

Legislative Council.

Tuesday, 31st October, 1944.

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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 following Bills:—

- 1, Main Roads Act (Funds Appropriation).
- 2, Financial Emergency Act Amendment.
- 3, Industries Assistance Act Continuance.
- 4, Plant Diseases (Registration Fees) Act Amendment.
- 5, Testator's Family Maintenance Act Amendment.

ELECTORAL REFORM SELECT COMMITTEE.

Admission of Press.

HON. C. F. BAXTER (East) [4.35]: I move, without notice—

That the House grant leave to admit the Press to the proceedings of the Electoral Reform Select Committee.

Question put.

The PRESIDENT: There being no dissenting voice, leave is granted.

Question thus passed.

Standing Orders Suspension.

On motion by Hon. C. F. Baxter resolved: That Standing Order 289 be suspended so as to permit the attendance of the Press to the proceedings of the Electoral Reform Select Committee.

QUESTION—LAND TITLES OFFICE.

As to Clearing Strongrooms.

Hon. H. S. W. PARKER asked the Chief Secretary:

(i) Is the Government aware that great timber structures are still existing in the Land Titles Office strongrooms to the detriment of the staff and public?

(ii) Is it the intention of the Government to have these structures removed?

(iii) If so, when?

The CHIEF SECRETARY replied:

(i) Yes.

(ii) Yes.

(iii) As soon as the necessary labour is made available for the purpose.

BILL—SUPPLY (No. 2), £1,400,000.

First Reading.

Received from the Assembly and read a first time.

As to Standing Orders Suspension.

THE CHIEF SECRETARY [4.41]: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Supply Bill to pass through its remaining stages at this sitting.

HON. E. H. H. HALL (Central): I am in the course of preparation of some remarks I wish to make on this Bill. They are not yet completed. I have been advised that I would be out of order in making them on another Bill to come before the Chamber, and I especially want to take advantage of the rules of the House to make this criticism, which is open to me only on this Bill. I am sorry if the measure will have to be hung up until tomorrow, and that, of course, cannot happen unless I have a majority with me. I suppose it will not matter very much if I am not able to make these remarks, but I have spent a couple of days in preparation. Only this morning I was given additional information that will enable me to round off my criticisms which, I repeat, can be made only on this Bill. I say these few words in explanation of my opposition to the Bill being passed through all stages at this sitting.

HON. J. CORNELL (South): Standing Order No. 422 provides the machinery to which the Chief Secretary is resorting. This Standing Order states—

In cases which in the opinion of the President are of urgent necessity, any Standing

Order of the Council may be suspended on motion duly made and seconded, without notice, provided that such motion be agreed to by an absolute majority of the whole of the number of members.

Are you, Mr. President, of the opinion that it is of urgent necessity that this Bill should go through all stages today?

The PRESIDENT: I may say in reply to that question that the Chief Secretary informed me about half an hour ago of his intention to move this motion, and I assumed that, as on previous occasions—there has never yet been any objection raised to the suspension of Standing Orders in such circumstances—there would be no objection this time. But if any members wish to object, they can do so.

HON. H. SEDDON (North-East): I take it that we can pass the motion and enable the Chief Secretary to proceed with both the first and second readings. It would then be competent for any member, who wished to do so, to move the adjournment of the debate until the next sitting of the House.

THE CHIEF SECRETARY (in reply): I have no desire to force the Bill through all stages today. I did not anticipate that there would be any objection to this procedure, which has been adopted so many times in the past. I find it difficult to know what criticism Mr. E. H. H. Hall can offer on this Bill that he could not equally well voice on the Appropriation Bill when it comes before this House.

Hon. E. H. H. Hall: When will that be here?

Hon. C. F. Baxter: Before the end of the session.

Hon. E. H. H. Hall: I want to have an opportunity to make these remarks before then.

The CHIEF SECRETARY: It is desirable that this Bill be passed as early as possible. In view of what has been said, I shall not press the motion.

The PRESIDENT: Will the Chief Secretary withdraw the motion?

The CHIEF SECRETARY: Yes, but I hope that members will do their best to pass the Bill at the next sitting of the House. I ask leave to withdraw the motion.

Motion, by leave, withdrawn.

As to Second Reading.

The CHIEF SECRETARY: I move—

That the second reading of this Bill be made an Order of the Day for the next sitting of the House.

Question put and passed.

The CHIEF SECRETARY: In view of what has occurred, I will have placed on the notice paper notice of motion that the Bill be dealt with in all its stages at the next sitting of the House.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Received from the Assembly and read a first time.

BILL—NURSES REGISTRATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—BUILDERS' REGISTRATION ACT AMENDMENT.

