

to see why we should pass a measure for compulsory purchase. Of course, if the Government advertise their willingness to purchase estates, prices will rise. But prices are bound to rise in the ordinary course of events; land must rise from year to year. Only six weeks ago an estate was placed under offer to the Government at £5 per acre. That estate comprised 2,200 acres highly improved, and 2,000 acres cleared. Just the other day the same estate was sold privately at £6 per acre. Values are increasing daily, and they will continue to increase. Unless the opportunity is taken to purchase the estates to which I have referred, their prices will be further enhanced. The estates are such as would yield all the blocks required for closer settlement purposes. I fear that under this Bill there is not full power of appeal from the decision of the board. Full provision must be made in that respect, in order that the measure may be on an equitable basis. I shall have something further to say in Committee, but meantime I express the hope that the Government will endeavour to secure—and that quickly—the estates which are to-day available at a low figure.

On motion by Mr. Willcock debate adjourned.

#### BILL—MINERS' PHTHISIS.

##### Second Reading.

Order of the Day read for the resumption of the debate from 30th August.

On motion by Hon. P. Cullier, debate adjourned.

*House adjourned at 10.32 p.m.*

## Legislative Council,

*Wednesday, 6th September, 1922.*

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#### QUESTION—METALLIC CONTACT PROCESS.

Hon. H. STEWART asked the Minister for Education: Will he lay on the Table the report by Dr. Simpson on the Metallic Contact Process, owned by the Australian Minerals Recovery Company, Limited, and all papers relating thereto?

The MINISTER FOR EDUCATION replied: It is quite contrary to practice to do as suggested, unless requested by, or with the consent of, the company, firm, or person interested.

#### LEAVE OF ABSENCE.

On motion by Hon. H. Seddon, leave of absence for six consecutive sittings granted to Hon. J. W. Kirwan (South) on the ground of urgent private business.

#### MOTION—MACHINERY INSPECTION REGULATIONS.

##### To disallow.

Hon. E. H. HARRIS (North-East) [4.35]: I move—

That the regulations of "The Inspection of Machinery Act, 1921," laid upon the Table of the House on the 1st day of August, 1922, be disallowed so far as regards the following: Regulation Charges—1, Boilers. 2, Digesters. 3, Vulcanisers. 4, Steam-jacketed vessels. 5, Receivers for compressed air or gas. 6, Machinery (not worked by steam). 7, Winding engines worked other than by steam. 8, Holman hoists. 9, Hoists, the cylinders of which exceed 6in. in diameter. 10, Extension certificates. 11, Machinery driven by steam. 12, Special work (boilers and machinery). 13, Testing pressure gauges. 14, Search fees. 15, All fees enumerated in the Seventh Schedule.

The motion is not without justification, and I am sure I shall have the support of all those called upon to pay the charges enumerated. Machinery is used both in primary production and in secondary industries. Those engaged in secondary industries will pass on the increased charges to the general public, but that cannot be done by those in primary production. In the North-East Province we have the greatest quantity of machinery to be found in any one district in the State. The mine owners in that province will be heavily penalised by the proposed increased charges, which in my view, have been devised by the department as extra taxation. When the Bill of last year was going through the House, the Government were charged with having withheld the schedule of fees in order that it might be put into operation during the recess, when members would not have an opportunity for discussing it. To meet that, the date was fixed for the proclamation of the Act. On looking up the records, I find that the first

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

inspection of machinery legislation is dated 1897, when a Bill was brought down for an Act to provide for the inspection of steam boilers. That was repealed by the Act of 1904, which embraced also machinery. That measure, in turn, has been repealed by the Act of 1921. The object of those successive Acts was the protection of life and property. There is a time in the history of every boiler when it is necessary to reduce the working pressure, and eventually to condemn the boiler. At one time all machinery was insured, as were also the employees operating it; and it was provided by Statute that if any employee met with an accident while tending machinery which had not been inspected and certificated, the insurance company was relieved of responsibility. The need for a Machinery Inspection Act is obvious. When we have such an Act, the imposition of certain inspection charges is unavoidable, but I claim that the charges set out in the schedule before us are excessive. The Act of 1921 makes provision for the inspection of a good deal of machinery which was not previously dealt with. The prescribed fees range from 25 per cent. to 100 per cent. in excess of those previously provided. In the 1897 Act three grades of boilers were dealt with, and the fees were respectively £1, £2 and £3. Where more than two boilers were to be found in one factory, the charge for each additional boiler, according to grade, was 15s., £1, and £1 10s. Those charges were re-enacted in the Act of 1904, but there was also a provision that where two or more boilers on the same premises were inspected on the same day, there would be an additional charge for each subsequent boiler. The fees were the same as those provided in the 1897 Act, except if the boiler were over 15 horse-power the fee was reduced from 30s. to 25s. The scale has now been departed from, and we have fees ranging from £1 up to £4 10s. for a boiler of over 40 horse power. No provision is made for special fees for a nest of 10 or 12 boilers inspected on the same premises on the same day. Surely where we have a nest of boilers there is no occasion to charge £4 10s. for each! The Act of 1904 provided that for an inspection of machinery not worked by steam the fee should be £1, with a similar fee for every digester, irrespective of size. No provision was made in that schedule for locomotive traction or road roller boilers, but the provision is to be found in the next schedule. Where there were previously three grades of boilers, we now have five. The imposition of these proposed new fees will mean for the mining companies an additional burden which they can ill afford to carry. The Act also provides for the payment of fees for air compressors. In the case of machinery driven by steam, and machinery driven by electric current, a fee was charged for the boilers, but not for the machinery. The fees are now £1 to £4 10s. for each boiler, £2 for the air compressor, and £1 to £4 for the winding engines, which may be all under the one roof. There is no justification for this. Lifts

