenan) that I have made inquiries, as promised, into the position of private labour bureaus. I am assured that the provisions of this Bill cannot in any way affect the legal right of those, who hold licenses to conduct these private labour bureaus, to impose a charge for the services which they render to employers and to workers.

Question put and passed.

BILL—DAIRY PRODUCTS MARKETING REGULATION AMENDMENT.

Report of Committee adopted.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [5.5] in moving the second reading said: The Act to amend and consolidate the law relating to municipalities was passed by Parliament in 1906, 30 years ago, and assented to in December of that year. Since then minor amendments have been made, in 1912, 1915, 1919, and 1920. The original Act has been out of print for some years, and probably very few members of municipal councils now in office possess a copy. When this session of Parliament was opened the Lieut.-Governor announced that a Bill would be introduced and presented to Parliament this year. On the 13th June I communicated with the Local Government Association of W.A., with the country districts local government association, with the Town Clerk of Perth, the Town Clerk of Midland Junction, and the Town Clerk at Boulder, and invited them to submit proposals for consideration. In response to this invitation I received communications from the associations concerned, and also from Trades Hall. Suggestions were received by me from time to time, but it was not until the 5th October that the local government association, which represents all the local authorities in the metropolitan area with the exception of Perth and Midland Junction, submitted their proposals. The various proposals that were received had to be referred to the Parliamentary Draftsman, and could not be so referred until all the organisations concerned had replied. That accounts for the delay in the introduction of this measure. It was necessary that those particularly interested should be consulted. It will be remembered that my predecessor, Mr. McCallum, when in office introduced a Bill to amend the franchise, providing for one ratepayer one vote. When doing so he indicated that unless Parliament agreed he would not be prepared to make any comprehensive amendments to the Act. That Bill was not approved by Parliament. The Bill I now introduce also provides for the abolition of plural voting. The Act sets out that a qualified person is entitled to vote in accordance with the values of the property owned or occupied by him. For instance, for the position of Mayor such a ratepayer may have from one to four votes, the valuations being set out in Section 84 of the principal Act. In the case of the position of councillor, the minimum is one vote and the maximum two, the number of votes being according to the rateable value of the land owned by the ratepayer. In the case of a value of £50 or under, one vote is given, and for over £50 in value, two votes. The result is that the owner or occupier of land in one, two or more wards, has a right to cast one or two votes for each ward for which he is entitled to be registered on the roll. Therefore if a qualified person owns or is in possession of land valued up to £50 in each of the eight wards of the Municipal district of Perth he would be entitled to eight votes, and if the value exceeds £50 in each of the eight wards he would be entitled to record 16 votes. The Bill proposes that a qualified person shall have the right to only one vote for mayor and only one vote for councillor, irrespective of the value of the land he may possess in the various wards of any given municipality. I have not taken the trouble to secure elaborate information in respect of the contention that plural voting should be abolished. The latest information available to me is that in the Eastern States for the election of mayor only one vote can be cast irrespective of values of the land owned by the person enrolled. It may interest the House to know what the position is in the

Eastern States as well as in the Dominion of New Zealand. In New Zealand every elector shall have one vote and no more at each poll at which he is entitled to vote. In the case of a divided district the name of any person shall not appear on the electors' list for more than one ward. A person having qualifications in more than one ward may select the ward for which his name shall be entered. In New South Wales the provisions are practically the same as they are in New Zealand. In Victoria the votes are according to property qualifications. In South Australia the ratepayer has only one vote for each ward in which he owns or occupies property. If the municipality is not divided into wards he has only one vote. In Tasmania the votes vary from one to six, and in subdivided municipalities a ratepayer has up to six votes in each ward. In Queensland, for the mayoralty or any other election, there is only one vote irrespective of wards or value.

Mr. Seward: In Victoria the ratepayers have no vote for mayor. The mayor is elected by the council.

The MINISTER FOR WORKS: In Victoria the votes are according to the property qualifications.

Mr. Seward: In Victoria you cannot elect the mayor.

The MINISTER FOR WORKS: We are not speaking of mayor only. This is for the election of councillors. The Bill also provides for preferential voting. The Act as amended by No. 42 of 1919 provides that at an election of a mayor, or, when a municipal district is divided into wards, of a councillor, every elector shall indicate his preference in the same way as he is required to do in voting for Federal or State members of Parliament. Under this provision there will be preferential voting. The Bill provides that even if a district is not divided into wards, electors shall be required to vote in the same way as if it had been divided into wards. With respect to voting in absence, the Bill provides that a person who, for the specified reasons, is unable to attend a polling booth on the day of the election, may vote in absence before the returning officer, a town clerk, or other person appointed by the Minister. It will be noted that justices of the peace will not be permitted to take absentee votes unless they are appointed by the Minister. Power is given in the Bill to make by-laws relating to fencing, hawkers, stall holders, petrol pumps, lawns and gardens in streets, noises in streets, and the erection of verandahs. It has become necessary in the interests of the councils to grant these powers. They are already contained in the Road Districts Act. The Bill also enables councils to sell materials from their quarries to the Government and to other local authorities. It is deemed expedient to give that power to municipal councils. It was the desire of those bodies to sell such material to contractors and others besides the Government and local authorities. However, the Bill limits the trading to other local authorities and the Government. Provision is made for the additional system of valuing on the unimproved value as well as on the annual value of land. From time to time this has been asked for by municipal councils; and the Bill gives them the option of making their valuations either on the unimproved or on the annual value, or on both. This provision also is taken from the Road Districts Act, which measure is considerably more up-to-date than the Municipal Corporations Act. Provision is contained in the Bill to substitute in respect of the distribution of proceeds of the sale of land for unpaid rates the corresponding method to be found in the Road Districts Act. Further, the Bill empowers councils to redeem a loan by half-yearly payments instead of creating a sinking fund. This provision likewise is to be found in the Road Districts Act. It will enable municipalities to make considerable savings in interest charges by repayment of portion of the principal each half-year. At present, under the provisions of the Municipal Corporations Act, a council must pay interest on the full amount of principal involved, until such time as the loan has matured. I have referred in brief outline to the main provisions of the Bill, but I think it will be readily agreed that the measure is one for consideration at some length in Committee. The amendments proposed have practically all been asked for by the authorities concerned. This is a machinery Bill. Considerable assistance has been given by local governing bodies, and especially by the Perth City Council, in respect of removing the limitations of the existing Act. On account of the recent revision of the Road Districts Act, the whole question of powers to municipalities was gone into. As a result, many of the provisions of the Road Districts Act have been embodied in this Bill. I regret

that the measure could not be introduced earlier. I realise that it is debatable. Numerous members in either House have had considerable experience of local government, and will follow a measure such as this very closely. The urgency now is that the original Act is out of print. Therefore, it is necessary that a measure such as this should be made available to members of municipal councils. Governments have been urged for a number of years either to re-print the Act or to bring down an amending measure. If the Bill goes through, it will not be printed exactly as a consolidating measure. There will be one print, and this amendment measure can be embodied in that print. The one debatable point, a point which has not been asked for unanimously by the local authorities, is the abolition of plural voting. That question has been discussed here and also in another place. Although the principle of one ratepayer, one vote has been agreed to here, it has not so far been agreed to by the Parliament of Western Australia. I have furnished information with regard to the corresponding laws of the Eastern States. In any case, the Bill will be considered on its merits. Nevertheless, it is a great advantage to be able to cite precedents. I know precedents have great weight with members of another place when considering any measure. Unless it can be shown that someone has previously adopted something that is proposed, there is not too much hope of getting it seriously considered elsewhere. However, I feel sure that on this occasion, having regard to the urgency of re-printing the Act and in view of the fact that practically all these amendments have been requested by the local authorities and are not particularly debatable, being merely machinery but necessary amendments, an agreement can be arrived at in respect of plural voting.

Hon. C. G. Latham: I suppose it will mean an all-night sitting to try to come to a compromise.

The MINISTER FOR WORKS: It would be well worth while.

Hon. C. G. Latham: Would it?

The MINISTER FOR WORKS: Thirty years have passed since the principal statute was enacted, and I think we have advanced since then from the ideas of that period. The question of franchise should be discussed on its merits. In this vast State of Western Australia, as the years go on, the trend is to give more power to local authorities. In fact, that is inevitable. If more power is to be given to local authorities, we must bear in mind that their functions embrace more than the collection of rates and the provision of roads, bridges, and so forth. Local authorities deal with matters of health. A local authority has to do with the activities of the people, and is actually a governing body. That being so, it is to be expected that at least the ratepayer should have a vote, and that there should be no superiority of one ratepayer over another. With regard to our own Legislative Council, we complain that the franchise is insufficiently liberal; but there is only one vote for property of enormous value as against the qualification of residing in a place which has an annual rateable value of £17. There is the principle applied to a legislative body which, Mr. Speaker, we are often reminded has enormous powers. That body actually dictates the policy of Western Australia. On many occasions it has proved to have more power than Governments have. It has proved to be possessed of the right of vetoing governmental policy. That being so, surely it is not asking too much that the principle of one ratepayer one vote shall obtain in this year of 1936. Whatever may have obtained 30 years ago will not influence us now. I trust that on this occasion the Bill will be treated on its merits. I believe we are sufficiently imbued with democratic ideals to ensure that. Although the vote is retained by the property-owner, the time has gone by when one ratepayer should have one vote and another four votes for mayor, and in the case of councillors one vote and two votes respectively, according to the value of property. We are sufficiently advanced now to declare that a ratepayer—not the carpet-bagger people talk about—should have a vote for those who control the affairs of the municipality. In these times there is ample justification for demanding that plural voting shall be abolished, and that the franchise for our local authorities shall be liberalised to the extent provided in the Bill. Apart from that phase, the measure obviously is one which

can properly be considered in Committee. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—PEARLING CREWS ACCIDENT ASSURANCE FUND.

Council's Message.

Message from the Council received and read notifying that it insisted on two amendments to which the Assembly had disagreed.

BILL—ABORIGINES ACT AMENDMENT.

Second Reading.

Debate resumed from the 20th October.

HON. C. G. LATHAM (York) [5.27]: The probability is that this Bill will not appear to some members to be of grave importance. Other members, however, will view it with a great deal of concern. It represents one of the responsibilities assumed by the people of Western Australia when self-government was granted to them. We were then made responsible for the control and care of the aborigines here. We have to accept that responsibility, and must continue to carry it for a long while. As the years go by, problems become different from what they were originally, and consequently legislation requires to be varied. What crossed my mind upon first reading the Bill was, what kind of attitude will be adopted by certain hon. members who took me to task because I referred to people who had dark skins? It occurs to me now that we white people took possession of this territory. We did not ask the black-skinned inhabitants of the territory whether they would allow us to land or not. We took possession of the land. To-day we still hold it. We cannot deprive other people of the right to live because their colour is not the same as ours. A week-end paper, in my opinion quite contemptibly, suggested that I would prefer to have yellow and black people working in our mines. The article in which the statement was made was an inspired article, and probably I have some idea where the article originated. However, I never suggested anything of the kind. I said at the time, and I repeat now, and am prepared to go out of public life if my opinion is such as to deprive me of the right to represent a Western Australian constituency, that in the expenditure of public funds my first consideration is for our own people. I also said that I would prefer ships with black crews to travel along our coasts rather than see our people isolated and short of money. I repeat those statements now. I wonder what would happen if we sent our ships along the coasts of India, for instance, and the Indians said, "No. Those people are Australians. We will not permit them to trade along our coast because their ideals are not the same as ours."

The Premier: There are many nations who do that.

Hon. C. G. LATHAM: Not many. We are very arrogant, and this legislation should remind us that our arrogance ought not to be on so high a plane as it is. We owe it to the native people of this country to see that at least our habitation of the country is not to their detriment. That was the responsibility thrown by the Imperial Government on the people who formed the first Legislative Council of this State. To a certain extent we have attempted to meet that responsibility since we have had responsible Government. This legislation is a move still further to improve the conditions of the natives. The problems are different to-day from those of the period when we first started to care for these people. The first legislation passed to deal with the question of providing for the comfort and education of the aborigines was passed in 1886. At that time a board of five was appointed and the Legislative Council voted certain sums of money so that the aborigines might be cared for. The duty of the board was to govern the conditions of natives in employment and to provide for the sick and aged. Under the Constitution Act, 1889, when this State was given extended franchise and we had two Houses of Parliament instead of one, £5,000 was voted yearly for the benefit of aborigines, and it was provided that when the revenue exceeded £500,000, 1 per cent. was to be used for the purpose of caring for the natives. In 1897 the board was abolished and a sub-department established which was permitted to expend £5,000 annually as was originally provided. That was the first real attempt to improve the standard of living of the natives and half-castes. The 1905 Act

which was amended in 1911 placed at the disposal of the Department the sum of £10,000 "and such further sums as may be provided by Parliament." The Bill proposes drastic changes which are the result of the report of a Royal Commission. At this stage I would like to say that from time to time there have been self-appointed individuals who have felt it their duty to go around the country and investigate the conduct of people who employ aborigines and natives generally. They have published statements which were one-sided, which they probably believed were correct but which very often were merely sensational.

Mr. Coverley: Mostly exaggerated.

Hon. C. G LATHAM: As the hon. member says, mostly exaggerated. To some extent there is probably a grain of truth in the statements, but they never say one word about the people who do treat the natives in a proper manner, and I believe that fair and reasonable treatment is meted out by most people in the State to the natives. No Act of Parliament could make the whole community perfect. It is a pity that the conduct of the Government or the people of a State should be judged by the statements of a section who believe they have found something wrong and publish it as a fact. When I was in England recently I came to the conclusion that the native problem in Western Australia was identical with that of South Africa. The Union Government in that country had to defend themselves in London against complaints of their treatment of the natives in that country. I do not know very much about Africa, but I do know that in Western Australia every effort has been made to try and improve the lot of the natives. It is disgusting that people should go round the country and make wild statements about the treatment of natives; and the Press, instead of publishing those statements immediately should seek to verify them before giving them publicity. It is difficult to counteract a statement that is not true, once it has appeared in print. Four years ago I travelled through the north with members of the district and visited stations. The people there had no knowledge of our impending visit so that there was no question of any preparation being made for us. We saw the treatment meted out to the natives and it was quite all right. Some of us went to the camps and saw the conditions under which the natives lived and everybody seemed to be happy. The Government acted very wisely in appointing Mr. Moseley as a Royal Commissioner to inquire into the conditions of the natives. I do not know of anyone who could have done the job better or more conscientiously. I am rather sorry the Government have not given effect to his report because I believe he gave very full and careful consideration to the question and his ability is such that we might with safety have done all he suggested we should do. He might have been asked by the Government to collaborate with the Parliamentary Draftsman in preparing the Bill. Whether he was or not I do not know but very important matters in his report are omitted from the Bill and I propose to deal with them at a later stage. I realise that it is not necessary to amend the legislation to give effect to a good deal that is in his report. They are matters of administration. But there are some desirable recommendations that I am sorry were not given effect to. In this class of legislation it is a matter of exercising commonsense. The natives are scattered from one end of the State to the other, from the most northerly point to the most southerly, and they have different habits and customs; and it is impossible for a man to sit in an office in Perth and give effect to a policy that will be satisfactory to all sections. I am sorry the Government did not give effect to the suggestion of the Royal Commissioner that the State should be divided into three different sections. The habits and customs of the Kimberley natives are totally different from those of the natives in the North-West, and again there is a more enlightened native population down here. The State should be divided as suggested and a protector put in charge of each of the different districts. Then we should have uniformity of policy.