Read a third time and *passed*.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY [4.51] in moving the second reading said: This Bill seeks to amend the Mortgagees' Rights Restriction Act in a manner which should receive the approval of all members. It will be recalled that the Act was originally passed in 1931 and that it provides, briefly, that no mortgagee shall be entitled to enforce his security unless he obtains an order from the Supreme Court. All mortgages and agreements for sale in existence at the time of the passing of the Act came within its scope. The Act originated in a period of depressed price levels and was classed as emergency legislation. Its effect undoubtedly prevented a condition of chaos that would have followed the wholesale foreclosure on properties by mortgagees anxious to redeem their principal in a time of falling prices, arising from the economic depression.

Since the passing of the Act it has been found necessary to bring forward a continuance Bill each session. A similar Bill has

been received from another place this afternoon. This is considered advisable in order to avoid hardship in certain directions, as very many properties and considerable amounts of money advanced by mortgagees are affected by this legislation. In recent years complaints have been made that a certain class of mortgagee is being unfairly treated through the continued operation of the Act. Representations have been made that some persons who have invested comparatively small amounts in property, with the idea of setting aside sufficient resources to tide them through their old age, are seriously affected by the provisions of the Act, in that they cannot recall their capital. These people had invested their savings at the time the Act was passed, and had expected that they would have been enabled to recover their money from the mortgagors when they needed it.

It is not intended to imply that this class of mortgagee—the indigent mortgagee—has no legal remedy. On the contrary, he has, but the costs involved in approaching the court are beyond the financial resources of the applicant mortgagee, and even then there is no guarantee that the application would succeed. It is in circumstances such as these that this Bill seeks to provide some relief. Briefly, the Bill sets out that any mortgagee upon satisfying the Commissioner of Titles that—

- (a) he is not in receipt of a net weekly income from all sources exceeding £5 per week;
 - (b) the amount of moneys secured by the mortgage does not exceed £1,000 and the total real and personal property of which the mortgagee stands possessed as beneficial owner does not exceed in all the sum of £2,500;
 - (c) under the terms of the mortgage the date fixed therein for repayment of the principal moneys secured by such mortgage has passed, or the principal moneys are payable on demand,
- shall be entitled to an order by the Commissioner granting the relief required by the applicant mortgagee without the payment of any fee, either for the application or the order.

It is considered that the procedure outlined in the Bill, by which an application can be made to the Commissioner of Titles for a determination of a particular case, is a practical and inexpensive method of dealing with the matter. The Commissioner is a qualified legal practitioner and as such he will be able to assess the merits or demerits of an application. He also has a full know-

ledge of land transactions, so it is particularly appropriate that he should deal with the cases which may come within the scope of the Bill.

The passing of the measure will mean that two procedures will be available to mortgagees by which they will be enabled to obtain relief, namely, by application to the court or to the Commissioner of Titles. Application to the latter would, of course, be accepted only from those qualified to apply under the terms of the Bill. I think that I have given members sufficient information to warrant the passing of this measure. It represents an endeavour on the part of the Government to remove a definite hardship that the Act imposes on certain mortgagees without involving them in costs which are ordinarily incurred in the event of an application being made before the Supreme Court. I trust that this House will support the Government in its proposal and move—

That the Bill be now read a second time.

On motion by Hon. H. S. W. Parker, debate adjourned.

BILL—NATIVES (CITIZENSHIP RIGHTS).

Second Reading.

Debate resumed from the 25th October.

HON. H. SEDDON (North-East) [4.57]: While I intend to support the second reading, I must say that the conditions to be complied with by any native or half-caste seeking to qualify for citizenship rights are exacting, and I doubt whether many natives or half-castes will qualify. Mr. Welsh pointed out another condition that might very well be taken into consideration, namely, the probability of some natives indulging in intoxicating drink and the necessity for effective safeguards in that respect.

I am rather interested in this Bill from another angle. A little while ago the Honorary Minister took me to task because I made certain references to qualifications for the franchise. Although I merely took the step of contrasting the qualities of electors now entitled to be enrolled, the Minister said I would exclude wasters and other undesirables and give a special place to those who make a great contribution for the advancement of society. I did not for a moment intend to convey that because a man did not

comply with the standards of citizenship which are expected of a native, he should therefore be disfranchised, but I did mention the advisability of having the franchise exercised by people who were more or less qualified. I am pleased to note that the Minister is now following me upon that dangerous ground.

So far as the natives are concerned, he has no compunction in laying down some very stringent qualifications which must be complied with by them before they are allowed to exercise the franchise. I am not prepared to go so far as he does in that respect. Obviously, if a native has reached a standard whereby he is asking for the franchise, and has shown that he is sufficiently acquainted with our language to be able to speak it and understand it, he is just as much entitled to be regarded as qualified as are many other persons who are now receiving the franchise and are able to vote at every election.

From that point of view, if the Minister desires to be consistent, certain of the qualifications that are laid down in this Bill should be incorporated in the Constitution Act to apply all round. If that were so, a person who, for instance, was suffering from a certain disease, such as is mentioned in the Bill with regard to natives, would find that he was not entitled to be enrolled. According to the Bill, where an applicant is suffering from leprosy, syphilis, granuloma or yaws, he is prohibited from applying to become an elector. What objection would the Minister have to incorporating that in the Constitution Act, so that any elector who might be white instead of coloured should be thereby disqualified? If this is fair in the one case it is fair in the other. This shows the inconsistency of the Government in insisting on these very stringent conditions for the natives, and entirely overlooking them with regard to white men, many of whom are no better citizens than are the natives concerned.