were formerly provided for, but I have not included them in the list. They were inspected annually and a fee was imposed. It is now provided that they shall be inspected every six months and the fee is increased by 100 per cent., it being now four times as high as it was before. For this extra fee the owners will have their lifts inspected more often, which may be desirable in the case of busy lifts. In regard to digesters, for every one not exceeding 50 cubic feet capacity, the fee is £1, and for over 50 cubic feet it is £2. Hitherto the fee for digesters has been £1 only. In order to illustrate what this may mean, through the kindness of Mr. Lovekin I have brought to the House a digester which is now standing on the Table, and which is of a cubic capacity of 3½ feet. That would come under the scope of the Act and a fee of £1 would be payable upon it. The market price of the article is 50s. to 60s. A fee of £1 for such an article as this is too high. For every vulcaniser a fee of £1 is charged. This seems too high. It entails practically no inspection so far as length of time is concerned.

Hon. A. Lovekin: And you can keep one in your own garage.

Hon. F. E. S. Willmott: Is that irrespective of size?

Hon. E. H. HARRIS: Yes. If one keeps a motor bicycle or motor car, and wants to do some work at home and has bought a vulcaniser, one has to pay a fee of £1 for its inspection, in order that a certificate may be issued. Steam jacketed vessels not exceeding 18 inches in diameter are charged a fee of 10s. up to 15s. and on to £1. I understand they are used chiefly in tearooms and such like places for the purpose of cooking by steam.

Hon. H. Stewart: And in confectionery places.

Hon. E. H. HARRIS: Yes. Then we have receivers for compressed air or gas. For five feet cubic capacity and not exceeding 20, the minimum charge is 10s. I believe this gas is used by manufacturers of soft drinks, and in breweries. Nothing can be done to the receivers when they are inspected. The inspector might just as well look at a table and call that an inspection.

Hon. A. Lovekin: They are used for making oxygen for sick people.

Hon. E. H. HARRIS: I understand they are also used by dentists and chemists. With regard to machinery not worked by steam, these were divided into three grades, but there are now no less than ten grades. Formerly the indicated horse power ran from nil up to 8 horse power, the fee being 5s. The present regulations provide for every group of machinery, the motive power of which does not exceed 5 horse, a fee of 5s., ranging up to £4. Most manufacturers, mines or corporations use the larger type of machinery of anything up to 100 horse power, for which they are asked to pay £2. I have here a small motor to illustrate the size of a 1½ horse power motor.

Hon. J. Duffell: It looks like a Lewis bomb.

The Minister for Education: That is not 1½ horse power.

Hon. E. H. HARRIS: It is a 1/16th horse power, but I am using it as an illustration for hon. members. A 1 horse power motor comes within the scope of the Act, but I was unable to get one of the exact size. I have here another motor which is used by face masseurs. That is not of 1 horse power, but it serves as an illustration of what it is necessary to register in order that the fees may be collected.

The Minister for Education: You would not have to register that.

Hon. E. H. HARRIS: No, but a motor of a slightly larger size would come within the scope of the Act. With regard to the Holman hoist, this is used almost exclusively in mining, and the Act seeks to make the charge 10s. The inspection amounts to nothing. When a general inspection has to be made on a mining hoist it is inspected with the other machinery, and a nominal fee of 2s. 6d. should be ample for the registration of machinery of that class. In the case of winding engines, the certificate used to be issued free of charge on the ground that only a cursory inspection had to be made. When the officer inspects a boiler he does it thoroughly, as a practical man, both externally and internally, and a certificate is issued and the fee imposed. With regard to a winding engine, except for testing the brakes, no examination is made unless it is clear that something is wrong. The fees charged now range from £1 to £4 10s. in accordance with the size of the engine. These are altogether too high. When an inspector is examining boilers and air compressors, winding engines and the like, the inspection can for the most part be made on the one day. There is, therefore, no extra expense involved on the inspector. I also wish to draw attention to Section 82 of the 1921 Act. Provision is made for prescribing the fees to be charged for any special work carried out by an officer employed under the Act where no fee is otherwise provided. Provision is also made in the regulations covering boilers and machinery. The Act says that when any firm, manufacturer, owner or other person requires a special inspection and report on any new or second-hand boiler or machinery for sale or other purposes, he must make his request in writing and must pay in advance the fee demanded, and, in addition to the prescribed fee, all expenses including the inspector's salary for the time he is engaged on such special work and report. If an inspector were called upon to make a special trip into a district other than that in which he might be ordinarily travelling, I could understand the provision. Most machinery agents, those who chiefly deal in second-hand machinery, are not in the country but in the city, and there are very few of them in the State. If they have a boiler or some machinery to sell they have to give the guaranteed