The Premier: With three men?

Hon. C. G. LATHAM: Under one head in Perth. The three men would deal with three different sets of conditions. The Minister will agree that the conditions in the northern part of Western Australia are not in any way identical with the conditions here. The customs and habits of the two groups of natives are totally different. It is a colder climate down here, and the people are more in contact with white folk. Again, there are more half-castes in the lower portion of the State. Therefore, to try to set out a hard and fast policy from an office in Perth and have it administered amongst all the natives

is impossible. Such a policy could not with any degree of satisfaction be given effect. I am sorry that three protectors are not appointed under the Act and given authority to have control over their respective areas.

The Minister for Agriculture: You mean district inspectors?

Hon. G. G. LATHAM: The trouble with district inspectors is that they would be bound hand and foot by a man in an office here, who probably knew very little beyond the administrative side of the work. I am trying to persuade the House that while I admit it would not be wise to put a man in any of those areas and make him king of the country, giving him a dictatorship, as it were, over the area, a person should be appointed in each area who would be able to see that the law was carried out with that common sense which is so necessary in matters of this kind; probably more so than in respect to any other law on the statute-book. If inspectors were appointed they would be subordinate to someone in Perth, with the result that there would not be the control and administration in each particular area that was desirable. The big problem which all Governments have to face, is the half-caste problem. I suppose I would be right in predicting that the day is not far distant when there will be few natives left in Western Australia. They are dying out rapidly, according to the report of the Commissioner. We know from the statistical reports published at the time the Act was passed in 1886, that they had decreased and that they have since decreased rapidly. But there is a very big half-caste population and the point is, what are we going to do with the half-castes? How best can we make of them respectable and decent citizens? They in their turn are very different in character from one another Just recently one man came to see me who was very well educated. He knew the whole of his family history for a long period back. He spoke as well as I and was equally well educated. He said, "Under this legislation which is being introduced I am going to be forced to become a ward of the State because I am a half-caste. I am going to be controlled by a man down here. I do not want to be controlled by him and I do not want him to control my children. I am living the life of an ordinary Englishman, living in a house with my wife and family. My girls go out to service. Now I am to be called a native and I shall have to go back to the native conditions again." I venture to suggest there are a number of men like that. The member for Toodyay could tell us of other families similar to the one to which I have referred. Some of these men are landholders—real, decent, respectable citizens. Surely what we want to do is not to drive those people back in a retrograde manner but to lift them up. The man to whom I have referred said there were many half-castes of his acquaintance whose offspring go out to work, and that Mr. Neville says that he has to control the money they earn. If they are disobedient, or do something that displeases him, they are sent to Moore River. If there were not ladies in the House, I would tell you——

Mrs. Cardell-Oliver: There are not any ladies in the House.

Hon. C. G. LATHAM: If there were not ladies in the House, I would tell members what this man said happened to girls who went to Moore River. Of his own family he said, "My girls are going to be under my control; I am not going to have them sent there because I know what happens there." That class of man must be treated totally differently from the ordinary native. Our main object should be to reach a point where we can absorb those people into the ordinary population. I know some people will be horrified at that suggestion, but in time that must be done in some way or other. I do not know how many centuries will elapse before it is accomplished, but I believe it will happen. In other countries having a colour problem, a great deal of absorption is already taking place, and in the Eastern States we find it occurring. Many of those people are quite good citizens. In the battalion to which I belonged there were two half-castes serving their country, doing work exactly the same as I was doing. Are we going to make natives of such people? We shall do so if we pass this Bill, because every half-caste will become a native.

The Premier: Where necessary.

Hon. C. G. LATHAM: No, unless he makes application to the Minister.

The Premier: Well?

Hon. C. G. LATHAM: The Minister will be far too busy to investigate the cases, and will take the word of his officers.

Mr. Sleeman: Did not you object to their having a vote?

Hon. C. G. LATHAM: We are not discussing votes at the moment. We are dealing with the uplifting of those people and making of them decent, respectable citizens.

The Premier: If the man made application, he would be sure to get exemption.

Hon. C. G. LATHAM: I shall endeavour to make sure that such a man has the right of appeal, but that class should be removed from the scope of the measure. Under the Bill, it is proposed to make everybody up to the age of 21 years, including a quadroon, a ward of the State. That means all the aborigines, half-castes and quadroons up to 21 years of age will be wards of the State. Is that wise? To my mind it is not.

The Premier: We have to control them.

Hon. C. G. LATHAM: They are not wards of the State.

The Premier: Yes.

Hon. C. G. LATHAM: Of course they are subject to the laws of the country.

The Premier: And are wards of the State.

Hon. C. G. LATHAM: No, they are not. I should not like the Government to interfere with a child of mine, unless it broke the law.

The Premier: Well, these are wards of the State.

Hon. C. G. LATHAM: If this Bill passes, they cannot be apprenticed, and they cannot be put into employment without the seal of the Government on them. They cannot be employed by anybody until they reach the age of 21. We have to bear in mind that those people develop at a much earlier age than do white children. Most of them, at the age of 14 or 15 years, are men and women, probably all of them. Yet we are going to leave them in the hands of the commissioner, as he will be termed, until they are 21 years of age. The quadroon will have to go to the Minister and say, 'Please, sir, I want to remain a native.' I hope the Minister will give them permission to remain natives. Up to 21 years of age they will be wards of the State.

The Premier: But we do not control everybody that does not need control. Control is exercised only where necessary.

Hon. C. G. LATHAM: If that were so, I would not mind so much; but it is not correct. The Premier has never administered the Aborigines Department. The earnings of those people are banked in the name of the commissioner.

The Premier: Can be.

Hon. C. G. LATHAM: They are. Surely the Premier knows that it is impossible to employ one of those people without obtaining a permit.

The Premier: Yes.

Mr. Sleeman: A quadroon?

Hon. C. G. LATHAM: A quadroon may be employed; but quadroons are to be brought under the Bill, up to the age of 21 years, and it will be impossible to employ a quadroon until the age of 21 is attained. Our aim should be to endeavour to make ordinary citizens of those people. A certain amount of idleness is encouraged.

The Premier: No fear, there is not. I had considerable discussion about the principles of the Bill. You are not interpreting it aright.

Hon. C. G. LATHAM: We shall have an opportunity to deal with details in the Committee stage.

The Minister for Works: Never has a Bill received so much discussion by Cabinet as this one has.

Hon. C. G. LATHAM: I am not allowed to enter into details on the second reading debate, but if the Minister turns to the interpretation clause, he will find that whereas the Act controls those people up to the age of 16 years, it is now proposed to control them up to the age of 21. The Bill contains the following:—

"Native" means—

(a) any person of the full blood descended from the original inhabitants of Australia;

(b) subject to the exceptions stated in this definition any person of less than full blood who is descended from the original inhabitants of Australia or from their full blood descendants, excepting however, any person who is—

(i) a quadroon over twenty-one years of age, unless that person is by order of a magistrate ordered to be classed as a native under this Act, or requests that he be classed as a native under this Act; and

(ii) any person of less than quadroon blood, unless that person expressly applies to be brought under this Act and the Minister consents.

So the measure will control all natives excepting a quadroon over 21 years of age, as well as anyone of less than quadroon blood, who makes application to be brought under the measure. What we should do with these people is to encourage them to earn their own living. In saying that, I am speaking more particularly of the southern natives, because I believe that the natives

in the northern part might well be left alone, excepting those on the coastline. Some attention might be turned to places like Broome, Derby and Wyndham, but the natives employed on stations might be left alone. Under the supervision of the department and officers, of course, but we should not attempt to move them, and time will probably make better citizens of them. That problem should work out its own solution in course of time, and the problems we are solving to-day will probably help in future. Dealing with the southern part of the State, according to the report of the Royal Commissioner, south of Geraldton there are 5,012 natives; Murchison and north to Carnarvon, 1,497.

Mr. Sleeman: Full-bloods?

Hon. C. G. LATHAM: No, natives, which would include half-castes as well as full-bloods.

The Premier: There are considerably more than that. There must be over a thousand on the Great Southern.

Hon. C. G. LATHAM: The Commissioner said there were 19,021 natives in the State, and added—

> Of this number it is estimated that 15,130 are full-blood aborigines and 3,891 are half-castes, or lighter in colour. It may be noted that in 1905 the estimated number of half-castes was 900.

In the North-West, not including Carnarvon, the number is 2,497. Anyhow, south of Geraldton there are 5,012.

The Premier: You said previously about 1,500. Anyway, we accept the correction

Hon. C. G. LATHAM: I read the figures, and I do not read badly, even if I speak badly.

The Premier: You did make a slip.

Hon. C. G. LATHAM: "Hansard" will prove what I did say. Those are the figures given on page 1 of the Royal Commissioner's report, and those half-castes are to be dealt with. We should try to make decent citizens of them. I believe they could be absorbed in the population, and made to earn their own living. Whether they will make farmers is a matter that needs investigation, but I consider that their nomadic characteristics would render them unsuitable for that life.

Mr. Sleeman: There were black farmers in your electorate at one time.

Hon. C. G. LATHAM: There are native farmers in the district now, and they are doing well. There are also some in the Irwin-Moore and Toodyay electorate, and some down south. I do not know that they take very kindly to farming, but broadly speaking the natives do not take kindly to any work. So long as we look after them, as we are compelled under the Constitution to do, we must expect to experience a great deal of difficulty with them. But I believe they are capable of doing quite a lot, apart from riding horses about the country, at which they seem to shine. We should thoroughly investigate the possibilities. It is deplorable to find on a reserve people almost white living in humpies under the most degrading conditions. It would be far better if we could get parents and children to adopt a different outlook. It is of no use bringing up children under those deplorable conditions and then expecting them to develop into something better. When they are sent to the Moore River settlement—I have not been there—I understand they are not much better off than in their own settlements. The member for the district might be able to put me right on that point, but I am advised that the natives are living under bad conditions even at Moore River.

Hon. P. D. Ferguson: Have a look for yourself.

Mr. Marshall: He has no right to go there.

Hon. C. G. LATHAM: I should not be allowed to enter a native reserve; neither would the hon. member.

Hon. P. D. Ferguson: Go without being allowed.

Hon. C. G. LATHAM: I suppose it would be possible to obtain a permit to visit the settlement. Some of the churches have been doing wonderfully good work in furthering the welfare of the native population, and to encourage them to extend it would probably be the better course to adopt. Under this measure there will be little encouragement to employ native labour. Yet we should encourage such employment as much as we can. Under the measure, natives are not to be employed on boats at Broome. The Minister knows a good deal about Broome. Why cannot we use our own aborigines instead of imported indentured labour?

The Minister for Agriculture: It was tried for 20 years.

Hon. P. D. Ferguson: They will not stick it.

The Minister for Agriculture: The aborigines would not make divers.

Hon. C. G. LATHAM: Perhaps not; Japanese seem to be the only race who make divers. The Royal Commissioner, in his report, stated that those were the only people who led the aborigines astray. I do not know exactly what he meant. Evidently he believed they put evil ideas into the heads of the aborigines. So far as I am aware, a pearler's license is not granted to anybody but a white man. If that is so, we should make him responsible, but to show that the proposal is not so impossible as the Minister would have us believe, I should like to read an extract from the Royal Commissioner's report. On page 7 he stated—

I have mentioned that the town of Broome is one which presents peculiar difficulties. One great disadvantage to the native population is the contact which takes place with Asiatics who in some numbers are always to be found in the town—in very large numbers during the lay-up season of the pearling fleet. These Asiatics associate with the half-caste native women in the town. This association enables the half-caste women—or many of them—to live a life of ease, if not of virtue. It has been suggested by the Sergeant of Police at Broome that housing accommodation should be provided for the half-castes—and full-blood natives also—outside the town boundry, where they could be given proper supervision, and the Asiatics kept from their locality. I have already said that some of the half-castes of Broome lead decent lives.

Those people should be separated and put in some place where they will have a chance.

They may well be left where they are. The others in my opinion should be kept out of town, only allowed in on permit, and the greatest supervision exercised over their reserve to prevent contact with white men, and, of course, Asiatics.

The young half-caste men are, in the majority of cases, disinclined to work. One should not altogether blame the half-caste. Little interest has been taken in him after leaving school, and he finds he is able to exist by doing a little casual work when, but not until, it becomes necessary. I have considered the possibility of these half-caste youths being employed with the pearling fleet if, happily, the pearling fleet should continue to operate. The views of the Pearlers' committee were conveyed to me by Mr. Norman, one of its members, and were as follows:—

"The pearlers fully realising the problem the unemployed half-caste population will become to Broome, are desirous of doing all they can to absorb as many as possible of their numbers. My committee therefore suggest——"

I want the Minister to pay attention to this—

"1, that every encouragement be given by the Aborigines Department to these people to seek employment in the pearling industry.

2, that missions be asked to co-operate with the department.

3, that the young men could be engaged as apprentices for a term of three years, at a wage of 30s. per month for the first year, 40s. per month for the second year, and 50s. per month for the third year.

4, that for adults who have had previous experience a wage of £3 per month is sufficient.

5, that during the lay-up of each year the men be given one month's leave of absence without pay in order to visit their relatives and friends."

Then the Commissioner comments that the wages compare favourably with those at present operating with the indentured crew. Mr. Norman was speaking on behalf of the pearlers, and he considered that the natives could do the work as satisfactorily as by indentured labour.

The Minister for Agriculture: Natives have been tried on luggers.

Hon. C. G. LATHAM: Mr. Norman said that the work could be done by the natives, and so we should encourage it. But people will not employ the natives because so much has to be done to obtain permission to secure their services. Applications have to be made, and there is this, that and the other to be done. And then money has to be paid to the Protector. Consequently the people in the North are very reluctant to have anything to do with native labour. If we had a local man there as protector, he could then take charge of everything and it could be left to his discretion to say whether or not the native could be employed. Of course if he did not do this work satisfactorily he could be replaced by someone else. If we can employ our native population to do the work now being done by indentured labour, by all means we should do so. I am not advocating that we should employ the natives because their labour would be cheaper, although I believe the rate of pay would be identical with that of indentured labour. We should investigate the matter and see whether it is not possible to make some use of our natives in the North. Coming further South we should give every encouragement to get these people into employment, somewhere or other. Of course I know what will be said about my suggestion. Certain members on the cross benches will say that I

am an advocate of black labour instead of white.

Mr. Marshall: Nothing of the sort.