Hon. J. A. Dimmitt: I suppose once the native was cured he could apply.

Hon. H. SEDDON: That is for the Minister to say. Another question referred to by previous speakers has relation to native administration. One thing is fairly well recognised throughout the community, namely, that there is something radically wrong with the Moore River Settlement. Dr. Hislop has asked for a Royal Commis-

sion to inquire into matters connected with the Medical Department. If there is one question in which there is a necessity for inquiry it is with respect to the conditions existing at Moore River and Carrolup. When the Minister for Education admits that no arrangements have been made for the education of native children for many months, and he cannot see any possibility of making such arrangements, I say that to bring down a Bill like the one before us, laying down that before a native can obtain a certificate he must show that he is able to speak and understand the English language, is pure hypocrisy. If we are going to lay down conditions under which natives and half-castes shall apply and qualify for the franchise, we must see that they are given facilities to qualify.

The Government stands severely condemned in regard to the provisions it is making for the education of these half-castes and full-blooded native children. I should like to refer to what is taking place at various missions, and wish to stress the efforts that are being made there to give the children a very good grounding in education. It is a thousand pities that the Department of Native Affairs allows that state of affairs to continue at Moore River and Carrolup without making any attempt to remedy them. In support of these remarks I would like to make quotations from a letter I received, unfortunately, only today, from an old friend of mine and of the department, Mr. Schenk, who has made some remarks with regard to the Bill. I think it will be of advantage to the House if I am allowed to read these quotations. Amongst other things the writer says—

For years the Western Australian Department of Native Affairs has pursued the policy of allowing the full-bloods to die out and endeavouring to breed out the half-castes, openly stating the mission policy was opposed to the department policy, and that the department settlements were not intended to be more than "clearing stations." This policy has landed the department into such a state that now they have swung the pendulum the other way. Just now there is a Bill before our State Parliament to give citizenship rights to natives under certain conditions.

The plan is laudable but for the conditions—one condition is that the natives must disassociate from other natives-in-law if they are to receive citizenship rights. Fulfilment of this same condition was necessary for any half-caste or native to receive exemption. Many of our half-castes qualified for exemption and when some were granted their certificates, they

were told by the department that they must not return to Mt. Margaret Mission. Thus, all exemption certificates in this district are used as a lever against our mission, for the simple reason that there are many more natives at Mt. Margaret Mission eligible for citizenship than anywhere on the Goldfields. On one side the department orders us to send all so-called tribal natives to the Government Depot at Cosmo Newberry, stating that tribal natives are not to stay here. On the other hand, when our enlightened natives receive exemption they are told that they cannot come back here. On one side they are forced away from us, and on the other side they are coaxed away from us with an exemption certificate. The department has done its best to rob us of the raw material to work on, and the finished article after our teachers have spent months and years in training.

We want citizenship rights for natives under Commonwealth and not State interpretation. We as missionaries in Western Australia seek this liberty for ourselves and our dark brethren and we think our Christian friends should help us get this freedom which they enjoy and we do not. At present we are under an Act that gives one man arbitrary control over missionaries and natives—the most anti-British and most anti-democratic Act in Australia. The new Bill before Parliament giving natives citizenship rights will leave us still under the old Act, and worse still, unless this clause in the new Act is amended, it can be used to crush missions.

To give citizen rights is the fairest way to treat natives and the Scripture should lead every Christian to think that way. There are other Scriptures which show that God is interested in good laws and ordinances for His people, and for others to be under the same laws. Seeing that we cannot segregate like the Israelites, as God's people, we seek all the liberty we can to preach the Gospel, etc., etc., under our present Godless civilisation.

If evangelists to our white people were under the same law as we native evangelists in Western Australia, they would turn Australian Parliaments upside down.

I read these quotations because I want to emphasise my point of view, namely, that I quite agree with the contents of the letter with regard to the association of a native with his friends and relatives. In the Bill there is provision allowing a native to associate with lineal descendants or native relatives of the first degree. On the other hand, I have an idea—I think a reasonable one—that he might be allowed to associate with any native so long as he behaves himself and acts in a civilised manner. Because I hold these views I have put amendments on the notice paper to meet the case, and amend the Bill in what I think is the direction intended by the department. I think the idea of the department is that provided

the native does not habitually associate with other natives, or provided that he meets natives under conditions where they will be under the influence of civilisation, its intention will have been achieved.