pressure before the buyer will purchase. The buyer wants to know what pressure a boiler will bear before he will take it. It is then necessary to send for an inspector, for which a special fee is charged, although the inspection may be made in the course of his visit to the mine that he is going over. Immediately the machinery is re-erected on the mine it is purchased for, perhaps on the following day, the new owner has to call in the inspector and another fee is charged, and the inspection may be made by the very man who made the inspection on the previous day. It does not seem fair that the owner should be penalised in this way. If a piece of machinery is passed by an inspector in the yard and taken to another place and re-erected, within a reasonable time, is it fair that another inspection fee should be charged by the department? When the Bill was brought down the object was stated to be to ensure uniformity of certificates and administration with the Acts in operation in the other States. I find that the horse-power or pressure of the boilers that may be used varies in each of the States. I have an instance where a boiler was passed for a certain pressure here and after being taken to the Eastern States the pressure fixed here was not allowed. In another instance a certain pressure was granted by the Machinery Department in one of the other States, and when it was brought here the pressure allowed was increased by our local department. It cuts both ways and varies in accordance with the type of boiler. I cannot understand how those differences arise. I understood that in engineering formulae, the same principles would be adopted in arriving at calculations. Another item which I have mentioned in the motion deals with the charge for search fees. Under the regulations the fees are fixed at 5s. On the other hand one can go to the Lands Titles Office and pay 2s. 6d. in order to make a search. I do not see why there should be an increase of 100 per cent. in the search fees I have referred to under the Inspection of Machinery Act. Then there is the rate prescribed for engine drivers' certificates, which are set out in the seventh schedule. We have now eight grades of certificates and the Act provides for 18 different restrictions which may be placed upon the various classes of drivers. If engine-drivers are successful in passing their examinations, they have to pay the prescribed fees which, in some instances, not in all, have been increased as much as 50 per cent. The regulation provides that anyone wishing to secure a copy of a certificate he may have lost, has to pay a fee of 10s., while for each subsequent copy he has to pay 15s. The trouble is that the people who are likely to lose their certificates are those who are travelling round the country in search of employment and for that reason have to carry their certificates with them. If a man has to pay 10s. for replacing his certificate, he is penalised sufficiently. It is proposed, however, to penalise him to the extent of

15s. if he should lose his certificate a second time. The minimum grade certificate issued under the Act is that applying to a boiler attendant. Such a man has to pay an application fee of 10s. which is prescribed in the regulations. If he is fortunate enough in passing the necessary examination he is informed that on payment of another 10s. the certificate will be issued to him. This man is on the lowest rung of the ladder and yet it costs him 10s. to apply for his certificate and another 10s. before he can get it.

Hon. F. E. S. Willmott: He pays 10s. on application and 10s. on allotment.

Hon. J. Duffell: Then the man would be fully paid up.

Hon. E. H. HARRIS: Then such a man will set out to get a third class certificate. He may then try to get a second class certificate, a first class certificate, a winding engine driver's certificate and an unrestricted certificate, or he may be desirous of going in for each of the various grades. All these will cost him the fees prescribed under the regulations. It may be argued that these men receive high wages compared with other workers. If, however, we view the position of these boiler attendants who have to pay a minimum of £1, it will be recognised that the fee is too high. Although the wages of these men are higher than those received by some other workers, I do not think they are able to pay the fees that the Act stipulates.

Hon. H. Stewart: The fees are rather higher than those of their union.

Hon. E. H. HARRIS: I have covered the whole of the ground I wish to break in connection with this motion and I feel that no valid reasons can be advanced by the department for the considerable increases that have been made in the charges, as compared with those obtaining under the old condition of affairs. The chief imposition is where there are nests of boilers or other classes of machinery coming within the scope of the regulations and where the inspectors, in the course of two or three days, can examine the whole of that machinery and yet cause such high fees to be paid, fees which I claim are unwarranted.

Hon. J. DUFFELL (Metropolitan-Suburban) [5.7]: Hon. members can congratulate themselves on having carried a motion that the regulations under the Inspection of Machinery Act should not come into force until laid on the Table of the House. The anomalies contained in these regulations fully justify the action taken by this Chamber on that occasion. It was stated at the time when the Leader of the House was moving the second reading of the Bill, if my memory serves me aright, that the measure was the outcome of a conference held in Sydney by the heads of the departments interested in the inspection of machinery, and the object was to bring the legislation in the various States of the Commonwealth into uniformity. The parent Act

