

incorporated in the Bill. One of these sections possibly safeguarded the position. Inquiries, however, would be made and if what the hon. member desired was not provided for, the Bill would be recommit-  
ted.

Clause passed.

Clauses 10 to 19—agreed to.

Schedules—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

## ADJOURNMENT—ARRIVAL OF AUSTRALIAN DESTROYERS.

The COLONIAL SECRETARY (Hon. J. D. Connolly): I intend to move that the House at its rising adjourn until Tuesday next. As hon. members are aware, to-morrow has been declared a public holiday in order to give a reception to the officers and men of the two destroyers of the new Australian Fleet. The vessels arrived at Fremantle to-day and to-morrow there will be numerous attractions provided. It is my intention, therefore, to move—

*That the House at its rising adjourn until Tuesday, the 29th November.*

Question passed.

*House adjourned at 9.20 p.m.*

## Legislative Assembly,

*Wednesday, 23rd November, 1910.*

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

## CYCLONE AT BROOME.

The PREMIER (Hon. Frank Wilson): I regret to say that I have had some bad news from Broome in regard to a cyclone that struck that port on the 19th inst. The following is a telegram I have received:—

Disastrous cyclonic gale struck Broome Saturday 19th. Glass commenced falling Friday morning. Resulted in 100 luggers making the port before nightfall. Wind commenced very strong about midnight and increased in force with heavy squalls. Reached highest velocity about 2 p.m. Saturday, by which time nine inches rain had fallen. Many luggers in port had now dragged their anchors, and were piled up on the shore between the jetty and entrance point. Verandahs, roofs, and whole houses had by then been blown in all directions, and a large portion of population were obliged to seek shelter at the houses still remaining. By five o'clock wind lulled but recommenced with terrific violence from the Nor'-West. Trees, fences, and telephone posts now levelled and the utmost desolation prevailed. Wind with rain continued throughout night but lulled in the morning by which time sixty-seven luggers were piled up on the beach. Seventeen were afloat and it is estimated that between thirty and forty had sunk at their moorings. Several luggers are known to have been wrecked along the coast and between seventy and eighty are still unaccounted for, though it is thought many of these may have taken refuge in various creeks along coast. Rescue parties have been sent out, and luggers are patrolling coast to render assistance. So far two white men, Farrell and Street, employed by Everett, are known to be lost and ten coloured crew. Fear their number will be greatly augmented, but full particulars will not be to hand for some days. No casualties on shore, but many narrow escapes from flying roof iron. Estimated damage ashore between fifteen and twenty thousand. Impossible estimate damage to shipping. Labour and

roof iron very scarce and in great demand.—(Signed Resident Magistrate.) I wired to the resident magistrate in reply—

Regret very much to receive news contained in your telegram even date, more especially as to sad loss of life. You are authorised to take any steps to relieve suffering and provide temporary shelter, etcetera. Please keep me fully advised. Am endeavouring arrange Honorary Minister Male proceed Broome Saturday's steamer.

#### QUESTION — AGRICULTURAL BANK, REGISTRATION OF FIRMS.

Mr. PRICE (for Mr. Johnson) asked the Minister for Agriculture: 1, Have any firms been registered under the Agricultural Bank Act Amendment Act of 1909? 2, If so, what are the names of such firms? 3, If not, have applications been received for such registration? 4, If so, what are the names of the firms?

The MINISTER FOR AGRICULTURE replied: 1, Yes. 2, Richard Purser & Co., Perth; J. Hayden, Victoria Park; W. Traylen & Sons, Guildford; Tregurtha & Hughes, Pingelly; Addicoat & Clifton, Northam; H. & H. Withnell, Northam; A. Powell, Northam; Morris & Parkes, Wagin; J. Somers, Newcastle; Bolton & Sons, Fremantle; S. Bray, Brookton; Elliott & Raymond, Wickpin and Cuballing; York Engineering and Implement Co., Perth. 3 and 4. Answered by No. 2.

#### QUESTION — SIGNAL STATION, ARTHUR'S HEAD, MEN'S QUARTERS.

Mr. GILL (for Mr. Bolton) asked the Premier: 1, Are the men engaged at the Signal Station at Arthur's Head, Fremantle, provided with quarters? 2, If so, are they residing in State owned houses? 3, If not, from whom are the Government renting houses to provide accommodation for the above-mentioned men? 4, What amount of rent is being paid per week by the Government for each house so rented?

The PREMIER replied: 1, Yes. 2, No. 3 and 4, The accommodation is not provided by the Government, but by the Fremantle Harbour Trust, who rent three houses at 10s. a week each from Messrs. J. & W. Bateman, of Fremantle.