Reference was made by Mr. Bolton to conditions at Moore River, and there has been some correspondence in the Press. It is evident that the Government is under a very grave shadow in respect to its relationship with the natives and the occurrences referred to in this House and outside, as well as in regard to the conditions obtaining at these two places. It appears to me that its outlook is entirely wrong, if we are to judge by these references. Surely the aim should be to give the natives and half-castes every opportunity to qualify for citizenship, and that they should be encouraged to become in every way members of the community who can take their stand with any other electors in their own country and find full recognition as citizens. It is my intention to support the Bill. I hope in his reply the Minister will clear up, if he can, the references which have been made to the conditions not merely at Moore River and Carrolup, but with regard to the relationship between the department and the missions generally.

HON. A. THOMSON (South-East): At least we can congratulate the Minister in charge of the Bill for his honesty of intention in endeavouring to open up the way for some of our natives to obtain citizenship rights. I feel that all Governments have been grossly neglectful of their duty, particularly towards the half-castes. We have a considerable number of those people on the Great Southern line, and they congregate in various towns. Unfortunately for them, nobody wants them. In the case of many half-caste lads and girls the position is tragic. Some of them are so close to being whites as almost to resemble them, but they have no opportunity to become useful citizens. I know that the department has its troubles and difficulties, and has a task to perform that is by no means easy.

For many years I have urged upon this and previous Governments to endeavour to grapple with the half-caste problem. Just recently the Government granted a concession of about 12,000 acres in the Wagin area to enable the Roman Catholic Church to establish a mission. In that way, the

Government has thrown portion of its responsibility on to a religious body. For many years, I have considered that the half-castes should be segregated from the blacks. I have frequently had applications from half-castes who are entitled to full citizenship rights such as the whites enjoy, and I have, on occasion, been able to induce the department to release the children of these people in order that they might return to their parents' homes and be enabled to attend school. We know the difficulties that the Education Department faces, but the whole trouble is that these young boys and girls are not being trained or given an opportunity to become useful citizens. The Government could and should grapple with this problem a little more firmly than it has attempted to do.

The Commonwealth Government has provided something like £30,000,000 for what are termed social amenities for the people. If there is one section of the population of Australia that needs a helping hand in order that it may be dragged out of the unfortunate position in which the circumstances of birth have placed it, that section is the half-caste population. I intend to support the measure because I believe it is the honest intention of the Minister to provide facilities for these people to become citizens of this Commonwealth. I have had a number of half-castes approach me on various occasions. It is difficult to refer to them without exposing their personal troubles. However, without mentioning names or the particular town in the Great Southern to which I refer, I will give the circumstances of a certain family with which I have had contact.

The parents brought up their children to live like white people. The father performed a very useful function by attending to the sanitary services of this particular town. Everyone spoke highly of him and of his children as well. One of his girls has very good references from those for whom she has worked in the locality. There is another half-caste who has shown signs of being well worthy of citizenship rights. He is certainly a much better writer than I am and he is a hard-working individual. His wife left him and he tried to obtain a divorce, but the King's Proctor intervened. These facts can be easily verified by the Minister. This man took up with another native who went to one of the

settlements but she was taken away from him.

I have had personal interviews with the girl and I am extremely sorry for the unfortunate circumstances in which she finds herself. Owing to her friendship with this half-caste, she has become the mother of a child to this man; and, because she committed what is, in the eyes of the department, a crime—but which is something that thousands of women throughout Australia are doing daily—she had her rights of citizenship taken from her and is now classed as a native. Why the department should have taken from that girl the rights that she enjoyed, I do not know. She speaks English just as well as any member in this House, and so does the man with whom she had associated; but we find that the department immediately reduced her to the level of a native, allegedly in her own interests. Yet there are thousands of our own people living under similar conditions. In the present circumstances, I am afraid, nothing can be done about it. I mention it to show that, while the administration of the department is probably humanitarian from certain angles, in this instance a grievous wrong was done to a particular girl.

If the Government would grapple with the half-caste problem by segregating these people entirely from the natives and training the boys and girls to be useful citizens, in a very short space of time there would be a vast improvement. The true blacks in the southern portion of the State are dying out. Country women are crying out for help which they cannot obtain. Here is a potential source of labour going to waste for lack of training. The same applies to the young men. The native problem is difficult in practically every town I have the honour to represent. There is only one day in the week when the natives can do their shopping in Katanning and then they have to wait in the town until midnight in order to catch a train to return to their place of abode. Those poor unfortunate people have to obtain a permit to remain in town until the train comes to take them away. Thus they are reduced to the lowest depths, almost to slavery.

I am sympathetic with the Minister in his difficult task; but I am more sympathetic with the many half-castes I know, some of whom are quite presentable, decent-living people who are denied their citizenship

rights. The Bill is a start towards altering that position. It has been pointed out that there is a proposal for a Royal Commission to inquire into hospital administration and the possibility of providing finance for hospitals after the war. When I was a patient in the Katanning hospital, I was not too keen about being there because there were two or three half-castes who had to use the same accommodation provided for the whites. Nevertheless they are entitled to some consideration and we claim that special provision should be made for them. I hope that the Government, even at this late stage, will realise that it has a duty to these people. We have taken away their country from them and the half-caste problem has been created by white people. I would like to see these children properly trained.