set out the fees prescribed in the form of a schedule, but when the amending Bill was considered by a conference held in Perth, at which representatives of the various Chambers were in attendance, the question was raised that the fees should be part of the Bill in the form of a schedule. It was stated in reply that the operations were so varied, and the duties of the inspectors were so varied too, that it was practically impossible to include the fees in the form of a schedule to the Bill. When we examine the regulations, we find that many anomalies exist as has been shown by Mr. Harris this afternoon. We have before us this afternoon certain instruments, and if the fees set out are to be paid for these various things, it clearly demonstrates that anomalies exist. It is not within our province to amend any of the regulations, and in consequence we should abolish the whole set, so that the department will have to bring forward a new lot altogether. Among other anomalies is one that I think the House should know something about. When an inspector goes to inspect boilers or machinery, the regulations provide that his expenses shall be paid. I have in view a case where an inspector was required to visit a factory in East Perth. A 3d. tram fare would pay for the trip from his office to the place where the machinery was to be inspected. When the account was duly sent to the owner of that factory, it included an amount of 7s. 6d. for expenses. He went to the department to pay the account and he asked for particulars regarding the item of 7s. 6d. for expenses. He was informed that he would have to pay the amount, because it was prescribed in the Act. The man paid the amount under protest. I am satisfied that if hon. members will go through the regulations, they will find quite a number of anomalies which are vexatious. When considering the Bill in Committee, I said I was fully satisfied that it was simply another form of taxation. Mr. Lynn, who was present at that conference held in Perth, said, in the early stages of the discussion, that he would not be much concerned if the Bill were shelved altogether. That shows the attitude of that conference towards the Bill. It is necessary to have inspectors to examine types of machinery which are of a dangerous nature, but when we find that such regulations have been issued by the department which, while intended to achieve uniformity, contain provisions which are irksome, oppressive and vexatious, it is our duty to throw them out. We should continue to throw out the regulations brought forward until they are in such a form as will be acceptable to us. I am satisfied there is no other set of regulations in any other part of the Commonwealth in keeping with that under discussion. Notwithstanding the fact that the conference was held in Sydney, I challenge the Leader of the House to bring forward any other set of regulations which will compare with this.

Hon. E. H. Harris: They did not undertake to make the regulations uniform.

Hon. J. Duffell: We were told that the object of the measure was to secure uniformity. If uniformity is required in one direction, it must be required in the other direction. It must be required both as regards fees and work to be done. It is another repetition of the old story—the thrifty person has to pay every time. The man who has no further interest in the State is not worried with matters of this nature. On the other hand, the individual who is endeavouring to better the condition of affairs in the State generally, and to better his own position in particular, investing time and brains in the development of an industry, is the man who will have to pay taxation in every possible form. This is revealed by these regulations. What was stated at the time the Bill was before us has been justified by the regulations issued.

On motion by Minister for Education, debate adjourned.

#### MOTION—FISH INDUSTRY AND MARKETS.

To inquire by select committee.

Hon. F. A. BAGLIN (West) [5.19]: I move—

That a select committee be appointed to inquire into the fishing industry and the operations of the Fremantle Fish Markets.

At this time when we are looking for the development of new industries and the fostering of existing industries, the time is opportune to give some attention to the fishing industry. In taking up this matter I have no axe to grind. My sole motive is to endeavour to foster the industry and obtain for the people of Western Australia a cheap fish supply.

Hon. J. Duffell: On the way up here this afternoon, I saw fish for sale at five a shilling.

Hon. F. A. BAGLIN: That might happen to-day with a glut, but to-morrow it might be necessary to pay treble that price or more. Fish is altogether too dear and the supply is altogether too limited. I hope the hon. member will not oppose the motion simply because he noticed fish marked at a reasonable price on one day.

Hon. J. Duffell: I intend to support it.

Hon. F. A. BAGLIN: The industry needs to be encouraged. I have no complaint regarding the efforts of those engaged in the industry—no doubt they are doing their best—but we must admit that there is something wrong. If members agree on this point, there is no question as to the advisableness of holding an inquiry. In no part of Australia do such high prices rule for fish, and this in a State where it should be possible to provide a cheap and adequate supply. If the industry were established

on a proper basis it would provide work for a great number of men. The men now engaged in it are almost entirely of foreign extraction. Surely such an industry should be capable of supporting men of our own nationality. A committee might be able to ascertain the reason for the existing state of affairs. For the child life of the State it is essential that there should be an ample and cheap fish supply. To-day fish is a luxury. The only people who can afford to buy it are those of the leisured class, or, should I say that fish is a luxury beyond the means of the working class or even of men of average means. A working man with a large family certainly cannot afford to buy fish. It should be possible, in a State like this, to make available an ample supply at a rate well within the means of the working class. If the House agrees to the motion, I shall be prepared to place at the disposal of the select committee all the information I have gathered on the question. The second portion of the motion refers to the Fremantle Fish Markets. The only established fish markets in the State are those at Fremantle, though fish is also sold in the Perth City Markets. After having gone through the files, members must be seized with the need for inquiry into the Fremantle Fish Markets. The manner in which the markets have been conducted during the last 14 years has been anything but satisfactory. If we desire to foster the industry, one of the first requisites is to ensure that the marketing facilities are placed on a proper footing. Exactly where the weaknesses lie could be ascertained by a select committee, and I hope members will support the motion.

Question put and passed.

Select committee appointed.

On motion by Hon. F. A. Baglin resolved: "That the select committee consist of the Hons. J. W. Hickey, G. Potter and the mover, and have power to send for persons, papers and records and report on Wednesday, 4th October."

The PRESIDENT: The time allowed for the consideration of notices of motion has elapsed.

Resolved: That motions be continued.

#### PAPERS—LAND RESUMPTION, DARLING RANGE.

On motion by Hon. A. Sanderson, ordered: "That all papers in connection with land resumption or proposed land resumption by the Water Supply Department since 1st January, 1921, within the Darling Range Road Board area be laid on the Table of the House."