Hon. C. G. LATHAM: I do not suppose anyone wants coloured people about if the employment of them can be avoided, and perhaps that is the reason why our natives do not get a good deal.

Hon. P. D. Ferguson: They are West Australians.

Hon. C. G. LATHAM: We turn up our noses at their colour to-day after having taken possession of the territory that once belonged to them, and just because their colour is different from ours we say we will have nothing to do with them.

Mr. Sleeman: There is a difference between the black labour you are referring to and the black labour on the boats.

Hon. C. G. LATHAM: The black people on the boats are much more intelligent than our natives, and they are a very religious people. I am not advocating, however, that we should use that labour, although many of them come from a part of India where there is scarcely one who does not belong to the orthodox church. They are very intelligent people.

Mr. Sleeman: Black labour on most of the boats does not consist altogether of Indians.

Hon. C. G. LATHAM: Then what are they?

Mr. Marshall: Malays and Javanese, most of them.

Hon. C. G. LATHAM: Well either one type or the other.

Mr. Sleeman: You need not excuse yourself about foreign black labour.

Hon. C. G. LATHAM: The Indians live within the Empire of which we ourselves boast of being members. I know I shall be misunderstood because I am advocating the employment of our own native population.

The Minister for Works: You will not be misunderstood.

Hon. C. G. LATHAM: If we cannot absorb our native people into ordinary industries they should be encouraged to go on the land. I am disappointed with the Moore River Settlement. I was under the impression that it would be possible for that settlement to grow a lot of the produce natives require; but very little if anything is grown there.

Mr. Sleeman: The natives produce a good deal at the Mount Margaret Mission station.

Hon. C. G. LATHAM: They cannot produce very much up there.

Mr. Sleeman: Yes, they do very fine work there.

Hon. C. G. LATHAM: Perhaps they do very good work at Moola Bulla. Why they fail on the land, however, is because of their lack of knowledge of the land.

The Premier: If they had decent land at Moore River they could produce quite a lot.

Hon. C. G. LATHAM: It is no use putting people on poor land and expecting them to produce something from it. What is happening at Moore River also happened at Carrolup station out of Katanning, where substantial buildings were erected for the natives but where the land was very poor. It was only suitable for grazing, and I do not know who expected that the natives would be able to make a living from it. We have sufficient land of good quality that could be given to these people so that they might take an interest in it and develop it. The younger generation might then acquire a liking for the land. I do not consider that the Bill will help at all. Instead of uplifting the half-castes it will be the means of forcing them back into native conditions. I notice that in South Australia a board has just been appointed to administer the native department in that State. I suggest that we too might appoint a board to manage the affairs of our natives. We could have a chairman and two or three members, the chairman to be appointed by the Government. The cost would not be very much. South Australia has provided only £200 as the remuneration of the board, and complete control of the natives has been assumed by the board in that State. There should be more of the personal touch, and that would go a long way towards assisting to solve the problem.

Mr. Marshall: How many natives are there in South Australia?

Hon. C. G. LATHAM: I should say about eight or nine thousand.

Mr. Seward: About three and a half thousand.

Hon. C. G. LATHAM: I thought there were more. There are public-spirited people who would be quite willing to become members of a board of control and do all they could—probably in an honorary capacity—to administer the Act. They would be bound to take a keener interest in native affairs and

not be content to sit behind closed doors and become the subject of criticism by various bodies all round the country. A matter to which I take exception is that of having to refer the question of marriage to the commissioner. People on the mission stations and those who are devoting their lives to the welfare of natives are the people who should have all the say in connection with native marriages. It should not be necessary to have to write to the commissioner and say, "Please may Tom and Mary get married?" That is ridiculous. The commissioner in all probability would not know anything about the natives who wish to marry, and yet it is provided that his permission must first be obtained.

The Premier: Of course there are two sides to that question.

Hon. C. G. LATHAM: The Premier will not say that the controllers of mission stations, who in my opinion are rendering great service on the native question, should not be the people to give permission for natives to marry.

The Premier: I admit they are doing good work.

Hon. C. G. LATHAM: They watch the young natives grow up and educate them. We could say to the mission people, "The natives are your family and will remain your family while they are with you; we trust you and give you the right to say whether they should or should not get married." The Royal Commissioner pointed out that the mission stations were doing very good work. Of course there have been some scandals, and there will always be scandals; but generally speaking the mission stations are doing exceedingly good work.

Mr. Marshall: The scandals in the city do not get half the publicity that is given to the supposed native scandals.

Hon. C. G. LATHAM: It is proposed by the Bill that half-castes shall go back to the natives.

The Premier: No.

Hon. C. G. LATHAM: Yes. It is also proposed by the Bill that natives may be given poison. Surely that will be very dangerous. I notice that the member for Kimberley (Mr. Coverley) proposes to move a number of amendments, many of which I intend to support. But to hand over poison to natives is exceedingly dangerous. We might have the whole of the countryside wiped out.

The Premier: There is a safeguard.

Hon. C. G. LATHAM: There is no safeguard at all. The member for Kimberley does not want poison to be given to natives in his district.

The Minister for Works: They want it for dog-poisoning.

Hon. C. G. LATHAM: They do not poison dogs. As a matter of fact they shoot dogs.

The Premier: They are allowed to use firearms.

Hon. C. G. LATHAM: Yes, if they secure a license.

The Premier: They can soon get a license.

Hon. C. G. LATHAM: The half-castes in the district I represent use a patent whistle for the purpose of catching foxes. Recently two natives caught no fewer than eight by this means. The foxes were then shot, not poisoned.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. G. LATHAM: I was pointing out that we should encourage the aborigines to earn their own living, but at the same time it is dangerous to allow them to enjoy the indiscriminate use of poison. To-day there is an agitation to tighten up the law regarding the handling of poison by white people. I hope we shall not make the position more difficult by setting out in an Act of Parliament that the aborigines can have poison in their possession. I am in accord with much that is included in the Bill and many of the provisions are long overdue, particularly those that deal with the intermingling of whites and coloured women. The problem of the half-caste is a difficult one, and the imposition of heavy fines might not prevent such happenings but would probably act as a deterrent. I shall support the second reading of the Bill, but I hope that we shall be able to amend it in Committee. I do not want half-castes and quadroons to be wards of the State unless there is necessity for it. If there are some who would be better under the control of the State, then I think if they were retained as wards of the State up to the age of 16 years, that should be sufficient. As to the native women, by legislative action we are endeavouring to protect them against white people and we are asked also to endeavour to improve the conditions of the half-castes so as to make them more like human

beings than they are to-day. In my opinion, an Act of Parliament is not required for such purposes, but rather for effective administration. My attention has been drawn to the fact that, in the course of my earlier remarks, I may have been rather unfair to the management of the Moore River Native Settlement. I do not desire to be unfair. As a matter of fact, I do not know much about the settlement. I believe that the management is as good as it possibly can be and the fault lies not in the control, but in the conditions under which the natives are housed there. I hope we shall be able to put the natives on land that will be an encouragement to them to farm, rather than put them on poor land merely because there happens to be a drop of water there. If a board were controlling the administration, instead of merely a commissioner, we would probably receive advice that would obviate that type of mistake. I support the second reading of the Bill and shall also support the amendments appearing on the Notice Paper. I hope that other minor amendments will be agreed to and that the Bill will become law. I trust, too, that the measure, when it becomes an Act, will be administered with the common sense that is so essential in giving effect to this class of legislation.

MR. COVERLEY (Kimberley) [7.34]: The Bill is essentially one to be dealt with at the Committee stage. I agree with most of the remarks of the Leader of the Opposition, particularly with respect to administration. Most of the clauses of the Bill have been framed to give the Chief Protector greater power in carrying out his administrative work. While I agree that any law this House may pass will not improve the condition of the natives one iota, I shall support the second reading of the Bill in the hope that the amendments I have placed on the Notice Paper will be accepted, particularly as they refer to what I regard as essentials. I cannot see that the Bill is much of an improvement upon the parent Act. Most of the power covered by the Bill is already embodied in the parent Act and what power is covered by the Bill but has not been included in the parent Act in the past, has been exercised by the Aborigines Department. Legally or otherwise those extra powers have been wielded by the department, and there has been no challenge against the Chief Protector taking to himself those powers. That is natural because the Chief Protector has taken that action against ignorant people who know no better and have had no one to intervene on their behalf. What innovations have been included in the Bill are merely for administrative purposes. If it is necessary to give the department additional powers in that direction, I am prepared to agree, more particularly because the measure deals with what has been an exceedingly controversial subject for many decades. As far back as 1892, a controversy raged through the Press. That tendency has continued until the present time. Not long ago most astounding statements appeared in the Press both here and overseas. Because of the neglect of the department with regard to the aborigines, I was encouraged to move for the appointment of a Royal Commission to inquire into the affairs of the natives. I have to thank members for the support that was given me on that occasion. I can say without fear of contradiction that the outcome of the Royal Commission has been beneficial to both the taxpayers and the aborigines. Considerable improvement has taken place since the Royal Commisioner's report was presented to the Government. The appointment of the Royal Commission was justified, if for no other reason, because of the improvement in the health of the natives throughout the North-West. When he moved the second reading of the Bill in another place, the Chief Secretary remarked that the legislation was awaited by a large section of the public. I agree that many people are interested in the subject and sincerely desire improvements to be effected with regard to the natives. The Chief Protector, from time to time, has presented excuses and has thereby been responsible for enlisting the sympathies of a section of the community. As I said earlier, it is not extra legislation that is necessary but better administration. The Chief Protector has attended all sorts of public functions and has exhibited lantern slides for the purpose of conveying some idea of the position to those whom he was addressing, and he has always finished up his remarks by saying that there were many things he would like to do but was unable to act because this and every other Government would not give him the necessary finance or power. He always advanced the excuse that he had not the necessary money or power to do what he considered was es-

sential to improve the conditions of the aborigines. I am prepared to try the Chief Protector out and allow him the amending legislation that he desires. The Bill contains a few clauses that I think would be detrimental to the natives themselves if agreed to in the original form. I will ask members, when we deal with the Bill in Committee, to agree to amendments that I shall move in order to rectify the position. The Government have already increased the Vote for the Aborigines Department and have spent many thousands of pounds in building hospitals, etc. If we agree to this legislation we will then be able to realise, within the course of two or three years, whether the Bill has gone far enough or whether further amendments are necessary. I shall content myself with supporting the larger portion of the Bill for the time being. The Leader of the Opposition rightly pointed out that the purpose of the Bill was to give effect to the recommendations of the Royal Commission. I have been through the Royal Commissioner's report carefully and I have been through the Bill. I agree that many of the recommendations made by the Royal Commissioner do not find a place in the Bill. On the other hand, for the most part effect can be given to most of those recommendations by way of administrative acts. Many of the necessary amendments have been included in the Bill with the exception of what the majority of people would regard as the major phase, that of administration. The Royal Commissioner recommended that the natives should be controlled by three divisional protectors. By that he meant that the control of the aborigines could be divided into three separate administrations. To a certain extent, I can agree with that proposal. When giving evidence before the Royal Commissioner, I pointed out that there were three distinct sections of natives to be catered for by the department. The aborigines in the South-West, as I knew them when I lived there as a lad, have died out and have been replaced by half-castes who represent an entirely different proposition from that which confronted the authorities 25 or 30 years ago. Naturally, different methods of treatment are required for the half-castes than would have been necessary for the original inhabitants. Then in the Murchison and other northern portions of the State the aborigines are to some extent civilised and work for wages. They represent a different problem. But from the administrative point of view the Government would find it rather a problem if they had three divisional protectors, each with different ideas and somewhat different policy. The idea that I gave to the Royal Commissioner was that the head office should be controlled by a permanent secretary who would be carrying out the Government policy for the whole of the aborigines in the State, and that the chief divisional protector should be a travelling man travelling throughout the State, which would give him a better idea of the requirements. He would get a greater grip of the problem by travelling about and making contact with the aborigines and also with the white population that are living side by side with the aborigines in the northern portion of the State. Looking through the Bill, I find it proposes to change the name of the department, of the officials and of the aborigines themselves. It proposes to apply the term "native" to all aborigines and their offspring and to change the title of the Chief Protector to that of commissioner of native affairs. I do not think that will help the natives in any shape or form. There might be some suggestion in the remarks of the Chief Secretary when he was introducing the Bill in another place; he said that the Bill would relieve the officials of the department from some of the odium which now attached to them. If that is the only excuse and the main reason for changing the name of the department and of the natives themselves, I do not know that it will do any harm to pass it, but I do not see in it any vestige of advantage to the natives themselves. The Bill also proposes to give power to the department to take charge of all the natives in the State until they reach the age of 21 years. I suppose in that the Bill is like other laws; there are special occasions when the chief administrator will want that power in order that he may take control of certain coloured children. At first reading, it appeared to me to be harsh treatment that any person should have power to take charge of children irrespective of the opinions or wishes of the parents; because, after all, the aborigines have just as much affection for their offspring as have the people of any other race. On reading the Commissioner's report, I found the Commissioner had recommended to the Government that an institution should be provided for the care of half-castes and quadroon children. If

the Government have any intention of carrying out the Royal Commissioner's recommendation, this proposed power will be necessary so that the Chief Protector can take charge of children and place them in an institution where they will be educated and taught to be useful. So I am prepared to support that amendment. Like most other members, I could quote many instances where there are half-castes married and living under decent conditions. Of course they should not be interfered with. But I know cases where the Chief Protector has already interfered and taken the half-caste and quadroon children away from their parents without this power now asked for in the Bill. So, with all due deference to the remarks of the Chief Protector made at lantern shows, I say he has already this power and has used it on more than one occasion. Penalties are provided in the Bill for aborigines that have been committed to some institution or gaol and have run away. It means a heavy penalty on the aboriginal and also a heavy penalty on any person who assists him to escape. But I know that the Chief Protector has had considerable trouble in trying to remove children who were living in very bad environment. He has taken them away and placed them in institutions. On one occasion a half-caste's children were brought to Perth and placed in an institution. The half-caste found them and then went back into the bush, where he was joined by his children. They were taken charge of again and placed in the institution, and again they escaped and went off to their father. On the third occasion when the half-caste commandeered his own children, he was placed in Fremantle Gaol for it. If we are to do anything by way of uplifting the half-castes and improving them, it will be necessary for the Chief Protector to have this power to be used in certain circumstances. The Bill also provides that the maintenance of a half-caste child shall be made retrospective. The Leader of the Opposition touched on that point and said he agreed, and believed that those who had committed indiscretions should be made to pay. I agree with that and I am prepared to give the Chief Protector the power there asked for. But I object to the sting in the tail of that clause which makes it retrospective. I do not believe in retrospective legislation and so I will oppose the clause when in Committee. The Chief Protector also asks for power to prohibit any aboriginal Christian marriage without his written consent. There may be special occasions when a mistake has been made, when some person has been unfamiliar with the tribal customs of aborigines, and so has married a couple who, on investigation, have been found to be tribal or blood relations. This would cause a general melee amongst the tribe itself. The only reason why the Minister would include this clause would be, of course, as a safeguard against cases of that description. What I want to know is, who performs these marriages? The only persons I know who perform legal or Christian marriages amongst the aborigines are the people in charge of various missions. If that be so, I think the superior of a mission would be in a better position to know the relationship existing between the bride and bridegroom than the Chief Protector would be. The superior in charge of a mission has legal authority to perform tribal marriages and, as I say, that person should be in a better position than the Chief Protector to know whether the loving couple were tribally able to marry. My complaint against the Chief Protector is that he can never learn his job by sitting in his office in Perth and making infrequent visits to those districts where aborigines are found. I have already said that I cannot agree with that policy; I think the Chief Protector should be a full-time traveller, instead of sitting in Perth doing office work. If he were to travel, he would get a much better idea of the position than he can get in an office in Perth. Various statements made on the Bill in another place were somewhat contradictory. The Chief Secretary said there was quite an improvement in the aboriginal natives, that they were becoming more Christianised and civilised every year. He said that when he was eulogising the department, and he asserted that the civilising of the natives was due to the missions.