On one occasion, a Roman Catholic prelate said that if he were given the control of a child for a certain number of years he would guarantee that that child would adhere for the rest of his lifetime to the faith taught him. Similarly, these children should be taken care of at an early age. I am pleading more for the half-castes than for full-blooded natives. It might be said we have not sufficient money to do much; that we are not able to increase taxation. In those circumstances why should we not appeal to the Commonwealth to subsidise us on a £ for £ basis from its social amenities fund of £30,000,000 in return for which we would endeavour to make the half-castes useful citizens of the State and Commonwealth?

I have diverged a little from the discussion of the contents of the Bill; but, when we find such dreadful accusations made in the Press concerning our native settlements, it seems to me that something needs to be said and done. I have visited Carrolup and I know that the Government is trying to do its best there. But the people are not taught as they should be. It is surprising to find vegetables and other commodities sent to the settlement which should be produced there. The natives should be taught to build their own homes and they could do many other things. If this measure will give some of the natives rights of citizenship it will achieve a worthy object. I hope that the Government will use its utmost endeavours to see that the coming generation of these poor, unfortunate people will be placed in such a position that 90 per cent. will be able

to take advantage of the provisions of the Bill.

HON. H. L. ROCHE (South-East): While I am prepared to support the second reading of this Bill, I am afraid it is not going to effect any major improvements in the conditions of the natives and half-castes in the Great Southern areas, because there are—rightly so, I think—considerable restrictions in the Bill on the granting of full civic rights to the people of the native race and, in the application of those restrictions, the number of people affected will be almost negligible. In my opinion, the hope of reward—I refer to the granting of citizenship rights—will not be likely to influence the natives themselves to any marked degree. I think the people of this State must realise that the natives themselves are in the main at best merely grown-up children. They are, as we understand social conditions and economic life, to a very large extent quite irresponsible.

Hon. A. Thomson: Still, with training they would improve.

Hon. H. L. ROCHE: I certainly agree that there is ample room for us to effect improvement. If I may make a guess, I consider that the major obstacle to effecting that improvement is finance. Ever since the granting of child endowment to natives, it has seemed to me that the Commonwealth Government made a most ghastly error. Had the amount of money involved been made available to the Department of Native Affairs, I think something very worth while could have been achieved on behalf of the natives generally. As it is, it is useless to ignore the fact, which is apparent, that the average native today looks upon child endowment as a source of income.

Hon. A. Thomson: Yes, that is so.

Hon. H. L. ROCHE: I know of one case of a grown male native openly stating that any girl of 14 years upwards should contribute something to the family funds by means of child endowment. We cannot afford to ignore that phase. It was certainly a ghastly error on the part of the Commonwealth Government when it made child endowment available for payment direct to natives, at least to those in Western Australia. We have reached the position where I can conceive it will be difficult indeed to effect any alteration in that respect because, under the Commonwealth

laws, the people concerned are entitled to vote. I would be approximately correct in saying that in the Forrest Division alone there would be quite 2,000 of these natives who, under the Commonwealth law, are entitled to a vote. Members will agree that it would be politically dangerous for any member of Parliament, any aspirant for political honours or, indeed, for any party to advance proposals regarding this question which would mean taking away direct control of the money involved from these very irresponsible people who are receiving child endowment today.

I think, as I dare say others appreciate as well, that there is a considerable body of general sympathy for the native race, and there is every justification for that feeling. On the other hand, there is also a lot of mush and sentiment which, at their sources, are invariably in places far removed from actual contact with the natives themselves. Those people who have a more intimate knowledge of the natives are much more practical in their outlook than are a lot of these well-meaning but, I fear, misguided people who fail to realise that it is of no use now or possibly for generations to come to attempt to treat the native as an ordinary person of European or British stock. Without claiming any particular knowledge, it seems to me that education of the right description would furnish the key to the whole problem. I do not mean education as we understand it and as it is available in our schools—perhaps some of the education available there could be provided for the natives—but I have in mind education of a more practical type and certainly what is required is a considerable increase in discipline.

Hon. A. Thomson: That is very necessary.

Hon. H. L. ROCHE: I wonder to what extent the department has tried, from both the educational and disciplinary aspects, to control and guide the natives through people of their own blood. There are some exceptional half-castes and possibly some full-blooded natives, whose services I think the department could avail themselves of and who, I believe, would treat their weaker and less responsive brethren in a way that their brethren would better understand and appreciate. The proposals embodied in the Bill are such that I would not like to see them made any more liberal.

But I would again emphasise that those people who have the welfare of the native race at heart and at the same time are not unmindful of the well-being of our own country people who know the natives better than do residents of the city, must appreciate that we have to go a long way further in the education and control of the natives than we have so far.