#### QUESTION — RAILWAY CONSTRUCTION, UPPER CHAPMAN.

Mr. BROWN asked the Minister for Railways: What total sum was charged by Government departments for hire of rolling stock only by the contractors for the Upper Chapman railway, twenty-seven miles?

The MINISTER FOR RAILWAYS replied: £951 9s. 8d.

#### BILL—SOUTHERN CROSS-BULLFINCH RAILWAY APPROPRIATION.

*All Stages.*

The House having resolved into Committee for the purpose of considering the expediency of an appropriation for the purposes of a Bill for 'An Act to apply from the Loan Suspense Account the sum of Forty Thousand Pounds for the construction of the Southern Cross-Bullfinch Railway,' as recommended in His Excellency the Governor's Message No. 12,

The PREMIER (Hon. Frank Wilson) moved—

*That it is expedient that an appropriation be made for the purpose of a Bill for an Act to apply from the Loan Suspense account the sum of forty thousand pounds for the construction of the Southern Cross-Bullfinch railway.*

Question passed.

Resolution reported, and the report adopted.

*Bill introduced.*

The Standing Orders having been suspended, in accordance with the foregoing resolution. Bill introduced and read a first time.

*Second Reading.*

The PREMIER (Hon. Frank Wilson) moved—

*That the Bill be now read a second time.*

Mr. SCADDAN (Ivanhoe): There is very little to be said with regard to the Bill, except to express regret that the Government have not seen the advisability of constructing this railway from revenue instead of from loan.

Mr. Jacoby: And leave nothing for roads?

Mr. SCADDAN: The member for Swan apparently is living on roads.

Mr. Jacoby: We are getting to work in the country.

Mr. SCADDAN: I am pleased to be assured that something is being done in the country. The societies in the hon. member's electorate do not invite hon. members to attend their functions in order to ascertain whether work is going on. We have to discover these facts second hand from the member for Swan, and then one has to allow his own judgment to determine as to how much reliance can be placed on the hon. member's words. The object we have in asking the Government to provide money for the construction of this railway from revenue is that there is no certainty, as has already been pointed out, that the district which is to be served by this railway will be a permanent mining district. In the event of it not being a permanent mining district the line will be a considerable loss to the State, and it will be a charge for all time practically on the taxpayers of the State, who would have to provide interest and sinking fund charges. We might be permitted to ask that the line should be constructed from revenue, because the Government at the present time are receiving a great amount of revenue from the sale of Crown lands which under ordinary circumstances would not have been received.

The Premier: Are you not out of order in discussing this matter now?

Mr. SCADDAN: I think I am entitled to discuss the question as to whether the Bill should be accepted or not. Although we have agreed to the Committee's re-

port that there should be a charge, yet no charge can be made until the Bill is intituled an Act, and we may even at this stage vote against the Bill.

Mr. Horan: You did not have the courage to do it the other night.

Mr. SCADDAN: The hon. member need not worry about courage. I raised no objection to the construction of this railway at any stage; I spoke in favour of it at the earliest opportunity, and I also urged that as the Government had received considerable revenue from the sale of Crown lands, that revenue should be devoted to the construction of the line, and that in the event of the place not becoming a permanent goldfield and the line not being required in future years the taxpayers would not have to find interest and sinking fund. The Government, I believe, are proposing to sell further Crown lands, and, as those which have already been disposed of have brought phenomenally high prices, the money so obtained should be utilised for the construction of the line. There is no desire to delay the passage of the Bill, or the construction of the line for one moment, but it is all a matter of finding the money. Under ordinary circumstances I would not have objected to the money being obtained from loan fund, but it is simply as I have stated that the Government are receiving an abnormal amount of revenue from the sale of land, and this revenue might well be devoted to building the railway, and in this way avoid the charge on the ratepayers in future in the way of finding interest and sinking fund.

Mr. WALKER: You only desire to make the protest against this exceptional case?

Mr. SCADDAN: That is all.

Question put and passed.

Bill read a second time.

*In Committee.*

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

Clause 1—Issue and application of £40,000:

Mr. JOHNSON moved an amendment—

*That in line 3 the word "forty" be struck out and "fifteen" inserted in lieu.*

The object in moving the amendment was to compel the Government to devote the money that they had received from the sale of lands towards the building of the railway. The Government had received a little over £25,000.

Mr. Horan: They were boom prices.