#### BILL—STATE TRADING CONCERNS ACT AMENDMENT.

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

# BILL—PUBLIC EDUCATION ACTS AMENDMENT.

## Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.30] in moving the second reading said: This is a very short and simple measure and does not involve anything of a particularly controversial nature. Under the Elementary Education Act of 1871, as amended by the Act of 1893, provision was made for the appointment of school boards. The closing section of the Bill now before us proposes to amend Sections 9 to 16 inclusive of the Act of 1871 as amended by the Act of 1893. Those sections deal with the appointment of school boards. They set out the method by which districts are to be defined, the proclamation of districts and the method by which district boards are to be elected. Section 11 is the most important section in that group. It sets out the qualifications of electors to a school board—

Any person who is (1) a householder habitually residing within the district, and occupying a dwelling house of the clear annual value of £10 sterling; or, (2) The father, or if he is dead, or absent, or otherwise incapacitated, the mother of any child attending any Government or assisted school within the district for such time as is prescribed by the regulations made under this Act; or (3) The guardian or other person who maintains or has the custody of any child attending any Government or assisted school as aforesaid, shall be qualified to have his or her name placed upon the electoral roll of the district.

I do not think that that method of election was ever suitable to the conditions in Western Australia. At all events, it has never been acted on, and within my recollection at all events there has not been a single school board election in accordance with the provisions of the Act of 1893. The whole of the school boards that we have at present, and have had for years past, have been nominated boards.

Hon. H. Stewart: The people concerned have not known that there was any such method available.

The MINISTER FOR EDUCATION: No. The machinery was never put into operation, and could not satisfactorily be put into operation, because the area covered would in many cases have been quite out of touch with the schools to be controlled by the board. A great many of the boards under the nominee system have done excellent work. In other cases there has been no activity, and the boards have done nothing. However, during the last few years—about three years ago, if I remember rightly, the movement started—in the case of a number of schools there have been formed what are called parents' and citizens' associations, and a great deal of good work in the interests of the school and of the children has been done by these associations. It has been no

uncommon thing for large numbers of men to put in their Saturday afternoons improving the school grounds in the interests of the children. Dozens of schools in the metropolitan area, and in the country districts also, bear evidence of the energy with which these associations have worked. In this connection I have had a return compiled. It is impossible to get the return exact, but from the information which has been obtained it appears that there are 67 of these associations connected with our different schools, and that during the comparatively short time they have been in existence—none of them more than two or three years, and some of them only within the last few months—they have raised and spent on the improvement of the schools and school grounds a very considerable sum of money, upwards of £3,000, of which we have exact returns. In addition, these associations have done work to the value of upwards of £1,000. In a great many cases materials have been supplied and work has been done without our being able to obtain exact particulars of the value. However, it is safe to say that the total of the assistance rendered during that short period amounts in value to not less than £5,000. Practically the whole of that work has been work which the department have not the means to carry out. Obviously, what we did for one school we should have to do for all; we would have to make it a general practice. The associations have given the children things they would have to go without had it not been for this movement. For example, the associations have purchased no less than 14 pianos for schools. They have cleared the grounds, made tennis courts, and provided the materials for various forms of sport for the children on the school grounds. In a great many cases, particularly in country centres, the associations have made book cases and shelves, and provided extensive libraries, running up to over 200 volumes. The activities of these associations are not by any means confined to the metropolitan area, although nearly all the schools in that area have their associations. As an illustration of what is being done, I may mention that in the case of several schools the association has spread gravel over the school yard. The department provided the gravel, and the parents spread it, thereby saving the department a good deal of money. One association has provided large cupboards, 200 books, pictures, and material for sports. In another case the association has provided sports material, books, and pictures. In yet another case the school area has been ploughed and cleared by the association, which has also provided sports material, pictures, and 200 books. And so it goes on right through the line. In town and country these associations are showing great activity, and are giving the children things which the department could not give them. The purpose of the Bill is to give the associations legal standing, and to enable them to nominate the boards which will be appointed to control the schools. When I say "control the schools," I do not mean taking part in the

appointment of teachers or the fixing of the curriculum. The associations do not seek to interfere in those respects at all. It is a very significant feature that in all cases these associations have been very warmly welcomed by the teachers, who in the great majority of cases are most enthusiastic members of the associations, and do not hesitate to give up their time on Saturday afternoons to assist the association in its work. Clause 2 of the Bill provides that—

In any prescribed locality the parents or guardians of children attending any Government school, together with other persons interested in the welfare of such schools, may, in the prescribed manner, form a "Parents' and Citizens' Association," hereinafter referred to as an association.

Clause 3 sets out the objects of such associations, namely—

... to promote the interests and efficiency of every Government school in the locality in co-operation with the teaching staff, and to assist the teaching staff in all its relations to the community.