Mr. Thorn: When did he say that; many years ago?

Mr. COVERLEY: No, that is reported on page 718 of "Hansard" of the present session. If there be so great an improvement amongst the aborigines, I want to know why extra power should be asked for the Chief Protector. That gentleman asks also for further power in the case of somebody want-

ing to institute proceedings for maintenance. If in the first place certain persons are fit and proper to become protectors, why should they not be able to go on with the job? It appears to me the Chief Protector thinks he is the only person who has any knowledge and understanding of the position. It has been my experience that those who have lived longest amongst the aborigines say that an aboriginal natives does not himself understand what he is going to do to-morrow. The Bill will allow the Chief Protector to give permission in certain cases to people to live or reside with natives. I surmise this clause is put in to meet the case of scientists who may wish to camp with the natives. That is the only class of people I know who would wish to camp with the aborigines. It is my experience that they are not all "fair dinkum." I know of one person who received permission to camp with the natives at La Grange Bay. He was looked upon as an authority. He has been quoted by the Aborigines' Amelioration Association, the Women's Service Guild, and other people, but he did nothing but drink whisky and cause trouble in the camp. Because he has four or five letters after his name, signifying that he must possess some scientific ability, he has been allowed to do this, but nothing has happened. I do not know that he uplifted the natives in any way because he was so drunk that he did not know what he was doing, whilst the blacks stole his whisky on the quiet. Besides this, he was taking photographs which would not have been fit for public exhibition. Then the Bill asks for heavy penalties for anyone soliciting or persuading native women to cohabit. That shows the inconsistency with which this Bill has been drawn up. The Chief Protector asks for permission to establish a tribal court. That is one of the recommendations of the Royal Commissioner, and evidently the Government have adopted it. I have always held that there are many tribal affairs which should not be inquired into.

Mr. Thorn: Will there be a native jury?

Mr. COVERLEY: No doubt King Billy will be called in to assist the adjudication. We should not interfere with tribal laws. Any native who commits an offence against them, knows what the penalty will be. Police have been sent out into the country to arrest natives and have them tried before a court, because of some tribal offence. It may have been only a tribal row, but unwarranted expense has been incurred. If a tribal court is established, further expenditure of taxpayers' money will be caused. Police will have to be sent out to catch the natives, a judge will have to be appointed to try the case, and the hardest task of all will be when the police go out to bring in the headman of the tribe to give evidence. If the House is prepared to try this innovation, well and good. Then the Chief Protector asks the House to give him permission in cases where, in his opinion, a tribal custom is detrimental to the natives, to stop it. I can see him taking on a full-time job. I can imagine King Billy, 300 or 400 miles north of the Leopold Ranges, receiving a smoke signal stating that a tribal performance about to take place on a certain date must be stopped.

Mr. Thorn: It is ridiculous.

Mr. COVERLEY: Yes. It will never be carried out. Tribal laws will exist so long as natives exist.

Mr. Thorn: The Minister knows that.

Mr. COVERLEY: In what way it is intended to enforce this part of the Bill, I do not know. The measure contains many contradictory clauses. It is a mass of contradictions from start to finish. I fail to see what good will accrue to the natives. All the power given in the Act has not been used. Most of the power sought in this Bill is included in the Act. The Chief Secretary said this Bill was similar to that introduced in 1929, passed in another place, but rejected here on the ground that there was insufficient time in which to consider it. I wish to disillusion the mind of the Chief Secretary as to my position. My opposition to the other Bill was caused through the stupidity of the clauses it contained. This is certainly not identical with the 1929 Bill. Many of the clauses of the previous Bill have been omitted from this Bill, and many of the recommendations of the Royal Commissioner have been introduced. The Chief Secretary paid a special tribute to the Chief Protector. I do not wish to be too critical of that officer, as he is not able to defend himself.

Mr. Thorn: Go for your life.

Mr. COVERLEY: I have expressed my views on more than one occasion, both inside and outside the House. I have done so because I think the Chief Protector knows very little about his job. I am convinced that if he were to travel about the State the whole of his time, he would see where his administration from head office had failed,

both in the interests of the aborigines and of the taxpayers. He appears to think he is the only person who has any right to advise or express an opinion. He has thought that so long that he has convinced himself on the point. I do not want it to be thought that I am aggrieved because many of my recommendations have not been accepted. I notice that one or two are now embodied in the Bill. I would not have referred to the matter but for the eulogistic remarks of the Chief Secretary. Towards the end of 1924 I wrote to the Honorary Minister controlling the Aborigines Department, pointing out that the race in general, and particularly the aborigines along the North-West coast between Derby and Wyndham, were full of diseases of various kinds. I said that was known to me personally in some instances, and in other cases had been brought to my notice by many beachcombers and pearlers along the coast. I suggested that a medical officer be appointed to make an investigation whilst travelling along the coast. After some time I received a reply from the Honorary Minister to the effect that the Chief Protector, after exhaustive inquiry, was pleased to inform me that my information was entirely misleading, and that the diseases did not exist. I also stated that if it were impossible to finance a travelling medical officer, there were many beachcombers—I named two—who were prepared to administer the medicines free of charge if they were supplied by the department. I was told that my information was misleading. After a while, I inquired of the Honorary Minister where the Chief Protector had obtained his information. He told me that one of the informants was a policeman stationed at the Beagle Bay Mission, 90 miles east of Broome, that another was the resident magistrate at Broome, who had never been within 500 miles of the area referred to, and that the other was one of the missionaries at the Port George Mission, who has since left. The missionary was the only one in a position to give an opinion, but his knowledge of the area referred to was limited. If the Chief Protector had travelled about he would have seen these things for himself and would not have had to rely upon the opinion of others who did not know. He would not have had to tell me that I was putting up an unsound case. A travelling medical officer has now been appointed at a salary of £1,000 a year with travelling expenses. Instead of this officer doing what the Royal Commissioner recommended, he has been turned into a glorified policeman. The portion of the country to which I refer has never been examined by him, although he has been over 12 months in the department. His time has been occupied in inquiring into several frivolous matters which do not very greatly affect either the natives or the taxpayers. He has been sent to Wyndham twice to defend natives who were being tried for tribal offences.

Mr. Thorn: Who is responsible for that?

Mr. COVERLEY: The Chief Protector does these things. I would not mind if he did not misinform people, if he did not tell them he would do this or that, if only the Government would write him a blank cheque. I am not blaming the medical officer in question, because he is only carrying out instructions. In fact, when the appointment was made I thought the department had secured the best man they could possibly find in Western Australia for that particular job—a man of considerable experience in tropical diseases, a young, active man, and a good man. But his activities have been restricted through bad administration. I also went on a deputation to the Minister of the day in 1927, taking with me a pastoralist from the Hall's Creek district. The case we put up to the then Minister was this: The pastoralist was a young man who had expended £48,000 on a station near Kimberley. As he travelled around on the run, he found many cattle had been speared by blacks. It had been done cunningly. The hide had been taken off one side, and the meat removed from the bone. Then the hide had been turned back again, and the same process had been gone through on the other side. Thus the beast appeared as if it had died naturally. After finding many of these cases, the pastoralist complained to the local policeman at Hall's Creek. The reply he received was that the police could not assist him, and that the only thing he could do was to lay a charge against certain natives and furnish the necessary evidence. He could not supply any evidence except hearsay, though the facts as stated by him could be substantiated by the local protector and others. The pastoralist, in conjunction with myself, put to the Minister the proposition that if the Government would deal with three ringleaders who could be named, and concerning whom evidence could be given by both the Hall's

Creek constable and the officer in charge of Moola Bulla cattle station and honorary protectors, he would pay the cost of removing those ringleaders from the district either to Moore River or to some other place where they could be employed as police trackers. The suggestion was that those ringleaders should be removed for a period of four or five years, and with their removal it was expected that the cattle killing would cease. If the Minister would agree to the proposal, the pastoralist was prepared to foot the bill. The Chief Protector disapproved of the idea, and the Minister castigated me somewhat for being hard-hearted enough to suggest that those natives should be transferred out of their own country. He put the position to me in this way: "Suppose you were arrested for something; how would you like to be sent away to Germany and compelled to remain there for the rest of your life?" I replied that probably I would take it very badly. And that is far as we got. In spite of the fact that the pastoralist had expended £48,000 in the Kimberleys he was not to be helped even to the extent of the removal of the three ringleaders for three or four years as an example to other natives. That country will not be settled if the cattle are to be slaughtered right and left. The pastoralist must protect himself. There are decent men who do not want to resort to that kind of thing, and they have put up a proposition which should be considered from all angles. The Chief Protector is not satisfied with leading the Minister to believe that the removal of the ringleaders is a harsh thing to do. In this Bill the Chief Protector asks for that very power which I wanted him to use many years ago. That is my experience of the present Chief Protector of Aborigines. He comes along now and explains that everything recommended by the Royal Commission was asked for by himself over many years. As far as Parliament knows, he has not asked. I have read his reports as they came out, and I never saw any such suggestion from him. He was not satisfied with convincing the Minister that on the first occasion I had not spoken the truth as to disease among the aborigines; he sent to the manager of Moola Bulla cattle station—a fine man who knows his job and does it well—instructions to prepare a petition stating that cattle killing had decreased or ceased since the establishment of Moola Bulla. The manager drew up a petition stating that "in the opinion of the undersigned" cattle killing had practically ceased since the establishment of Moola Bulla station. At this time there was a race meeting at Hall's Creek, and the petition was taken around the racecourse and signed by practically everybody there. In the evening it was taken round at the settling. One can imagine the jollification that was going on while the petition was being signed during the settling. The secretary of the local road board, who happened not to be in the extreme jollification, said, "Let me have a look at that petition." After having read the document, the secretary said, "I am not prepared to sign it." The remark attracted the attention of a station owner who had just signed the petition. I asked him did he know what he had signed. He replied, "Oh yes; it is just about aborigines killing cattle." I said, "Is it? Let me read it to you." After hearing it read, the man wrote in withdrawing his signature from the petition. That is the sort of thing that goes on. I instance such cases to show that whoever is responsible for the administration of the Act should not administer it from an office in Perth but should get out amongst the aborigines themselves, either in the southern area or in the northern area, to obtain some idea of the job ahead of him. The Leader of the Opposition said that we should not breed a useless and idle race, that it should be the object of the Aborigines Department to teach them to fend for themselves. I entirely agree with that sentiment. We should not breed a paltry race that will sit down and accept rations without doing anything in return for them. The department should encourage these people to work, and should see that they do work. I will give an actual experience bearing on that aspect. At La Grange Bay, 150 miles south of Broome, there are numbers of elderly and also of able-bodied aborigines who sit down and do nothing but draw their daily rations. They represent a considerable expense to the taxpayer. In that district there are sandalwood getters and pastoralists who desire to employ natives, but they are not able to do so. A sandalwood-getter comes along and says he wants eight or ten boys to go out and cut sandalwood. However, he cannot get them. I have known a pastoralist in that district who went along to get a couple of boys to work on the station at

fencing and so on. The man in charge of the depot said, "If you can get the boys to work for you, all right. You can have a permit." Then the man took the station manager down to the camp and said, "Any of you boys want to work for Mr. So-and-So?" They all said, "No." The station manager asked the natives, on the quiet, why they would not work for him. Their reply was that they wanted to work but that the depot manager said they were not to. Such men have an easy job, and they see they keep their job by getting all the natives they possibly can to sit down at the depot. In this way they make their jobs more important all the time, and make the taxpayers' account go up all the time. If the Chief Protector travelled year after year, as I do, he would find these things out. But he does not travel. He takes a spasmodic trip through the country by motor car and has not time to stop and speak to people who could give him right information about his own department. He gets only one version, that of the chap in charge of the depot. He hears only what that chap wants him to understand. It is not difficult to write monthly reports saying what natives have come into the depot, how serious and important the job is, that there has been an outbreak of influenza, and so on. Until such time as a responsible departmental officer gets up there will the taxpayers of Western Australia have to continue to bear the financial burden of keeping the thing going. It is not an innovation on the part of the Commissioner to recommend the establishment of a form of labour bureau for half-castes and able-bodied natives, through which they could be provided with work. If the Chief Protector has thought about a labour bureau, that is all he has done. He has never put the thought into action. I understood that the Aborigines Department was created for the purpose of uplifting the aboriginal race. I have known 10 or 12 half-castes to make application to the department, under the present Chief Protector, for exemption from the Aborigines Act. I believe I can truthfully say that I have never known one application to be successful—why, I do not know. I have in mind a half-caste named Howard, who has worked for the Broome Road Board for about 18 years. He is a married man with a family, living in the residential area of Broome. He is truthful and reliable, and is highly respected. He has never done anything that brought him before a court of law. Six or seven years ago he applied for exemption from the Aborigines Act, but has not been able to secure it. If the Bill does nothing else, it will give all halfcastes the right to appeal to the local magistrate in Broome, from whom I feel sure they will get exemption without any trouble. A man who can be employed by a road board for 15 or 16 years continuously and can pay his way surely is a man whom the department ought to assist out of the category of aborigines, instead of keeping him there. I know a saddler by trade who made application for exemption. I could quote case after case of applications for exemption that was unsuccessful. The half-caste population, to my knowledge, has nothing whatever to thank the present Chief Protector for. Let me give another case. Not long ago there was a half-caste child, almost white in appearance, at La Grange Bay. The department issued instructions for the child to be taken away and sent south to be educated. An elderly man, retired, living at La Grange Bay, had had the mother of the child in his service for many years, and had also had the mother of that woman in his service for many years. The mother of the quarter-caste child was greatly upset about the prospect of its being sent away, and this man volunteered to have the child educated at the convent in Broome. He wrote to the superior of the convent offering to pay 10s. or 12s. per w for the child to be kept at the institution. The mother was prepared to allow her to go to Broome. It was only a matter of 120 to 150 miles away and she could go to Broome on a motor truck and see the child and come home again. I do not know, but I surmise that the attitude which the department took up was adopted because they had the impression that this elderly person prepared to pay for the education of the child, was doing so for immoral purposes. That is a suspicion to which I do not subscribe. I am positive there was no truth in the suspicion. It is only reasonable that if people have had good service over a number of years they will be good enough to want to make some small return. The Chief Protector forwarded a reply that the suggestion of the man should not be agreed to. He suggested it would be inadvisable to send this child to the Beagle