Mr. JOHNSON: If the hon. member had any doubt about it he should have opposed this railway strongly. While inclined to agree with the member for Yilgarn that they were boom prices, and that the full amount would not be forthcoming, he was prepared to sink his individual opinion and bow to the decision of the majority of the Chamber who had stated that the Bullfinch district was going to be permanent, and that the sale of Crown lands was no boom, but a genuine sale, and that the amount of £25,000 would be forthcoming as the instalments would fall due. It was to be assumed that the Government would receive £25,000 as the result of the first land sale, and that the amount should be devoted towards the construction of this speculative line. It had been referred to as a gamble, and consequently we were not justified in gambling with loan moneys. We might be justified if there had been no sale of Crown lands, in obtaining the money from loan, but, having had this sale, and the Treasurer having received £25,000 in excess of what he expected to get when he framed his Budget, that amount should be devoted towards the building of the line. Then there would be necessitated the use of £15,000 from loan funds, and that sum of money would be represented by rails and fastenings, which had already been purchased from loan. There was no great risk in applying loan funds to the purchase of rails and fastenings, because they would be available for any district, consequently there would be an asset as far as the rails and fastenings were concerned. It was a fair proportion to apply £25,000 which had been received from the sale of lands towards the construction of the railway, and the balance from loan funds towards the rails and fastenings. The soundness of the proposition should appeal to the common sense of members. Member after

member had admitted that this was a speculative line, and that possibly the district would not justify the expenditure. They would, therefore, be guided by their business knowledge towards supporting this amendment. It was wrong that the State should be saddled with interest and sinking fund if the proposition itself did not pay.

Mr. UNDERWOOD: It was to be regretted the member for Guildford had seen fit to move an amendment reducing the amount by £25,000. Either we should build the railway out of revenue or out of loan.

Mr. Johnson: We have the rails and fastenings.

Mr. UNDERWOOD: We had the rails and fastenings for some other line. We had nothing of the sort for this line. He felt disappointed also at the attitude of the leader of the Opposition, for this was a question that the party led by the leader of the Opposition should protest against. The party stood for as few loans as possible, for a policy which would be carried on without loans wherever possible; and this was a case in point. The revenue already received from the land sales had been entirely unexpected when the Estimates were made, and he was confident that the second sale of land in the district would produce the balance of £15,000. There had been a deal of talk about this being a business risk; there was no risk about it. The line was absolutely sure to pay from the start. There had never been a mine like this found in the world before, and the twenty miles of railway would be paid for before the machinery was put on the mine. Those who talked of this being a business risk did not know what they were talking about; and even if it were accepted as a business risk it was to be remembered that we had already received £25,000 from the land sales, and no doubt would receive another £15,000, making up a total of £40,000. And, having received £40,000 from the sale of land, we should put something in place of it. He protested against the system of taking everything out of the goldfields and leaving nothing but a huge debt for posterity to pay off.

He was surprised that the member for Guildford should have proposed to leave even £15,000 to be made up.

Mr. Johnson: I am not opposed to loans.

Mr. Bolton: Neither am I.

Mr. UNDERWOOD: It went to show that the members for Guildford and North Fremantle had not considered the proposition from a Western Australian point of view and were not the men to bring progress to the State.

Mr. Bolton: We are all out of step but you.

Mr. PRICE: With other hon. members he was prepared to repudiate the contention that the member for Pilbarra had any authority to speak on behalf of the Labour party as being a no-loans party.

Mr. Scaddan: Hear, hear, it is absolutely incorrect.

Mr. PRICE: Personally he was not opposed to loans for reproductive works, and he had yet to learn that any man who wished to see the State prosper could object to such loans.

Mr. Heitmann: Would you oppose such loan if it were not necessary?

Mr. PRICE: If such a loan were not necessary he would oppose it, and so also would be if it were for a non-reproductive work. It was because of the element of doubt in connection with this railway—a doubt expressed by the Minister himself in introducing the Bill for its construction—that the loan was in this case objectionable. As pointed out, the Government had received a large sum of money from the locality, which they intended to place to the credit of the Consolidated Revenue Fund, whilst using loan money for the construction of the railway. He would support the amendment in the belief that it was better when we received money from a source such as the Bullfinch boom that the money should be spent on the provision of necessary work in the locality.

The PREMIER: The position taken up by the member for Guildford and those supporting him ought not to appeal to a great number of members. Parliament had authorised the construction of the railway, had said in effect the rail-

way was a necessary work. It was now necessary that we should have the funds to construct the work. He proposed to borrow the money in the usual way for the construction of the railway, and he asked that it should be constructed out of Loan Suspense Account with a view to providing an amount on the Loan Estimates to cover the expenditure. The member for Guildford desired to limit him to £15,000. Such limitation would at the onset prevent the construction of the work authorised by Parliament, for with that amount only one-third of the line could be constructed.

Mr. Johnson: Why?

The PREMIER: Because a further appropriation would be required to provide the balance of the money.