Clause 4 enables the associations to frame their own rules, and to fix the subscription of their members, which subscription is always purely nominal. The associations do not seek to make money, but they do organise on behalf of the children many things which the department have no means of furnishing. Provision is made in Clause 5 for the appointment of officers of the associations. Teachers are ex officio members, and they are eligible for appointment as officers, of the association. In many cases the head teacher is president of the association. But teachers—and I think for obviously good reason—are not eligible for appointment as members of the school boards. It is provided that the association shall nominate five members, who may be appointed by the Minister for Education as a school board for the locality for the next 12 months. Then Clause 6 sets out the duties of a school board—

(a) To advise the department on the material required by the school, on minor repairs and alterations of and additions to buildings; (b) to consider and advise upon sites and plans of new buildings; (c) to carry out urgent repairs under conditions to be prescribed by regulations; (d) to advise upon applications made for the temporary use of school buildings; (e) to use every endeavour to induce parents to send their children to school, so that prosecutions may be avoided; (f) to arrange for the accommodation of teachers; and (g) such other duties as may from time to time be prescribed.

Arranging for the accommodation of teachers is a very important matter in country districts. I may add that it is a matter in which the boards have already rendered the department very valuable assistance. Clause 7 provides that the board shall not exercise any authority over the teaching staff, or interfere in any way with the control or management

of the school. Power is also given for the making of the necessary regulations. The final clause repeals Sections 9 to 16 of the existing Act, which sections at present deal with the appointment of boards. In view of the very excellent work the associations have done, I think hon. members will regard it as a very sound departure in our educational policy to give the boards some legal standing. I move—

That the Bill be now read a second time.

Hon. J. EWING (South-West) [5.39]: I second the motion for the second reading of the Bill, and I congratulate the parents' and citizens' associations on the very excellent work they have done and are doing. It is not necessary for me to make a speech on this occasion. I merely desire to assure the Minister that everyone appreciates the work which is being done.

On motion by Hon. H. Stewart debate adjourned.

## BILL—FEDERAL REFERENDUM.

### Second Reading.

Hon. A. LOVEKIN (Metropolitan) [5.40] in moving the second reading said: The measure has just been distributed to hon. members, and I think that the memorandum which prefaces it will fully explain it. The Bill in no way raises the issue of Federation, as regards either its merits or demerits. It simply seeks to obtain the opinion of the people as to whether or not they desire to continue under the Commonwealth Constitution. We have now had an experience of 21 years under Federation. We have attained, as it were, our majority under Federation; and in my opinion the time has arrived when the people should have an opportunity of saying whether or not they are satisfied. What more than anything else has made me introduce the Bill is that the Prime Minister, after his recent visit to this State, made, upon his return to the East, a speech in which he said that the people throughout the length and breadth of Western Australia, as far as he could ascertain, were quite satisfied with what the Commonwealth had been doing, and quite satisfied to remain part of the Federation. I myself and a good many other people are by no means satisfied. The references which the Leader of the House has from time to time made regarding the attitude of the Commonwealth towards this State fully show that he is not satisfied with Federation; and a number of hon. members have followed him on the same path. In fact, I could if I wished, put up a case against the administration of the Commonwealth as applied to this State. But the present is not the time for that. All I want to do by this Bill is to test the feeling of the people. The Prime Minister says we in Western Australia are satisfied. Some of us here say we are not satisfied. There is

only one way of testing who is right and who is wrong, and that is by asking the people. There will be no cost involved in asking the people the simple question which I propose by the Bill, because, as hon. members will see, the referendum is proposed to be taken at the next general election.

Hon. F. A. Baglin: That is the weakness of the Bill.

Hon. A. LOVEKIN: I shall be glad if the hon. member will strengthen the Bill. However, I am trying to avoid expense.

Hon. F. A. Baglin: It will confuse the issue.

Hon. A. LOVEKIN: There will be no cost; all that is required will be a printed piece of paper at the next election. I can quite see that some other issue may be raised by having the referendum at election time; but it seems to me that that is the most convenient time, because most people will go to the poll then. Further, there will be no additional cost, except the expense—a few pounds—of printing the extra ballot papers. Therefore I consider the time of the general election to be the most suitable for ascertaining what is the opinion of the people on this important question of federation.

Hon. J. Duffell: What will happen if the people vote "Yes?"

Hon. A. LOVEKIN: Then we shall come to a fence which we shall have to get over, and there are ways by which we shall be able to get over it. It is not necessary for me to touch on that aspect at the present time. There are various ways by which we can get out of the federation. Hon. members must not forget that we entered the federation by means of a Bill, and on the passing of that Bill a proclamation was issued declaring that we were part of the federation. We were not one of the original States.

Hon. G. W. Miles: The whole of Australia voted

Hon. J. Duffell: It is an indissoluble contract.

Hon. A. LOVEKIN: Every compact is indissoluble until it is dissolved. I do not intend to debate this particular aspect at the present time. Hon. members may read up some of the authorities on the interpretation of the word "indissoluble," and they will find that the word does not mean "indissoluble" in the sense in which they use it.

Hon. A. J. H. Saw: It is like matrimony, you can get a divorce.

Hon. A. LOVEKIN: That is a very apt illustration. I will not say at this juncture which party, the Commonwealth or the State, has committed the offence which warrants the divorce proceedings. All I wish to do is to get the opinion of the people, and, having obtained that, there will be no difficulty I feel certain, in securing release from the compact, that is, if the majority in favour is substantial.

Hon. H. Stewart: Do you think you would get such a majority?

Hon. J. Nicholson: What about the other States?