Bay mission on account of so many leper cases being stationed there. But Beagle Bay was never mentioned originally. I saw a copy of the correspondence. It was shown to me by the gentleman in question. It said that he was prepared to pay for the education of the child at the convent in Broome. I also saw the reply of the Chief Protector which conveniently stated that it would be inadvisable to send the child to the mission because of the lepers stationed at Beagle Bay. I am prepared to give the Chief Protector the benefit of the doubt, by saying that he misread the application by this white person; but if he had been travelling, as I suggest he should, he could not have made the mistake. Had he or a representative gone along, the true facts would have been disclosed and the child would not have been brought south. I understand that she was cared for ultimately in the East Perth institution. These are the things that go on. They would not occur if the Chief Protector were to travel for portion of his time instead of remaining in an office in Perth. A couple of half-caste children about 10 or 12 years of age were taken from a station in West Kimberley 15 or 16 years ago. Recently a half-caste man who is no relation, but knew them as children, came to Perth on holiday. He asked me where he would be likely to find the children. I did not know, but I telephoned the department and I found that they were at the Moore River Settlement. The man asked me how he might get in touch with them. He wanted to see them so that when he went back home he would be able to tell their mother how they had grown and what they had learned to do for themselves. He said she would be pleased to hear about them. I thought it was a good suggestion and rang the Chief Protector asking him for permission to interview these children. He refused point blank to allow the half-caste the right to go to the place. He told me he would even refuse me the right. I said, "You will never get the opportunity; I have no wish to go there." I think that was a fatal mistake. Many children have to be brought away for education and if adults coming down on holidays were allowed to see them and talk with them and go back and say how well they are cared for, that would do some good and ease the minds of the aboriginal people who have to lose their half-caste children. These people do not understand. They have not any idea where the children are taken and whether they are dead or alive. This is the sort of mistake made by the present department. If I do nothing else, I hope I will be able to influence the Chief Protector to change his opinion in some of these matters. I know another case in Wyndham, that of a half-caste girl about 12. She was being educated; taught to tell the time and do crochet work and cooking and other things. She was taken to the Forrest River Mission. Being rather a smart child she was made head waitress and put on exhibition. When there were visitors she was brought forward as an example of what could be done on a mission. Her crochet work was exhibited and it was shown how she could tell the time. When she grew to womanhood the mission married her to a full-blooded aboriginal. After they had been married about 12 or 18 months the husband was burnt to death in an accident on the mission's motor launch. The girl was very grieved and did not want to stay at the mission any longer. A position was found for her as head cook and bottle-washer to the medical officer at Wyndham, who claimed to be an authority on aborigines in general. She was a good class of half-caste. In the course of six or eight months she was taken out of bed in a Chinese den at 2 o'clock in the morning. The medical officer referred to did not appear to have much control while he had the responsibility of looking after this native girl. I do not know that the department did much of a good turn to that girl in taking her away from where she was. She could have been employed to this day on a station in East Kimberley. The department did not do her a good turn by taking her away in the first place. I mention this to show that some of these authorities on aborigines and their care are unable to look after the natives when they have that responsibility. The matters I have referred to show clearly that there are many directions in which the present administration might be changed. While I am unable to agree with the Royal Commissioner's suggestions for three divisional protectors I consider that the Chief Protecter should be travelling the whole of the time. The Chief Protector was not left at the post. He saw the evidence I gave before the Royal Commission. He heard me

give it. And now there is provision in the Bill for the Chief Protector or the Governor to appoint persons he thinks fit to be travelling inspectors. That does not satisfy me in the slightest. I agree that if the Chief Protector cannot be made to travel, the next best thing is to have a responsible officer to do the travelling and find out the many ways in which the conditions can be improved. The weakness, however, lies in the fact that the travelling inspector would have no power to act. The only thing he could do would be to report to the Chief Protector on certain matters. There have been on many occasions differences between the department and employers of aborigines. On each occasion the permit has been cancelled. There have been honorary protectors, and at one stage there was a travelling inspector in the Kimberleys. The position was that he would investigate a certain case and discover that the white man had been victimised by some misunderstanding on the part of the department, or the police, or some official. If it had been in the inspector's power he would have re-issued a permit but all he could do was to write or wire to the Chief Protector suggesting that the permit should be returned. That would not always satisfy the Chief Protector and he would wire for further information. All the time these wires were going backwards and forwards, adding expense to the taxpayers, the business of the man concerned was held up. He could not muster his cattle because he was not allowed to employ natives without a permit.

Hon. P. D. Ferguson: Would he not take the risk?

Mr. COVERLEY: The only one I knew to do it was taken to court and fined £5 for working natives without a permit. This sort of thing has happened, and can be proved. I know the person I have in mind was not guilty of any contravention of the Act. He was charged with something on suspicion, and his permit was held up. In the meantime, the meatworks were about to operate, and he mustered his cattle. Down came the local constable and caught him red-handed working a native without a permit. He was summoned and fined £5 in the Hall's Creek court. Thus the department were able to say there was good reason for refusing to allow the man to have the permit returned.

Hon. P. D. Ferguson: The Minister should investigate the case.

Mr. COVERLEY: As a matter of fact, the Minister has investigated it several times. The man has left the district, so has not since pressed for a permit though it might have been re-issued in the last few years. The Leader of the Opposition, when speaking on the half-caste problem, said that these people should be found employment in the fishing industry or the pearling industry at Broome. The real objection to that is that they do not make very good seamen. That does not apply to all of them. As a matter of fact there is one who does diving for a living and has been employed for two or three seasons as a diver, and performs his work very creditably. The natives do at times take to the fishing industry, just as others engage in it. A lot of people have an idea that the aboriginal is only fit for station work; that he is a born horseman. As a matter of fact, he falls off as easily as do white men. Their nomadic life, however, fits them more for the pastoral industry, and they are more successful as stockmen than in any other walk of life, because the work comes more naturally to them. There are many ways in which the lot of these people can be improved, and in which the department could establish settlements along the northern parts of the coast of Western Australia. When speaking on the Address-in-reply at different times I have indicated directions in which the department could find useful work for the half-caste population and provide a better living for them. I shall not discuss that question on this occasion, but will leave it to the judgment of the administration, whatever it might be, if the Bill be passed or rejected. The Royal Commissioner who inquired into native administration presented a very sound and practical report, one that is in the realm of practical politics and could be carried out. While some people disagree with the Bill because the whole of his recommendations have not been included, I believe that effect can be given to most of them, and I hope they will be put into effect by administration instead of by legislation. I feel that the amendments of which I have given notice will improve the Bill considerably, and I support the second reading.

MR. WELSH (Pilbara) [8.43]: I agree with the statement of the member for Kimberley that this is principally a Committee Bill and therefore I shall not discuss it at

any great length. The problems of the care of natives in the north and south of the State are not parallel.

Hon. P. D. Ferguson: They are as different as chalk and cheese.

Mr. WELSH: In the North-West the native is well cared for and is perfectly satisfied with his lot. Many of the natives have been born and bred on the stations. They make good stockmen, are keen on their work and are quite content to remain on the stations. Without exception the stations in the North have been built up by the aid of the natives. Of course, aborigines are nomadic by instinct; they like to walk about the country on their holidays, but they invariably return to the station where they have been located, quite willing to resume work. They are thoroughly conversant with all stock work and, as I said, quite keen on their job. A while ago there was a movement on foot to place the natives on reserves. To attempt to do that would be distinctly unwise. I believe the natives could not be put off the stations even if we so desired; they would return. Regarding hospitals, I consider that we have at Port Hedland the best equipped hospital. At one time it was very difficult to induce the natives to go to hospital when they needed treatment because they had visions that they would never return. Now, however, it is difficult to keep them away from the hospitals. The Government have been very sympathetic. They have provided not only a well-equipped hospital but a very good doctor, and the natives are well cared for. The proportion of disease at present is not nearly so great as it was. For some years we have had a very capable doctor at Port Hedland who has been appointed travelling medical inspector to the natives. The present doctor also is very keen on his work and loses no opportunity to keep in touch with the natives and ensure that they are well cared for. It has been suggested that the commissioner should have some power to recommend the Minister to interfere with tribal customs. I maintain that the tribal customs of the aborigines should not be interfered with in any way. Natives in their natural state have a strict moral code; their marriage laws are strict and are rigidly observed. It would be extremely unwise to attempt to make any alteration in that respect. The Bill proposes that the commissioner or protector should have some authority to direct whom a native may marry. That idea is quite wrong. The natives should be allowed to retain their tribal customs, on which they have been very keen so long as I can remember—and I have spent a good many years in the North. It is only semi-civilised natives that try to depart from tribal customs, and this is the cause of many of the tribal troubles. The member for Kimberley has an extensive district and has had wide experience, and the conditions in his electorate are probably quite different from the conditions in mine. As I have said, the natives in my district are well cared for and, with one or two exceptions, the Bill will not affect them. An insurance fund is to be provided. I should like the Minister to tell us how the fund will be constituted, and what amount will be paid into it. Many of the natives working in the North are at present under the Workers' Compensation Act. At every station, however, there are a lot of hangers-on—mothers, fathers and relatives who have grown up on the station and have become too old to work, though they are still kept on the station. If a fund is inaugurated to provide for treatment in sickness, it should apply to the natives belonging to the station. Many of the natives travel about and at times there may be 20 or 30 extra natives on a station who do not belong there. If one of those natives fell sick, that station should not be required to transport him to the nearest doctor. I am quite willing that the station natives, including the indigent natives, should receive the benefit of the fund, but the Bill provides that all natives shall benefit, and that provision needs to be amended. The half-caste problem, I believe, is greater in the southern than in the northern portion of the State. Where the half-castes are leading a decent life apart from the natives, as they are doing in many places, they should be exempt from the measure and should be allowed to enjoy all the privileges of the ordinary citizen. As the member for Kimberley pointed out, many of those men are very good workers, in fact they are more industrious than most people think. They live in their own quarters or houses, bring up their families, and cause no trouble. Most of them should be exempt from the provisions of the measure. The Bill refers to the appointment of protectors. I consider that the police have made very good protectors indeed. When they go out on their patrol duty they are able to keep in touch with the natives and, by virtue of being police, are

able to exercise a certain amount of restraint over them. The police protectors have proved adequate and should be retained. I do not know what applies in the southern part of the State, but that is certainly the position in my district. The discussion of other details of the measure may well be reserved till the Committee stage is reached, but I approve of the amendments indicated by the member for Kimberley and shall support the second reading of the Bill.

MR. WARNER (Mt. Marshall) [8.55]: It is not my desire to speak at length but I support the second reading. I am quite satisfied that the Royal Commissioner made a careful and diligent search after facts and information and presented a very good report, which undoubtedly will be of great educational value to many people. This Bill deals with one of the major problems that has occupied the attention of the House this session, and quite a lot of consideration will have to be given to the details. I have often read in the Press, as have most members, letters on the native question. Usually, I am afraid, the writers have been people who have merely taken a trip up the North-West coast, or have spent a little time in some of the districts, come into touch with a few natives, and on a little observation and hearsay from natives, have published their articles. Such accounts convey a false impression of the native people, their habits and their lives. Really, many of the reports are mainly fictitious. Writers endeavour to obtain information from natives to help in the compilation of a good story. They question the natives, but do not realise that when they ask about native ceremonies and rites observed throughout the ages, expecting to get information, the natives give any answer that they think will please the questioner. Some of those natives who have lived a long time amongst white people give such a good story to the writer that it is little wonder we read some of the thrilling accounts that appear in the columns of the Press. It is well known to members representing the North-West that a native who has been associated with whites for any length of time will answer a question in a manner he thinks will please the white. Suppose I had lost my horse and asked a native, "You see my horse?" or "You never see my horse?" the native's answer would be "I see him." In giving that answer, the native would not have seen the horse, but a visitor would jump to the conclusion that the native had seen it. If the native were taxed afterwards for not having seen the horse, he would say "I never see him," believing that answer would please. I spent a fair amount of time in the Pilbara district amongst the natives, and studied them and their customs. I believe I was privileged to obtain more information regarding their ceremonies than was any white man. It was always amusing to me to try to reconcile the diverse accounts given of native ceremonies. Natives in the Pilbara district mostly work on the stations, and they are well cared for. In many cases they do not receive much in the way of wages, but a good boy receives quite a lot of other things besides clothes and tucker. A station which may employ three or four native boys generally has to maintain also six or eight others who are hanging-on, the reason being that they are of the family of one of the boys who may be employed at the station, or may belong to his tribe. Of course there are some cases in which wages are paid, but generally speaking, station-owners treat their boys very well. Further, when the natives go for a holiday, or what they call "pink-eye," the station-owners usually supply them with a quantity of tea, sugar and flour to take away with them. I never had occasion to take exception to any action on the part of the employers of natives. The only trouble I ever experienced was due to the other class of travelling labour sometimes engaged on stations; those men created trouble by interfering with the native women, or taking liquor into the native camps. Those who have studied the life of the native know very well that it is only when the white man appears on the scene that trouble really begins. The life led by some of the natives is superior, I should say, in some respects to that lived by certain white people. Of course, in some places, even the better life led by those natives would not be up to the standard of white people in the metropolitan area; but it is a wholesome life all the same, and it is upset only by white people entering the camps and interfering with the women, the native game, or the natives' dogs. Then it does not take long for the native to cultivate the white man's habits. The white man is followed about, and the native begins to take that which does not belong to him in

the way of food. The Bill will interfere with some of the native ceremonies and customs, and that I consider will do harm. Doubtless some members are familiar with the form some of these ceremonies take, and to us they may appear cruel. Young men are forced to travel considerable distances throughout a district so as to display fortitude. This kind of thing may extend over weeks, and the youth who are budding into manhood may go on a continuous walk without practically any rest at all, and then when the ceremony which stamps their manhood is carried out, they are convinced in the belief that their fortitude and the pain they have suffered have in reality made men of them. They are at this stage very hardy, hardier, in fact, than many of our own boys.

Hon. P. D. Ferguson: What is the nature of the ceremony?

Mr. WARNER: There is no need for me to describe the ceremony; neither would I like to put the hon. member through it.

Mr. Marshall: It would be much better for society if you did.