The country people are not hostile to the natives although circumstances at times may be very trying. Departmental officials are inclined at times, I fear, to ascribe all complaints to the unreasonableness of the people who are in contact with the natives. A continuance of such attitude is not likely to be any more productive of good results in the future than it has been in the past. I say to those sentimentalists who are possibly resentful of any hesitation in taking these people, shall I say, to our bosoms, that they should go out and get to know our coloured brethren. Let them then contemplate the prospect of taking some of them as their daughters-in-law or sons-in-law. I think some of the proposals advanced by people who do not seem to know too much about the subject would take us to that stage very quickly. I shall not labour the question any longer. I trust that the Minister when replying will be able to foreshadow considerable developments in the Department of Native Affairs, more particularly with regard to the control and education of natives, having regard to the general mentality and irresponsibility, judged by our standards, of these people as a whole.

HON. L. CRAIG (South-West): The last three speakers have said everything I had in mind regarding the Bill. Mr. Dimmitt, Mr. Seddon and Mr. Roche have each spoken excellently, and apparently they possess great knowledge of the native question. Mr. Roche was particularly informative in his remarks. The native mind is not in the least like the mind of the white man. The natives have a different viewpoint altogether from ours. We cannot refuse to pass the Bill but, if a native is to attain citizenship rights, he will have to reach a very high standard. When I first heard that the Bill had been introduced, I felt rather antipathetic. Having read the Bill, I find that it contains nothing to which one can object. At the same time, I do not think many natives will reach the standard required; certainly no

full-blooded native will be able to do so. I know of none that could comply with the conditions set out in the Bill. There are some half-castes who possibly might be able to do so.

In view of all the circumstances, we cannot withhold the rights of citizenship from them. As other members have said, it is most important that we give the natives an opportunity to qualify. We must, however, bear in mind one aspect regarding education. We may have a native who qualifies under this legislation, one who has lived as a white man, yet his children will not necessarily be accepted in State schools. Those natives that will qualify will be mostly those who have been educated at mission stations, but their children will not be mission educated and possibly those children, in turn, will not be able to qualify. How many areas are there in which native children are not admitted to the schools? I know of no State school that would accept them.

Hon. H. L. Roche: Lots of the schools accept native children.

Hon. L. CRAIG: Objection is raised to the children being accepted. The parents would object to it, too.

Hon. H. L. Roche: I know that they are admitted to schools.

Hon. L. CRAIG: Members will recollect the trouble that occurred in the Williams district. Many people do not like their children sitting beside native children.

Hon. A. Thomson: That applies when the native children come from camps.

Hon. L. CRAIG: I know that natives smell. They may consider that the whites smell, but I certainly know that a native smells horribly. Personally, I would not like my child to sit next to a full-blooded native.

Hon. A. Thomson: Neither would I.

Hon. L. CRAIG: The point is that we must educate native children up to a standard enabling them to claim citizenship. Mr. Roche was perfectly right when he said that the granting of child endowment to natives was a ghastly error. It was a wicked thing, the worst that could possibly happen to natives.

Hon. C. F. Baxter: And to some half-castes, too.

Hon. L. CRAIG: I refer to all who are classed as natives. Another remark by Mr. Roche which was also perfectly true concerned the absolute necessity for discipline. We have one of the large native camps in

the State on our property. The locality was a native camp before the country was occupied by white people. Even now, some of the natives go there to die. We get a lot of natives round there. In my opinion, discipline is absolutely necessary. If there is no discipline, there is complete lack of control. The natives will not respect anyone if there is no control.

One of the greatest disciplinarians we ever had on the property was a man who was loved and respected by the natives, perhaps more so than any other man who has been in the locality. He never treated them as equals, but always treated them justly. Natives do not understand what is meant by equality. To them, equality means weakness. With them, there has to be one boss always, one boss they look up to and respect. These things have to be taught to the children. It is no use giving citizenship rights to a native now unless we can qualify all native children for citizenship in the future. I shall support the Bill, because I see no objection to it whatever. I am of opinion that very few persons will qualify under the legislation, but those who do qualify should receive full citizenship.

HON. W. J. MANN (South-West): I support the Bill. I cannot speak for full-bloods, for there are no full-blooded natives in the province I represent; at all events, I do not know of any there. But the province has quite a number of half-castes. In certain localities there is quite a difference in the mental calibre of these half-castes. In one district known to me the half-castes are quite well informed and well educated, and also well conducted; and in some instances male half-castes are employed by local government bodies. Generally the men are doing all kinds of jobs, and are preparing for and levelling up to the standard of an educated white person as good members of society.

The difficulty I see with the half-castes is that, as has already been indicated, an action such as that taken with regard to child endowment is going to perpetuate the half-caste problem. The greatest disability that the half-caste suffers, so far as I see, is that he or she so seldom has an opportunity to mix with any other people than half-castes. Thus they are more or less ostracised. That is not done out of any ill-will, but out of a kind of sense of per-

haps superiority—I hardly know how to express it. There is no social feeling for them. It seems to me that sooner or later this State and the Commonwealth will have to work out and adopt a definite economy applicable to half-castes. They cannot be left where they are, and so long as they remain a people apart from the great majority of the community their mental improvement will be very slow indeed. Therefore I commend the Bill as a step in the right direction.