Hon. A. LOVEKIN: We are concerned with the interests of this State. Everyone must look after himself. We all know that the other States are looking after themselves fairly well and it is for us to try to look after ourselves. The principle upon which government is carried on to-day is, as has been stated emphatically by British statesmen in recent years. They say that you cannot govern without the consent of the governed. If the people are dissatisfied, it does not matter what the union may be, the union must give way to the desire of the people. The British authorities put that up in the case of South Africa, and more recently the same principle was applied in the case of Ireland. And it must be so. You cannot hold intelligent and civilised people in these days in thralldom without their consent. Therefore, if a majority of the people of Western Australia desire to get out of the federation, or that steps should be taken to alter the position, the only way in which that can be done is in the manner proposed in the Bill. If the people, by an overwhelming majority, declare in favour of a dissolution, we shall certainly have a better opportunity of enforcing the demands of this State upon the Federal Government and of bringing about an amendment of the Federal Constitution more equitable than the existing one.

Hon. A. Sanderson: In what direction?

Hon. A. LOVEKIN: Certainly not in the direction which induced the hon. member to join the Country Party. The hon. member must vote with me because the party to which he is now tied will not allow him to go along on his own initiative as he formerly did.

The Minister for Education: They advocate small States.

Hon. A. LOVEKIN: If it were shown to the Commonwealth authorities that the majority of people in Western Australia were not satisfied, something would have to be done. In any circumstances no harm whatever can be done by asking the people to record their opinion, and that is all that the Bill seeks to do. Fortunately, in connection with the proposed referendum there will be little or no expense involved. Those of us who remember when the original Bill was presented to the State Parliament, will recall the cry which was "The Bill to the people." We were infants in those days, and it was said that the people should have a voice in the matter. We have had 21 years' experience of Federation and all of us have attained our majority, and we consider that the time is opportune to again express an opinion on the question. If the vote is in favour of a continuance of the existing order of things then I shall hold my peace, but if the people by a substantial majority say they are dissatisfied, then the necessary steps will have to be taken to proceed further.

Hon. G. W. Miles: What are the necessary steps?

Hon. A. J. H. Saw: To get out.



Hon. A. LOVEKIN: That which the people do they can undo. The Bill which put us in can be repealed by an Act of this legislature.

Hon. G. W. Miles: No.

Hon. A. LOVEKIN: If we can pass such a measure through both Houses of Parliament we shall send it in the usual way to the Governor for his assent. The Governor will reserve the Bill for the Royal assent and we shall then be in the position to advance our case to the Imperial authorities in favour of assent being granted. Probably there would be negotiations with the Commonwealth Government and ourselves. But suppose the Imperial Government stood to the principles which they have advocated, that you cannot govern without the consent of those who are being governed, they must then say, "We will assent to the Bill and issue another proclamation." Having issued a proclamation to put us into the federation they can issue another to put us out. That is one method by which we can be released, and I have no doubt that Constitutional authorities would be able to find others. A very high authority has declared that if it is the desire of the people of this State to withdraw from the federation, the Imperial Government can permit us to do so irrespective of what the Commonwealth may say.

Hon. J. Nicholson: Irrespective of what the Constitution Act says?

Hon. A. LOVEKIN: It is not binding upon us in the way the hon. member thinks it is. That which has been done by the people can be undone.

Hon. J. Nicholson: It depends on the circumstances.

Hon. A. LOVEKIN: I have an opinion from an eminent King's Counsel, who is also a constitutional authority, and he asserts that we can be released from the federation in the way I have suggested. But why need we anticipate difficulties until we know the views of the people? Suppose 90 per cent. of the vote were in favour of withdrawal, does any hon. member think we could be held to the Constitution? I am certain we could not, and I am certain that all the pressure the Imperial Government could bring to bear upon the Commonwealth would be put upon the Commonwealth because of the fact that a 90 per cent. vote had declared in favour of withdrawal. The Bill cannot do any harm and the expense will be trivial. In any case I would be prepared to defray the cost myself. I move—

That the Bill be now read a second time.

Hon. J. CORNELL (South) [5.57]: I second the motion for the second reading of the Bill, and in doing so I wish to express the hope that it will become law. When the time arrives to carry out what is proposed, the mover will probably find himself in the position in which our late President found himself when he was contesting the Senate election. He was addressing a meeting on the goldfields, and at the conclusion of his address no one rose to submit a motion of con-

fidence. The chairman appealed to the meeting that it was customary to pass a vote of thanks. A horny-handed miner rose and said, "I have very much pleasure in moving a vote of thanks to the candidate, but I wish him to understand that it is the only vote he will get from me." Hon. members have misconstrued the purpose of the Bill.

The PRESIDENT: You are really seconding the Bill?

Hon. J. CORNELL: Seconding the motion for the second reading. All that the Bill means is that at a general election of the Assembly a referendum of the electors shall be taken to decide whether or not Western Australia should secede from the Federal union. In view of the denunciations of Federation to which we are so frequently treated both here and outside, it would be well to learn from the electors their views on the question. It has been said that candidates for the forthcoming Federal elections will require to be very careful how they speak of the Federal compact and the treatment this State has received. Those who have spoken disparagingly of Federation will see in the referendum a way out. But, truth to tell, all that the Bill proposes to do is to discover the views of the electors as to whether or not the State should secede. When the referendum is taken, if the majority decide in favour of secession, we shall have to face the hurdle. On the other hand, if the majority decide that we shall not sever our Federal connection, those who have spoken against the Federal compact ought to forever hold their peace. If secession be affirmed by the referendum, we shall find ourselves up against the preamble of the Constitution Act, which provides an indissoluble bond between the States.