Mr. WARNER: It is ceremonies such as this that we might interfere with if we pass the Bill as it stands. The natives have their own punishments for offences committed by members of their tribes. One of the sentences that is passed, is for the offender to stand while a spear is thrown at one of his legs. Of course, if he succeeds in dodging the spear, he is considered a good man; but what chance has the native of avoiding being injured when there may be half a dozen other natives each with a spear ready to hurl it at his legs? And so it is difficult for him to escape being wounded. After the spear has penetrated the leg, it is pulled out, and the wound filled with hot ashes. The native then considers himself adequately punished. We might look upon that as an act of cruelty, but according to their rites, it is just punishment, nothing else, for the breaking of a tribal law. It is possible that the authorities may want to stop this kind of thing, but I contend it is not right that we should interfere with native ceremonies, even though they might bear a semblance of cruelty. If we do attempt to interfere, we are bound to drive them to bush. As the member for Kimberley mentioned, to carry out the provisions of the Bill in their entirety will mean that enormous expense will be involved in employing the police to search for offenders who have done nothing beyond carrying out tribal customs, which, from their point of view, are not offences at all. I agree that the police should do everything in their power to put down the killing of cattle, but if such cases are to be taken before tribal courts, it may be necessary to chase the offenders for two or three months before they can be captured. It is proposed that the police should not be protectors of aborigines. I consider the police make the best protectors of aborigines, because they study the natives more than do most people in the north. They never deal harshly with the natives for committing what may be trivial offences. I heard of one protector visiting natives in the North, and arriving at his destination, lining them up for inspection. The natives were expecting him, and as he approached them he dipped his hat and said, "How do you do, girls," and then carried on a conversation with them.

The Minister for Agriculture: Where did that happen?

Mr. WARNER: The Minister knows all about it. Then when this inspector went away, some of the natives remarked, "What sort of munjong that fellow?"—meaning new chum.

Mr. Coverley: I think the language they used was much stronger than that.

Mr. WARNER: No doubt about that. I have been referring to the pastoral districts, about which I know a good deal, and I consider that we should leave well alone and not do anything that will start trouble. There should be three commissioners to deal with the three different classes of natives in the three different parts of the State in each of which the problems are totally diverse. The member for Kimberley is on the right track with regard to the part of the State he represents when he states that the protector or commissioner should travel through the district the major portion of his time or at least once a year and take cognisance of what is going on. The position of the half-castes, quadroons and octoroons will have to be seriously considered. It is noticed that most of the women's organisations have interested themselves in this subject, and have expressed their views, but I trust that before legislation is put on the statute-book, the position will be thoroughly gone into before we make a mistake which later we might regret. I support the second reading.

MR. WATTS (Katanning) [9.13]: The position of the natives in the northern part of the State appears to have been well represented in this House during the last hour or so, and it is necessary, I consider, that something should be said on behalf of natives in the southern part of the State. I wish to make it clear that I am not entering into a controversy with anyone about the position of the natives in the North; I know nothing about that part of the State and it would ill-become me if I entered into such a controversy. I have, however, had some experience of the southern areas of the State, and the native people there.

Mr. Cross: Tell us about Old Kate.

Mr. WATTS: She is ancient history and we are at present dealing with the new Aborigines Bill. I should first like to refer to the position of quadroons as it will be under the Bill if it becomes law. The definition of "native" will include all quadroons under 21 years of age. To my mind, that is not satisfactory. A child under 21 years of age who is the offspring of quadroon parents is himself a quadroon, and under the Bill will be classed as a native. If his parents are not to be classed as natives, I see no reason why he should be regarded as such. There are a number of quadroons of whom I have some slight acquaintance, and to class such people at any age at all as natives is wrong; they should be given the opportunity of being left outside the bounds of aboriginal control. As I understand the desire of the instigators of this measure, it is for the improvement and uplifting of those who are of aboriginal blood to any degree, but I do not think the existing definition respecting quadroons will have any effect along the lines I suggest; rather the reverse. It seems to me that if we condemn the infant native—that is the native who is under 21 years of age—to be classed as a native during the period of infancy, we will definitely make him a native for the rest of his life. I propose, when we are dealing with the measure in Committee, to endeavour to effect an improvement in that regard. I regret to note in the Bill that the restrictions on the employment of natives have been continued and increased. When I use the word "native" I use it in accordance with the meaning attached to it in the Bill, and, of course, include half-castes. There are quite a number of half-castes in my electorate who are anxious and willing to earn a living. The Bill proposes that not only shall those natives be required to secure permission if they wish to secure employment in connection with which the relationship of master and servant may obtain, but also if they desire to enter into contracts. There are not lacking instances where these fellows have entered into clearing contracts and contracts of other descriptions that have enabled them to make a reasonable, if small, living from that form of employment. I do not consider that work of that description should be regarded as requiring permission from the Commissioner before the natives can engage in it. It seems to me that the intention of the legislature was to make some effort to improve the position of the natives. It is particularly desirable to improve the lot of the halfe-caste natives and, wherever possible, to make them self-supporting and afford them a greater opportunity to become reasonable citizens of the community, living possibly in not too close contact with white citizens, but at the same time becoming self-supporting and living in a reasonable manner as inhabitants of Western Australia. I do not think the increased restrictions upon obtaining employment are likely to assist towards that end. With regard to the administration of deceased natives' estates, once again I can come back to the half-castes because quite a number of them are to be found living almost under white conditions; yet, because they are half-castes, they will be covered by the provisions of the Bill. If the measure becomes law, in the event of such a half-caste native dying intestate, regulations to be made as to the disposition of such estate as he may leave will govern the distribution of the proceeds of that estate. It does not seem fair or reasonable that in an instance such as I have referred to where the half-caste has been living, practically speaking, under white conditions, the estate should be dealt with as I have indicated, instead of it being allowed to revert to his wife and children. I do not think that the regulations as suggested—I may add that nothing is indicated in the Bill as to what those regulations will cover—should apply to the half-castes in the circumstances I have just alluded to. That brings me in agreement with the member for Mt. Marshall (Mr. Warner) who expressed the view that not one commissioner, but three commissioners, should be appointed to deal with the affairs of natives in Western Australia. I believe it is highly desirable to decentralise

the government and control of natives and that it is impossible to control all of them from one central office in Perth. Even with the assistance of inspectors or protectors in various places, who would be required to refer in many instances to the head office in Perth for guidance, I do not think the system proposed will be effective. It would be preferable if consideration were given to the appointment of two or three commissioners or protectors in various parts of the State so that there may be decentralisation of control of the aborigines. I do not understand the reason why the Bill should include a proposal for a separate form of court for the trial of certain aboriginal offences, and that the provision should have been restricted to the trial of offences by natives against natives. That question was discussed at some length by the Royal Commissioner in his report. I do not find in that document any reference to a court such as it is proposed to set up to deal with offences by natives against natives only. In fact, the Royal Commissioner makes specific references to an imaginary case of the theft of bullocks. I suppose that the majority of bullocks in the North-West are the property of white people, not of natives. It seems to me that the constitution of the proposed courts and their jurisdiction should extend, generally speaking, to deal with offences committed by natives whether against natives or white persons. I am inclined to agree with the evidence tendered to the Royal Commissioner by Dr. Maunsell of New Norcia, in which that gentleman expressed the view that the mentality of the aboriginal native was that of a child 12 or 14 years of age. It is granted that there is a considerable amount of cunning mixed up in that mentality, but I suggest that cunning is not lacking in the mentality of some children of the white races. Believing that, it seems to me that we should look upon the aborigines, to a great extent, as we do upon the refractory children that we bring before the Children's Court. As regards the manner in which we should manage these native courts that are contemplated by the legislation, the Royal Commissioner in his report stated—

> What is required in my view is, firstly, a different tribunal—one that will really enable the native to understand what is going on and the proceedings of which can be listened to and understood by others of the tribe; secondly, a different form of penalty.

I think these courts were definitely intended by the Commissioner to refer to all cases in which natives were concerned as defendants. The Bill purports only to give the native courts jurisdiction in cases as between natives, and, as far as I know, does not provide for any different form of penalty, as suggested by the Royal Commissioner. Such different form of penalty may be difficult to evolve, but the mentality of many of the natives is that of a child to a very large extent, and I think more consideration should have been given to that aspect when the Bill was being framed. With regard to native settlements generally, the Commissioner made some references to the form of settlement at Carrolup and considerably more extended references to the Moore River Settlement. With regard to the latter, I believe a considerable improvement has been effected, but I trust the former settlement will never be reopened. The position is that, however successful or unsuccessful the Carrolup settlement may have been when it was in operation, that settlement has been closed down by the Government. The whole of the land has been taken up by other settlers under the conditional purchase system. As the Commissioner says, to again make it a native settlement in view of the circumstances, would be unfair. While he expressed considerable doubt as to whether the land was good, bad or indifferent,—he states that he has no experience and no means of judging—I can definitely assure this House that the land in question is mostly very poor stuff. As for the river and the water pools on the property, they may have contained fresh water at the start, but certainly the water is not fresh now. The general opinion, not only of the present settlers in the vicinity, but also of those who are acquainted with the land in question, is that it is entirely unsuitable for any such purpose. That does not get away from the fact that there may be a case for the provision of reservations in other areas in the southern parts of the State. I believe there are natives who, unable to obtain regular employment elsewhere, would be willing to settle down on such a reservation under certain conditions. I am convinced that if a suitable area could be provided well away from a white settlement, and if a capable white man who was experienced in dealing with natives were placed in charge, good results would be obtained if natives were given rights respecting a small section of the reservation, and were also provided with

some vocational training for themselves and their children. I understood that the trend of legislation and thought with regard to the aborigines in this State was for their uplift and improvement, so far as their mental limitations would allow such improvements to take place. I believe the creation of such a reserve in the portion of the State I have referred to, provided it were well away from white settlement, would be of inestimable advantage. So far as I can gather, there is ample provision extant already to enable the department to undertake that responsibility without further amending legislation. I trust consideration will be given to that aspect before any great time has elapsed. The Bill contains a provision setting out that if an employer does not comply with certain medical provisions that are indicated, the native can lodge a claim under the Workers' Compensation Act. In other words, that says that if the employer does comply with those conditions, the native cannot claim. I do not think that is a very satisfactory way out of the difficulty. We find that under the Workers' Compensation Act, theoretically, insurance is compulsory, but actually that does not always follow, and considerable difficulties arise at times. Under the Bill, theoretically, compliance with the medical provisions laid down is also compulsory, but I am afraid that in many instances persons will not comply with that stipulation. It seems to me that that might well be considered by the Minister, if we are going to continue the relations of master and servant. The provisions of the Act require permits before natives can be employed. At the same time, some contribution to an insurance fund should be obtained from the employer and an actual insurance policy taken out by the department which would cover all such claims as might arise under the Workers' Compensation Act. I would remind the House that "native" includes half-castes and may, at the discretion of a magistrate, include quadroons. The latter are very close to white people. They have their families and their responsibilities and it does not seem to me that in regard to them the provisions of the Bill touching medical matters are in any wise sufficient. It appears to me that in these cases the provisions of the Workers' Compensation Act should be definitely made to apply, or else some other method should be substituted to deal with the matter. There are in one or two portions of the State native institutions or schools, sometimes referred to as mission schools. One is to be found at Gnowangerup, where I am advised there are 41 children attending that school, which is in close proximity to the township of Gnowangerup. There are 41 children there, and also two half-castes attending the State school. It is suggested that with such a mission school in close proximity to a centre the native children should, unless the Minister otherwise orders, be required to attend such mission school. There have been objections in various parts of the State to native children attending State schools. I am not for a moment one to subscribe to those objections if in result they are going to prevent such children from obtaining any education at all; but in the circumstances to which I refer there is an institution with a perfectly efficient staff, to which 41 children out of a possible 43 go, and there is, I submit, no necessity for any of those native children in those circumstances attending the State school. So that will explain an amendment on the Notice Paper in my name. In conclusion I hope the Bill will do more good than harm to the aboriginal people, and as I believe that, after amendment, that will be so, I propose to support the second reading.

MR. MARSHALL (Murchison) [9.35]: I want to make a few observations on the Bill. I cannot speak with the same knowledge of the subject as have many of those who have preceded me, but in my opinion the Bill is based entirely on wrong premises. It seems to me the guiding factor of the measure is the colour rather than the intelligence, industry, ambition and self-reliance of the individual.

Mr. Thorn drew attention to the state of the House.

Bells rung, and a quorum formed.

Mr. MARSHALL: Under the Bill those of half-blood and quadroons, even over the age of 21, will be termed "natives." May I suggest that there are even full-bloods who could well be exempt from this measure? The Leader of the Opposition spoke of encouraging them, particularly the half-castes, and inviting them to be more self-reliant, and ambitious, so as to rank somewhat nearer

to the white race. But under the Bill no encouragement whatever is given. You, Sir, know from your long experience and extensive travelling in this State that there are many full-bloods who are well educated and who can speak English and understand it just as well probably as many of us. And they have the ambition to do something for themselves, they desire to be self-reliant and independent. But they are all coerced by this measure and by the parent Act. What is the use of encouraging individuals to be self-reliant, and then forbidding it by legislation? The same thing applies to half-bloods. There are hundreds of half-bloods in the State, well educated and living clean lives equal to white men, and in some cases above them. Yet they will be coerced by this law into accepting the stigma of "natives." So while on the one hand we try to encourage these people to be self-reliant and ambitious, on the other hand we simply make slaves of them. So where is the encouragement for them to develop initiative or ambition? It is simply that we persecute those that are born in this country and have more right to it as an heritage than we ourselves have. On the other hand, importations such as the American coon can get all the freedom and liberty of a white man. The unfortunate wretch whose country we have taken is persecuted by an Act of Parliament from the time of his birth. Of course I am referring only to those who are educated and intelligent, although coloured. After all, they cannot help their colour. There are many of those people in my own electorate who should be encouraged by law to become citizens every bit as good as their white brothers. But we are continually harassing them and insisting upon their getting permits to do this, that and the other. After all, I do not know that there is any great stigma or disgrace in regard to that. Those unfortunate people should not be persecuted simply because of the mishap of their birth. They should be encouraged. The Bill should have been presented to us with a reverse policy contained in it. Where a person can claim to have received a fair education and to be living a decent life, he should not be interfered with any more than are coloured importations. I agree with the member for Kimberley (Mr. Coverley) that the administration of this measure cannot be carried out by an individual sitting in an office in Perth. Indeed, I suggest that it cannot be done by him even if he travels. There is only one solution of this problem, and it is that the Chief Inspector might be authorised to do more travelling, but his administration should be subject to the jurisdiction of a board including a woman, more particularly one with experience of the aborigines. But I take strong exception to taking half-castes, many of whom are in my own electorate, and making them subservient to a law that is objectionable to them and gives them no desire to go on. They require a permit to do this or that, and a police permission to do something else, and they have to consult a magistrate about many things. Over and above all they are subject to the inquisitorial control of the Chief Protector. I am speaking more particularly of those in my own electorate, whom I look upon as my friends. One could not get more law-abiding citizens than they are, but what encouragement is there for them? I disapprove of any law that would interfere with the domestic comfort of those families. Why should the Chief Protector have the right to take a child from its parents and send it somewhere else? The mother, instead of knowing where her child is, does not know how it is progressing or whether it is seriously ill. They drag the child away from its mother on the plea that it will have better treatment and better education. Whilst doing that we still regard the child and its parents as natives. I disapprove of the Bill. I would even disapprove of including full-bloods who have been educated, and who are able to go out into the world, if allowed, and live their own lives unhampered. I do not suppose my voice will prevent the Bill from becoming law, but I am inclined to make the attempt.