I am not familiar with the missions that have been spoken of, nor with conditions in the Great Southern district. Possibly they are not as good as the conditions that prevail in the South-West, but I am quite sure that I could name numerous half-caste men who measure up to the ordinary white standard and who, in my opinion, should have the right to become citizens. The sooner the State gets away from its idea of penalising the half-caste every time he commits a minor breach just as if he were a full-blood with no prospect of uplift, the better. I do not hold with many of the prosecutions that are launched against natives. Mr. Roche, I believe it was, spoke of a native having to get a permit to remain in town over the period necessary to catch a train. That is stupid, and represents bureaucratic government of the worst type. A department that stands for that kind of thing needs to be put in its place.

After all, these people are human. We are more or less interlopers in their country, and therefore have a right to treat them well. We should be tolerant with the unfortunate half-caste who gets a drop of drink and goes on with nonsense. I have lived in communities where there are natives and have seen much worse displays of hooliganism from our own youths than from the average native who becomes intoxicated and makes a lot of noise. The moment a policeman comes in sight, he clears out. That cannot always be said of our own hooligans. I hope the Department of Native Affairs will endeavour to get down to some definite scheme and also devise some real uplift for these people. Unless that is done, I fear it will be many years before we find any great improvement.

On motion by Hon. E. H. H. Hall, debate adjourned.

BILL—HEALTH ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER [5.58] in moving the second reading said: By this Bill it is proposed to give to the various authorities administering the Health Act certain powers which they do not now possess, and which are considered essential to deal with matters affecting the health of the community. It represents an attempt by the Government to effect more control over restaurants, eating houses, and boarding and lodging houses, and over the sale of horse-flesh. It also deals with the registration of private hospitals and with venereal disease.

Members are no doubt aware that local governing authorities, health boards and the Health Department, under the powers conferred by the provisions of the Health Act, carry out inspections from time to time. Recently many inspections have been made in the metropolitan area and elsewhere, particularly with respect to restaurants and eating houses. Those inspections disclosed that many of the establishments were being conducted in a most unsatisfactory manner. In some respects portions of the establishments were in a shocking condition, and immediate action had to be taken by the authorities concerned in an endeavour to remedy what was a disgraceful state of affairs. Inspections were also carried out with regard to boarding and lodging houses and the like, and here, too, conditions were far from satisfactory.

From the investigations made it is apparent that the law relating to the conduct of these establishments needs amending, and that the sooner further control has been obtained under legislation, the better it will be for the general well-being and health of our citizens. The following is an extract from a report made by an inspector of the Health Department on certain restaurants and eating houses in the city area—

Restaurant—Murray Street, Perth.

Scullery, storage and serving space behind shop very small. Storage cellar under closed by tran-door in the floor of this space.

Cooking done on two gas stoves in 3ft. wide passage-way running to the rear. Same passage-way contained a number of bottles of syrup used for milk bar drinks. Bottles grimy with stickiness and dirt. Rubbish bins containing food waste in the small scullery portion. Bins have to be emptied through front of shop. No opportunity of cleaning such bins.

I have about a dozen similar reports, some of them worse than that which I have read, and all proving that action must be taken to remedy the existing state of affairs.

Hon. H. Tuckey: Does not the existing law provide for that?

The HONORARY MINISTER: No. There are weaknesses in the Act, and this Bill proposes to remove them. These reports I mention indicate conditions that would astound members, who will agree that the time has arrived when we should no longer tolerate a state of affairs which has only been possible through a loophole in the existing law which this Bill seeks to rectify. To do this it is proposed to add to Part V. of the principal Act, which deals with dwellings, a provision relating to eating houses.

Under this proposal, every establishment will require to register, and the proprietor in each case will need to obtain a personal license. Both the registration and the license must be renewed annually. By the Bill, powers are conferred upon local authorities enabling them to refuse or cancel the registration or the license and to make by-laws relating to the establishment and conduct of eating houses.

It is considered that the obligation to register, which is to be imposed on people conducting or desirous of conducting these establishments, and the power to refuse such registration, will ensure to some extent that no complaints should arise regarding their premises and the manner in which they carry on their business. The Bill sets out the procedure to be followed in respect to registration, provides that local authorities may make by-laws, and makes provision for penalties. It is proposed, in the event of the measure being passed, that its provisions shall operate and have effect—

- (a) in the health district of the City of Perth;
- (b) in the health district of the City of Fremantle, and
- (c) in the health district of any other local authority, in which the Governor may from time to time declare by Order in Council they shall operate and have effect.

It is not intended immediately to extend the provisions of the Bill to cover the whole of the State. At present it is desired to operate only in the Perth and Fremantle health districts. Dealing with boarding houses and lodging houses, the conditions prevailing in many of these places have

rendered it necessary to extend the application of the present Act to such dwellings. Reports show that in recent years there has become evident in city areas a practice which has given rise to most unhealthy conditions. Hitherto, adequate action to control this growing evil has not been possible, since the existence of such premises could hardly have been envisaged at the time when the parent Act was framed.