Hon. A. Lovekin: The preamble is no part of an Act.

Hon. J. CORNELL: Section 3 of the Constitution Act provides that certain States are in the union, and that if Her Majesty is satisfied that the people of Western Australia have agreed to join, Western Australia also shall be united in the Federal Commonwealth. That is the hurdle that will have to be cleared if the electors decide for secession. But all that is beside the question. Mr. Lovekin is asking, not that we should secede, but merely that a referendum on the question should be held. It is interesting to reflect that the vote will be taken on the same franchise as that on which it was decided to enter the union. If at a referendum the people should decide to secede, it would have a salutary effect on the Eastern States.

Hon. A. Lovekin: That is the point.

Hon. J. CORNELL: I voted for Federation, and I would vote to remain in the union, but if the majority of the electors decided to get out of that union, I would loyally abide by their decision. I have never endeavoured to set the East against the West. We are all Australians. If the Australian spirit which permeated the A.I.F., permeated also the Federal compact, all would be well, not only with Western Australia, but also

with Queensland, another State suffering under grievances similar to our own. Unfortunately the spirit of the A.I.F. does not permeate the several States of the union. The opposition of the East to the West is not deliberate. It is mere indifference. If the electors by referendum voted for secession, the Eastern States would want to know the reason why, and would thereupon give us better consideration than we have had in the past. If I were asked to interpret the opinion of the Australian people, I should say they were all heartily in favour of a continuation of the union. Our dissatisfaction with the compact is to be ascribed to several causes, such as the apathy of the Eastern States, our small representation in the Federal Parliament, and our distance from the seat of Government. I hope the Bill will be considered on its merits. Those merits lie not in any assertion that Western Australia is desirous of getting out of the union. The object of the Bill is to ascertain whether or not the majority of people of Western Australia are satisfied with the union. The referendum will conclusively demonstrate whether the croakers against the union have a following throughout the State.

On motion by Hon. A. Sanderson, debate adjourned.

*House adjourned at 6.15 p.m.*

## Legislative Assembly,

*Wednesday, 6th September, 1922.*

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

### QUESTION—PEEL ESTATE, TRAMWAY.

Mr. JOHNSTON asked the Premier: 1, How many miles of railway or tramway have been built in the vicinity of the Peel estate? 2, What is the cost of the railways or tramways? 3, Do ordinary engines and trains run over the railways or tramways? 4, Why was no Parliamentary approval sought for the construction of the railways in question?

The PREMIER replied: 1, The length of temporary tramway in Peel Estate at 31-8-22

was 20½ miles, including spurs and loops; 24 miles have been laid at various times, but spurs are lifted and relaid as required. Tramway is 3ft. 6in. gauge, laid with 45lb. rails. Sleepers 6ft. by 8in. by 4in., ruling grade 1 in 30, minimum curve 6 chains radius, laid on surface without ballast, clearing 25 feet wide; points and crossings of second-hand material. 2, At 31-8-22: Preparation of track, fencing, platelaying, etc., £8,381 17s. 3d.; sleepers £8,935 6s. 9d.; rails and fastenings (18½ miles), £22,205 5s. 9d.; total, £39,522 9s. 9d. (Note.—An additional 2 miles of rails is on loan.) 3, Class "G" locos. only and railway trucks run over the tramway, but no coaches. No passenger traffic is accepted, except at own risk, and no fares are collected. 4, No Parliamentary approval is required for temporary works incidental to developmental operations.

### QUESTION—BOATSHEDS, PERTH.

Mr. CORBOY asked the Minister for Works: 1, Were the boatsheds recently destroyed on the Perth foreshore insured? 2, If so, have the Government received such insurance money? 3, Is it the Government's intention to rebuild the boatsheds? 4, If so, when?

The MINISTER FOR WORKS replied: 1, Yes. 2, Yes. 3, Yes. 4, The question of position has recently arisen and is being carefully considered. Decision is expected within the next few days; until that is definitely fixed the character of the structure cannot be determined.

### QUESTION—GROUP SETTLEMENTS, CULVERTS.

Mr. JOHNSTON (for Mr. J. H. Smith) asked the Minister for Works: 1, Is he aware that unpowellised karri and red gum are being used for bed logs and stringers in culverts on roads to serve group settlements south of Manjimup? 2, Is he not aware that these timbers are not suitable for ground work and will rot out in a few years? 3, Considering there is an abundance of jarrah in the vicinity, will he give immediate instructions for that timber to be used in future?

The MINISTER FOR WORKS replied: 1, No, but inquiry will be made. 2, It is known that the timbers referred to are not so reliable as jarrah, although on occasion it may be economical to use same. 3, Yes.

### PERSONAL EXPLANATION.

*Minister for Works and Wyalcatchem-Mt. Marshall Railway.*

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [4.41]: On the 29th August, in moving the second reading of the Wyalcatchem-Mt. Marshall Railway Extension Bill, I made statements which were