Mr. Thorn: You would have a lot with you.

Mr. MARSHALL: If amendments are moved that will improve the Bill, they will have my support. If, after the Committee stage, the Bill is not improved, I shall then vote against it.

[*The Deputy Speaker took the Chair.*]

MR. SEWARD (Pingelly) [9.46]: My remarks will have reference only to the southern portion of the State. I have no first-hand knowledge of the conditions in the North and shall have nothing to say about them. I listened with pleasure to the speech of the member for Kimberley (Mr. Cover-

ley) who gave us a comprehensive review of the legislation governing the aborigines. When I came to the House this afternoon I was very lukewarm concerning this measure, but since hearing the hon. member I am not even lukewarm about it. It would be a good thing if the Bill were set aside until next session. It could then be carefully examined with a view to evolving a better measure for the uplifting of the native races, for that is what we have to aim at. It is to be regretted the Government left this important Bill to such a late stage of the session. The Bill of 1929 was brought down in the last hours of the session, and was lost. What I fear is that, as a result of the Bill not being fully considered, we may place on the statute-book an Act which will not have a beneficial effect upon the people concerned.

The Minister for Agriculture: The Bill has been before Parliament for a month.

Mr. SEWARD: Actually, it has only come before us for discussion to-night.

The Minister for Agriculture: You ought to know all about it by now.

Mr. SEWARD: Only from a speech such as that of the member for Kimberley can we learn much about it. I have read carefully the speech of the Minister, but I am sorry I cannot see very much in it to justify any hope that the Bill will confer any lasting benefit on the native races. The member for Murchison (Mr. Marshall) said it referred more to colour than to anything else. My conclusion was that colour was the main thing about the Minister's speech. We have to look further than colour to see what we can do for the aborigines. This Bill should be deferred until next session, so that when it is placed on the statute-book it will confer a permanent benefit upon the people concerned. Once this law is passed, it may not be amended for some time. The present Act has been in operation for many years, despite the many requests for a new one. As I have said, my remarks on this Bill will apply only to the southern portions of the State. No one can travel through those districts and attend sports meetings, without seeing the deplorable conditions under which the natives have to live, and without realising that we as the dominant race have been lacking in our duty to make proper provision for them. I cannot help comparing the lot of our natives with that of the Maori of New Zealand. The lot of the Maori is far superior to that of the Australian native. The laws of New Zealand have uplifted the Maori and are still uplifting him.

The Minister for Justice: There is better material to work on there.

Mr. SEWARD: I admit the Maori race is superior, but what have we done to bring our native races up to the level of the Maoris? We have done very little.

The Minister for Justice: What can we do?

Mr. SEWARD: We never know what we can do until we try, and we have not tried yet. The member for Katanning and the Royal Commissioner referred to the Carrolup settlement. We must give these people employment. When considering such a settlement we must remember that the towns immediately bordering on the area will soon be up in arms, and declare that they do not want the natives around them. I believe the Carrolup settlement comprised about 2,000 acres. That is ridiculously small. How can we settle these people on the land, as they should be settled, on so small an area? A certain portion of the South should be set aside for the natives. They should not be able to part with the title of the land. That is the principle followed in New Zealand. A certain part of the country is set aside for the Maoris. A title has been given to them, but they cannot dispose of the land which is held in perpetuity for them. We should do something in that direction for our natives. I have in mind a large area where the men could be trained for farming. They could have their own township and the rising generation could attend their own school. Those who did not want to farm could be trained in other callings. A part of the State which contains a number of abandoned farms could perhaps be set aside for the purpose. We would thus be able to do something tangible for these people, give them constant employment, and encourage them to earn their own living. At New Norcia young half-castes are being trained as competent farmers and others are being trained at blacksmithing and other trades. That principle could be followed in the South. White people should be kept out of the area. The trouble with the native races generally starts when the whites mix with them. The whites introduce all kinds of vices and

trouble ensues. The area could be set aside exclusively for the natives. It would be an experiment worth trying. I mention it in the hope that something in this direction may be done.

Hon. P. D. Ferguson: It is the only way to make useful citizens of them.

Mr. SEWARD: The present conditions should not be allowed to continue. At sports meetings I have seen half-a-dozen half-castes and blacks, some of the half-castes being almost white, sitting by themselves on a seat huddled together. No one would have anything to do with them and they cannot associate with other people. At these meetings special races are put on for the coloured people. We cannot expect them to grow up into decent citizens under such conditions.

Mr. Marshall: We are creating class distinction by legislation.

Mr. SEWARD: We should be lacking in our duty if we allowed the present system to continue. The Bill will not accomplish anything; there is nothing new in it. One or two alterations are made to existing conditions, but, as the member for Kimberley pointed out, nearly all of them could be brought about by administrative acts. My hope is that the Bill will be deferred until next session. As I have said, the Maoris have been uplifted by the legislation in New Zealand. They now have two representatives in the Parliament of that country. One was a solicitor when I was there and the other was a man of very fine character. Both are well educated men. They voiced the viewpoint of the Maoris in Parliament and were looked upon as highly respectable citizens.

Mr. Marshall: The slaves of America were considered no better than our natives until they got their freedom.

Mr. SEWARD: There is nothing to prevent half-castes rising to a higher level, and we should do what we can to bring that about. The Bill vests great powers in the Chief Protector. Since hearing the member for Kimberley I am less inclined than ever to give him such powers. I am of opinion the affairs of the department should be put into the hands of a board of three. I thought that before I heard the member for Kimberley, and am now more convinced than ever on the point. Such a board would enable the Chief Protector to get away from his office into th country. That was strongly recommended by the Royal Commissioner. Office work is not a job for a highly-paid officer like the Chief Protector. He should be in constant contact with the natives to see how the laws are being administered, and with what effect. The other two members of the board could travel about, whilst the office work was performed by the secretary of the department. The members of the board could periodically confer in Perth on steps that should be taken in the various districts. That would be a better arrangement than the present one. If the present Chief Protector were to die or retire, a successor would have to be appointed. If a board of three were constituted, all members would be equally conversant with the laws and the conditions of the natives, so that a fully trained man would always be on hand to take the part of Chief Protector. The Chief Secretary, when introducing the Bill, stated that the Ministry had to disregard certain recommendations of the Royal Commissioner on account of finance. The well-being of the native races is too important for the question of finance to stand in the way Let me quote some figures showing the expenditure on natives in the different States. That was referred to by the Leader of the Opposition. In South Australia the native population numbers 3,407 and the annual cost is £23,000. In Queensland the native population numbers 16,957 and the cost is £41,128; in New South Wales the number is 9,724 and the cost £53,124; and in Western Australia the number is 29,000, equal to all the other States put together, and the total cost is a little over £28,000, while the estimate for thi year is £20,000. It must be admitted that our cost is lamentably short of what it should be. We cannot possibly concede that the other three States are largely extravagant in the matter. Therefore our Government would be well-advised to make more money available to the Aborigines Department, so that if necessary a board of three could be maintained and proper attention given to this highly important question. The Minister in his speech said—

> It is desired to give those who are deserving, a better chance to rise socially in the community.

One can go through the Bill carefully and not see in it any great alterations which will give these people any possible chance to rise socially. The only way to do that is

to remove them from their present deplorable conditions, in canvas camps, 12 or 14 persons huddled together, and place them in towns along the Great Southern railway. Apart from the question of colour, the only thing the Bill really mentions is that the name "aboriginal" shall be changed to "native"—not a very serious matter. Then there is the question of native courts to deal only, as the member for Katanning (Mr. Watts) pointed out, with cases of native against native. Native courts are essential. I have in mind a scandalous case which occurred in Port Darwin. An unfortunate native was haled before the court because he happened to kill a white man who had taken his gin away from him. Killing cannot possibly be condoned; but if the boot had been on the other foot, what would have been the cry immediately? The unwritten law. Certainly the white man would not have been sentenced to death. Such a case should come before a native court, so that native customs and rites might receive proper consideration. That is another matter mentioned by the Royal Commissioner. The Bill suggests that the Chief Protector should be able to interfere in the marriage of natives. To my mind, that is an impossibility. I wish to refer hon. members to the relevant passage in the Royal Commissioner's report—

> I do not profess to understand the basic principle underlying native marriages. It is complicated but, I am led to believe, very definite and based on the law of kinship. To attempt to alter the system, without proper understanding of all it represents, would be, in my view, dangerous. It might possibly strike at the foundations of the natives' social life. I express no definite opinion. I am content to quote from Dr. Elkin, Professor of Anthropology at the University of Sydney:—"Protectors, missionaries, and employers are well advised to leave these matters absolutely to native law and authority. If, in time, through the influence of white custom and Christian teaching, love rather than social custom tends to regulate marriage, that will be time enough for the old men with the assistance of white friends to modify their marriage law."

Those are weighty words, and we should consider them carefully before we authorise the Chief Protector to carry on negotiations such as have been indicated by the member for Kimberley, before natives are allowed to inter-marry in the North of this State. It may be necessary for the Chief Protector to have such authority with regard to half-castes, in certain instances. The only other matter I want to mention is the present system of rationing along the Great Southern railway. That system is absolutely undermining the morale of the half-castes there. They congregate in camps, and come into the town on certain days to draw their rations. That is all they live for. They will not do a day's work. A man wanted a chap to go out and give him a hand on the farm the other day. He said he would give the native a few pounds a week and his keep. But the native refused the offer of work. There is no need for rationing. Rabbits by the million are in the Great Southern district. These men could be engaged in rabbit-trapping. I heard of one native who collected £9 per week at the business. There is no need for rationing except in the case of persons unable to work at all. To give rations to able-bodied men in camps is utterly wrong.

Mr. Coverley: How often during the last three years has the Chief Protector visited that district?

Mr. SEWARD: I have heard of his being down there once; but he may have been there many times without my knowing of it. He cannot possibly administer satisfactorily a measure of this description unless he keeps in close contact with the facts, instead of being dependent on the reports of honorary inspectors or honorary protectors. That is another thing I disagree with. I am quite prepared to admit that many honorary protectors and honorary inspectors have done valuable work at various times; but I do not think the welfare of the native race should be dependent on honorary officials. There should be a paid board of three keeping in close touch with the natives. Honorary work is cheap work, and often nasty work. I appeal to the Minister not to press the measure through to finality after the second reading. I hope the debate will be adjourned, and that the Bill will be revived in a new session, after it has been thoroughly digested.

MR. THORN (Toodyay) [10.8]: I have listened with interest to the member for Pingelly (Mr. Seward), and so that the House may give full consideration to the Bill I move—

> That the debate be adjourned.

The DEPUTY SPEAKER: An hon. member cannot make a speech and then move that the debate be adjourned.

Mr. THORN: Well, I move that the debate be adjourned.

The DEPUTY SPEAKER: It is not competent for the hon. member to do that.

Mr. THORN: I said that in consideration of the case laid before the House by the member for Pingelly, I moved that the debate be adjourned. That is not a speech.

Motion put and negatived.

HON. P. D. FERGUSON (Irwin-Moore) [10.9]: I intend to vote for the second reading of the Bill, but I have to confess to a feeling of disappointment at its contents. After the exhaustive investigation conducted into the aborigines question by the Royal Commissioner, Mr. Moseley, I thought we had the right to expect something more from the Government in the way of proposed legislation—something that would, in a sense, ameliorate the position of this unfortunate race. I realise, of course, it is a difficult subject respecting which to legislate, and at the same time give satisfaction to all sections of the community that have been criticising the law under which our native affairs have been administered in the past. I consider that a good deal of that criticism could have been avoided by administrative acts, without the necessity for additional legislation. Had the Government laid themselves out to give more consideration not only to the aborigines and half-castes but to the white critics as well, much more good could have been effected. The Bill is one mainly for consideration in Committee, and I shall not delay the House long at the second reading stage. In my opinion, much harm can be done by extending the powers of inspectors with regard to the marriage laws of natives and half-castes. I know little about aboriginal customs in the far North, but I am aware that in the South-Western Division, mainly along the Midland line, there are a number of half-castes and quadroons, and it would be absolutely wrong and dangerous if any interference were tolerated in connection with their desire for marriage. Many of those people have just as much intelligence as the average white person. They have the same instincts, and their desire for marriage and for one another's company should not be interfered with in any way by an inspector. As to securing the permission of the Chief Protector for their marriage, that borders on the ludicrous. Generally speaking, these marriages take place at mission stations or churches, and are solemnised by parsons or priests licensed by law to perform that rite. There is no doubt that the less Governmental interference there is in such matters, the better for all concerned. I regard the proposal to establish native courts as something in the nature of a sop to those individuals who have set themselves up, either individually or as organisations, to endeavour to ameliorate what they regard as the difficulties in which the native population exist. I do not believe that any good will accrue from the establishment of the native courts.

Mr. Warner: None whatever.

[*The Speaker resumed the Chair.*]

Hon. P. D. FERGUSON: I do not believe the establishment of those courts will be understood by the natives. The ordinary courts have failed dismally and certainly have had no appreciable effect in securing a diminution of offences amongst natives. That is due to the fact that the natives fail to appreciate the sentences imposed upon them by the courts. I am of opinion that the native courts will fail for the same reason, and will have no appreciable effect in the diminution of offences. I believe the best thing the State could do in the interests of the half-caste and quadroon population in the South-West would be to insist upon those people being placed in useful occupations. I believe 90 per cent. of them would prefer to follow some line of work on the land. It is natural for them to do so. The Government should at an early date endeavour to locate a suitable area in the South-Western Division that should be reserved as a training farm for half-castes. I do not know where it will be found, but it should be located in an area of several thousand acres of reasonably good land. It should comprise an area where a large percentage of first-class land would be available in the one block. If action is delayed in that respect until remunerative wheat prices return for a period of years, then the unoccupied Agricultural Bank holdings will again be taken up by white farmers and the Government will find it impossible to secure an adequate area in one block for the purpose I have indicated. Not only would a farm of that description have a very desirable effect in training young half-castes for work on adjoining farms, if not too many restrictions were placed upon their employment, but it would create a greater sense

of satisfaction amongst the half-caste community. It would assist to a marked degree in encouraging them to provide for their own sustenance. If the work on the farm proved not to be actually profitable, nevertheless the property would return something to the Treasury that would, in a measure, provide for the expense incurred in organising and carrying on the farm. I hope no delay will occur in securing a locality suitable for the purpose. I desire to refer to the utter absurdity of establishing a farm such as in a locality along the Midland line, and other similar places. I refer particularly to the settlement at Moore River, which is situated seven miles west of Mogumber. The settlement comprises an area of between 12,000 and 13,000 acres, which is quite adequate, but I do not think there are five acres of second-class land or one acre of first-class land in the whole block.