I refer to the type of dwelling which may be described as a "house let in lodgings." Such premises do not come within the statutory definition either of lodging house or boarding house, upon the keepers of which the Act imposes certain duties in regard to the provision of an adequate water supply, the cleansing of walls and ceilings, the notification of diseases, and so on. The proprietors of "houses let in lodgings," by virtue of the fact that they provide accommodation on the basis of a weekly tenancy, cannot be obliged to discharge those duties. I have some extracts from departmental reports upon such premises. One is as follows:—

Perth, house let in lodgings, Hay-street.—Two storeys, part of a terrace, no dining-room; tenants either dine out or prepare and eat food in their rooms. Scullery is used as a kitchen; one bed here. Wood stove out of repair, walls smoke-blackened; area 10ft. by 9ft., window area 4 sq. ft. Room dark, no artificial light installed.

Wash-house.—Two troughs provided on the back verandah. Copper lying on the ground in yard.

Room originally designed as kitchen converted into bedroom, occupied by the keeper.

Room No. 1.—Two beds here, 1,600 cubic feet capacity, ceiling damp and dirty; cobwebs hanging from ceiling.

Room No. 2.—Two women use this room as bedroom, kitchen and dining-room. Cooking done in open fireplace. 1,600 cubic feet space.

Room No. 7.—Same capacity. Man and his wife, baby and three children aged 6, 4 and 2, use this room for all purposes. One single bed and one double bed, mattress torn. Evidence here of vermin in beds.

Landing at top of stairs.—Gas stove here set against wall. No hood or vent pipe over stove. Kerosene tin of soiled clothes boiling on stove. Ceiling stained and dirty; walls and floors greasy and dirty.

Room No. 3.—Plaster broken over doorway. Cubic capacity approximately 350 cubic feet. A child sleeps here in a single bed. This room is really a continuation of the passage and opens on to the front balcony. This balcony has been enclosed and partitioned off; a married couple with a baby and one other child three years old occupy this space; husband and wife and baby sleep on balcony and the child

in the small room referred to. The child's room is used as a dining-room; food is cooked on the gas stove in passage. The enclosing of the verandah cuts off the natural light from the bedroom, while the placing of a door in the passage cuts the light off from the passage-way.

I could quote many other examples, but shall refrain from doing so. Should members require any further information I shall be pleased to furnish it to them. These reports speak for themselves, and members will agree that some legislative action is necessary to obtain more control over premises of this nature. The present housing shortage has, of course, been accentuated by existing circumstances; people are only too pleased to get shelter of any description and there are always people of a certain type who will exploit the unfortunate. However, the amendments to the definitions of "boarding house" and "lodging house," which it is proposed to effect by this Bill, will bring the proprietors of "houses let in lodgings" within the scope of the Act, thus enabling a closer supervision of such premises.

Another proposal in this Bill deals with sub-standard houses. There are in many of the older towns of the State a number of houses which continue to be occupied despite the fact that they are sub-standard. The most common amenities are frequently lacking. In some instances water is delivered to the house at one point only, sometimes at the front gate or by a verandah. Often no provision is made for the installation of cooking facilities. The Bill provides for an extension of the powers of local authorities to prevent the growth of such undesirable conditions, and, where they do exist, to remedy them.

A further proposal in the Bill relates to private hospitals. It is desired to transfer their control from the local authorities to the central authority. Experience has shown that the inspection of private hospitals under the existing legislation has not been entirely satisfactory, since the local authorities have not generally the specialised knowledge required for adequate control. It is felt, too, that the proposals for a national scheme of hospital benefits, which the Commonwealth Government now has under consideration, render it necessary to vest the control of such hospitals in one central authority. By this means uniformity will be achieved and the adminis-

tration of the national scheme will be greatly simplified.

Provision has been made in the Bill safeguarding the public against the sale of horseflesh for human consumption. The present meat rationing arrangements have resulted in the setting up in various States, including Western Australia, of the business of slaughtering horses and the selling of horseflesh for the purpose of providing food for pets. Having regard to the fact that it would be difficult and expensive to ensure a proper system of inspection, it is proposed to add a new part to the existing Act, setting out certain restrictions upon the slaughtering and sale of horseflesh. The provision thus made is based on legislation recently passed in Victoria, and should ensure, as far as is practicable, that horseflesh is not sold for human consumption.

There are other proposals in the Bill, mostly of a machinery nature, including one dealing with venereal disease, which merely amplifies some of the already-existing provisions for the control of this disease. I trust the House will, by passing this measure, endorse the Government's aim in endeavouring to ensure that more control is exercised in the matters I have mentioned. I have pleasure in moving—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

House adjourned at 6.8 p.m.

Legislative Assembly.

Tuesday, 31st October, 1944.

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