Mr. Warner: It would not breed grasshoppers.

Hon. P. D. FERGUSON: It would not breed anything that has to get a living from the land.

Mr. Marshall: It will breed more contempt for any Government that tolerates it much longer.

Hon. P. D. FERGUSON: No individual Government can be blamed for the settlement. It has been established for many years, and I do not know what Government was responsible for it originally. The Chief Protector of Aborigines recommended the site because there was an abundant supply of water, and it happened to be an old camping ground that had been used from the earliest days of our history. That was the only recommendation the property had. The holding does not contain land that is capable of producing anything for the maintenance of the inhabitants, and every bit of vegetable and fodder required has to be imported from outside.

Mr. Marshall: When I last visited the settlement, they were cultivating the river bed in patches.

Hon. P. D. FERGUSON: The river bed is not very wide, and they could not do much there. However, the only recommendation for the property was the ample supply of water. I do not want any such location to be selected in future. At the same time, I do not want the native settlement at Moore River to be closed. Heavy expenditure was incurred in the erection of buildings that were brought down from one of the islands in the North-West where they had been used for hospital purposes. Those buildings are quite suitable for the natives at Moore River. In my opinion, a number of the half-castes and a few of the natives, particularly those who belong to the Midland area, should be allowed to remain there. I should say that an area could be set aside somewhere along the Great Southern railway to which half-castes who were unemployed would be allowed to go whenever they so desired. With regard to the criticism levelled at the Moore River settlement by the Leader of the Opposition, it is a matter for regret that the hon. member has never visited the institution to see what is being done there. I wonder how many members of Parliament have been there.

Mr. Warner: Or how many want to go there.

Hon. P. D. FERGUSON: It would be a good thing if they did go there. There are at that institution about 400 or 500 half-castes and quadroons and a few aborigines, and a wonderful service is being rendered to the natives by that institution. I have known the superintendent and the matron, his wife, for over a quarter of a century, and I know that the work they have done has been of great benefit to the inhabitants of the institution. They have done their utmost to uplift the half-castes under their charge. I am afraid that this legislation is not going to help them much in that regard. The tendency will be that those inhabitants who are almost white will be dragged to the level of those who are almost black. That is just the opposite of what the superintendent and the matron have been fighting for during past years. Their tendency has been of an uplifting nature, but a portion of this legislation is going to have the reverse effect. I have seen as many as 14 girls operating 14 big Singer sewing machines in the machine room where they make the whole of the garments for the North-West.

Mrs. Cardell-Oliver: And do not get a penny for it.

Hon. P. D. FERGUSON: They get a reasonable living; a lot of us are not getting any more. I do not know whether any payment is made to these girls or not, but they are very happy in doing this work, and there are many girls in the institution who would like to be promoted to the sewing room. The summit of their ambition is to get to that sewing room where they can do

something more useful than in other parts of the institution. Reference has been made to the immorality that exists there. It has been exaggerated a hundredfold. There is not a great deal of immorality at that institution, and could not be with the matron who is in charge there. Where there are several hundred young half-castes, many just approaching manhood and womanhood, and where it is an absolute impossibility to segregate the sexes—and it would not be advisable to attempt to do so— and where these young people have daily intercourse, it is only likely that where there is no keen sense of moral rectitude there should be a certain amount of immorality; and of course there is. But it has been exaggerated by people who have never been there and by people who have been there and have returned to the city and had interviews with the metropolitan Press. I do not think that has had any beneficial effect upon anyone, and it is a thousand pities that so much publicity has been given to the matter. It would be better left alone. It is my intention to support the second reading, because I believe half a loaf is better than no bread. The Bill does not go as far as I would wish in many respects, but it will improve matters slightly, and I intend to support it.

MR. TONKIN (North-East Fremantle) [10.24]: I intend to support the Bill, and hope it will pass this session and not be held over till next year. The Bill is justified and overdue. Members should have sufficient knowledge of the subject; they have been able to peruse "Hansard" and find out what has been said in another place about the matter, and there should be no necessity to defer the question any longer. It has been truthfully said by the Chief Secretary in another place that we have a constitutional obligation to look after the welfare of the native population. We must all agree with that. We cannot shirk that obligation. It is also well known that until now the measures taken in discharge of our obligation have been woefully inadequate, and in no way we have earned any praise for the manner in which we have handled the problem with which we have been confronted. We have been told that the Bill, if it becomes an Act, will effect a great improvement in the condition of the native population. We have been told by the Chief Secretary that it will bring about the gradual emancipation of some of these people from their aboriginal state to a higher social condition. I do not know whether it will or not, but it is a most laudable desire which the framers of the Bill seek to achieve. Experience alone will show us whether the Bill will do all or even half of what it is said it will do. I am prepared to make the experiment so that we can gain that experience. For many years considerable criticism has been levelled against the department for its treatment of the natives. Much of this criticism emanates from people who look at the situation from the point of view of the white person rather than from the point of view of the protection of the natives. I hope that when we are dealing with the Bill in Committee we will have full regard to the latter view, that we will not keep before our minds the whole time how the white people are affected by their contact with the natives, but that we will have before us all the time what we should do to discharge the obligations imposed upon us to look after the welfare of the natives in the State. If we deal with the Bill with that view in mind we will have a measure which will effect some improvement at least. We can only judge by the light of our experience whether the Bill will do very much of what has been claimed for it. With these few remarks I indicate my intention to support the second reading.

MR. THORN (Toodyay) [10.27]: I admire the attitude of the member for North-East Fremantle (Mr. Tonkin) on the Bill. It is our duty to support the Bill; it is not a matter of protecting the white but of protecting the native. I appreciate the remarks of the member for North-East Fremantle and hope the Bill will be carried. I do not want to labour the question and will support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 2 of the principal Act:

Hon. N. KEENAN: I want to draw the attention of the Minister to the definition of "native." In my opinion it covers a good deal more than is necessary. It covers, for instance, a quadroon of the age of 21 years. And then, when that person reaches the age

of 21 years, an order can be made by a magistrate—it is not provided how, or what application will have to be made—and the quadroon will remain a "native" for any period that the magistrate may order. That, in my opinion, is making the definition far too wide.

The MINISTER FOR AGRICULTURE: When the Bill was introduced, both in the other Chamber and in this House, it was clearly stated that the word "native" was necessary to prevent differentiations that now exist. As to the word "quadroon," it is found in the administration of the affairs of the natives that many lightly-coloured people, quadroons, who are often not only associating with their parents but living with them, although they are almost white, are necessarily brought within the scope of the Aborigines Act. Because of their early associations, it is not practicable to allow them to be outside the scope of the Act. It is those people who become the prey of undesirable whites, and so they should be protected by the provisions of the Act. Those quadroons, although almost white, have all the attributes and instincts of the aboriginal, and they must be protected.

Mr. THORN : I move—

That progress be reported.

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

Ayes	12
Noes	26
Majority against ..	14

AYES.

Mrs. Cardell-Oliver	Mr. McLarty
Mr. Ferguson	Mr. North
Mr. Hill	Mr. Patrick
Mr. Keenan	Mr. Sampson
Mr. Latham	Mr. Thorn
Mr. Mann	Mr. Doney
	(Teller.)

NOES.

Mr. Boyle	Mr. Raphael
Mr. Coverley	Mr. Rodoreda
Mr. Cross	Mr. Seward
Mr. Doust	Mr. F. C. L. Smith
Mr. Fox	Mr. Tonkin
Mr. Hawke	Mr. Warner
Miss Holman	Mr. Watts
Mr. Lambert	Mr. Welsh
Mr. Marshall	Mr. Willcock
Mr. Millington	Mr. Wilson
Mr. Munsie	Mr. Wise
Mr. Needham	Mr. Withers
Mr. Nulsen	Mr. Styants
	(Teller.)

Motion thus negatived.

Hon. N. KEENAN: In view of the statement made by the Minister, which was by no means convincing, I propose to move an amendment to strike out the paragraph beginning on the 23rd line of page 2 of the Bill.

Mr. MARSHALL: I have an earlier amendment to paragraph (d), which covers half-bloods. I should like to know from the Minister if half-castes definitely come within the scope of the Bill. There should be some means of their being exempt, if only by application to a magistrate.

The MINISTER FOR AGRICULTURE: The Bill must be read in conjunction with the parent Act, which in Section 63 gives to any full-blood or caste of any sort the privilege of being exempt from the Act. And it will be found later in the Bill that that section is amended to give, in the case of a refusal, the right of appeal by the aggrieved person.

Mr. MARSHALL: I dislike paragraph (b). I take exception even to full-bloods being roped in. We should not frame our legislation on the colour of the individual rather than on his intelligence and ambition. The Bill provides for roping in a native and then leaving it to him to get out. That is not calculated to enable him to rise or become a good citizen. The native should be released and, when occasion warrants his being roped in, action could be taken. Under the Bill the native is to be deemed guilty at birth. That principle is abhorrent. The Minister said he wished to protect the natives. They have never been given freedom or any opportunity to look after themselves. They are practically told that they are useless and that the State must care for them. I hope an opportunity will soon be given to amend that provision.

Mr. WATTS: I wish to move an amendment to subparagraph (i) to strike out the words "over twenty-one years of age."

Hon. N. KEENAN: I wish to delete all the words in subparagraph (i) after "a quadroon." If those words were deleted, would it be competent for any member to move to insert a certain age?

The CHAIRMAN: The member for Katanning had better explain his proposal.

Mr. WATTS: Every quadroon of whatever age should be exempt from being classed as a native unless a magistrate orders him or he asks to be so classed. In order to deal with infants, I have another amendment to Clause 5.

The CHAIRMAN: If the amendment of the member for Katanning is defeated, it will not be competent for the member for Nedlands to move to strike out the same words. He will be restricted to moving an amendment after the word "age."

Hon. N. KEENAN: My objection is to the inclusion of a quadroon at all. If my amendment were lost, could the member for Katanning move his amendment?

The CHAIRMAN: No; the Committee will have decided that the words shall not be struck out.

Hon. N. KEENAN: Then we are in a dilemma. My object is to exempt the quadroon.

The CHAIRMAN: The hon. member may support the amendment of the member for Katanning and, if the words are struck out, move to strike out the rest of the subparagraph.

Hon. N. KEENAN: Then I should have to vote for something I do not want.

Mr. Marshall: That is not unusual.

Hon. N. KEENAN: But it is unpleasant. A quadroon is a child of a white parent on one side and a half white on the other. It is absurd to take such a child from its parents. If the provision had been guarded by stipulating a quadroon living amongst natives, it might be supported, but a quadroon might be living under the best of conditions with its parents and yet, by this measure, it would be a native up to the age of 21 years and subject to the guidance of the department unless Section 63 applied, which applies equally to the fullblood. The Minister should be prepared to exempt a quadroon who is not living the life of a native.

The MINISTER FOR AGRICULTURE: The member for Nedlands has not grasped the point. A quadroon is a child of a half-caste mother and is living with a half-caste mother. A female quadroon would be living in the same camp as the half-caste parent, and the provision is essential for the protection of the quadroon female particularly. Such a quadroon up to 21 years of age is a positive menace and there is need for control by the department.

Mr. WATTS: I move an amendment

That in line 1 of subparagraph (i) the words "over twenty-one years of age" be struck out.

Hon. N. KEENAN: If the question is put that all the words after "quadroon" be struck out, it will then be open for me to move to insert other words.

The CHAIRMAN: Yes; provided they are not the words which have been struck out.

Hon. N. KEENAN: If my amendment is carried, the member for Katanning can then move to insert the words "over 12 years of age."

The CHAIRMAN: Yes.

Hon. N. KEENAN: Then I submit my amendment should be put first.

Mr. WATTS: But I do not want to insert those words. My amendment was to strike out the words "over twenty-one years of age." If that is carried, the member for Nedlands is then at liberty to move for the deletion of the remainder of the paragraph.

The CHAIRMAN: But the hon. member does not want to do that.

Mr. WATTS: If he is allowed to move his amendment and it is defeated, I then cannot move to strike out these words. If members are not prepared to strike out these words, they will not be prepared to strike out the whole paragraph. I think my amendment should come first. The Minister has referred only to the mother of a quadroon child. Where is the white father? A quadroon child does not necessarily require the protection of the department.

Mr. COVERLEY: I oppose the amendment. This Bill will have to be read in conjunction with the parent Act. The half-caste parents of a quadroon may be exempted from the provisions of the Act, and the offspring would not therefore come under the protection of the department. Further on in the Bill provision is made for an appeal against an adverse decision by the Minister, and it is not to be imagined that any magistrate would turn down an appeal that was properly represented.

Hon. C. G. LATHAM: This Bill will allow the Chief Protector to control all natives. We are now asked to agree that he shall control all quadroons over the age of 21. These people may be living under the same conditions as white folk, and yet be obliged to go to a magistrate to get exemption from the Act. This will tend to sap their pride of race, something we ought to encourage. I am afraid the member for Kimberley has been led astray by the Minister. A quadroon may not have the money with which to employ a lawyer properly to represent his case.

The member for Kimberley himself said how difficult it is to obtain release at the hands of the Minister. Do not let us force decent citizens back into native conditions. The onus should be borne by the Government, and not by the individual.

Mr. MARSHALL: The member for Kimberley is quite correct in pointing out that the progeny of quadroons would not be subject to this Bill, even if it became law. Before getting away from the Act, however, they have to follow a procedure which is objectionable. Many of them have proper personal pride. I know of two well-educated boys who ask, "Why should we have to appeal to a magistrate to get the liberty which other people have in our country?"

Hon. N. KEENAN: I wish to correct a wrong impression possibly conveyed by the member for Kimberley. The parent Act does not touch quadroons at all. The proposal now is to rope in another generation. The net is being extended most unduly. We should lift these people up, and let them be absorbed in our own population, as they can be without injury. I hope the Committee will not do what the parent Act never contemplated—include quadroons in the definition of "aboriginal."

Progress reported.

House adjourned at 11.5 p.m.

Legislative Council.

Tuesday, 8th December, 1936.

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

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the undermentioned Bills:—

1, Vermin Act Amendment.

2, Bunbury (Old Cemetery) Lands Revestment.

3, City of Perth Endowment Lands Act Amendment.

MOTION—STANDING ORDERS SUSPENSION.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.41]: I move—

That, during the month of December, so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages at one sitting and all messages from the Legislative Assembly to be taken into consideration forthwith; and that Standing Order No. 62 (limit of time for commencing new business) be suspended during the same period.

The PRESIDENT: This motion will require to be carried by an absolute majority of members, no notice having been given of it.

HON. C. F. BAXTER (East) [4.42]: The motion is the usual one to be submitted towards the end of each session. We have not the volume of legislation before us now that we often have at this stage of the proceedings, but I would like the Chief Secre-