Mr. Johnson: You can get it.

The PREMIER: Certainly it could be secured if he had the revenue for Parliament to appropriate it from, but at the present time his Estimates were before the House and they covered the revenue it was expected to receive this year.

Mr. Scaddan: Did you include the land sale?

The PREMIER: That particular land sale had not been specifically included, although some increase in revenue from land sales had been anticipated. The hon. member knew that even if he (the Premier) could appropriate the proceeds of the Bullfinch land sale the money would be expended long before anything like the sum stated came to hand. For instance, only 10 per cent. had been paid as deposit and not more than one quarterly payment would have been received by the time the railway was completed. The hon. member had asked was it not a commercial proposition. Where in the civilised world were commercial people to be found constructing railways out of revenue? All works of that description were constructed out of capital, were recognised to be a just charge against capital, seeing that they were permanent reproductive works.

Mr. Johnson: You admit you are taking a risk in this case.

The PREMIER: Risks had to be taken in every case, in all public works.

Mr. Johnson: What risk is there in an agricultural railway as compared with this?

The PREMIER: In connection with agricultural railways we accepted the fact that the line would not pay for several years—surely that was a risk—but in this case we had the certainty that the line would pay from the jump. That was the difference between the two. Did the hon. member infer that all goldfields railway construction was risky? He (the Premier) would admit there was a certain risk attached to goldfields railways by reason of want of permanency in the industry. An agricultural railway might not pay for several years, but all knew that ultimately it must be a payable proposition. On the other hand there was the risk of possible loss on the goldfields railways.

Mr. Walker: That is not fair; you have had no loss on the goldfields lines. The goldfields have been your best paying lines.

The PREMIER: So much was admitted. He had stated that this particular railway would pay from the start, but the member for Guildford would not have that. The member for Guildford had declared it was not a permanent work, that it was an undue risk; and had asked was it not a greater risk than an agricultural railway, inferring that goldfields railways were too risky to construct from loans.

Mr. Johnson: Nothing of the kind.

The PREMIER: Were all hon. members representing goldfields districts content to abide by that principle—that we should look upon all goldfields railways as being too speculative to construct from loan funds? Were we to wait for revenue from which to construct these railways? If so we should have to wait a long time, and he was afraid the goldfields centres would languish. He was not prepared to endorse any such principle. In past years we had expended a small portion of our revenue on railway construction. In 1903-4 the then Treasurer (Mr. James Gardiner), feeling that he had a good chance of collecting a big revenue, had put some £127,000 on the Estimates for the construction of rail-

ways from revenue. While entertaining every respect for Mr. Gardiner's financial ability—and it was perhaps to that gentleman's credit that he had thought he would have £127,000 to expend on railways from revenue during that year—he submitted that Mr. Gardiner had made a financial blunder, that he certainly should not have constructed railways from revenue. Mr. Gardiner certainly ought not to have constructed railways from revenue. They were essentially a capital cost and a reproductive work which ought to have been provided in the first instance from loan moneys. Nevertheless, during that year perhaps Mr. Gardiner had some justification, inasmuch as £672,000 was received in revenue more than was being received to-day, and there was returned from the Commonwealth £2 7s. 8d. per head of the population more than was now being received by the State. But what was the result of this financial method of Gardiner's? While Mr. Gardiner spent this £127,000 out of revenue, which ought to have been spent out of loan moneys, he overran the constable by £148,000. He was deficient at the end of the year by no less than £148,000, so that during the next year the Labour Government that followed had to construct the rabbit-proof fence to the tune of £130,000 out of loan moneys. The Labour Government had been twitted with doing this, but what was the position? The Treasurer of the day had made a mistake. it was a national blunder.

Mr. Troy: Do you condemn the Labour Government for building the rabbit-proof fence out of loan moneys?

The PREMIER: No; no one was condemned; but the Treasurer of the day committed a financial blunder, or an error of judgment. Clever man as he was, and a good financial man, Mr. Gardiner made a mistake, and to-day no doubt would admit it, in having spent this money from revenue. Now, if he (the Premier) were to be put in the same position, spending revenue on reproductive works, especially railways, and winding up the year with a deficit, he would be in a worse position than by following the usual procedure, the system adopted by all Governments

and by all private people, that of borrowing capital to construct this railway—

Mr. Scaddan: If there was no tightening of the reins in the expenditure from loan moneys there would be no revenue. It would all be eaten up in interest and sinking fund.

The PREMIER would always raise the revenue necessary to pay his way and pay interest and sinking fund.

Mr. Scaddan: The interest and sinking fund charges now amount to 28 per cent. of the revenue.

The PREMIER: I am not quite sure whether it is 28 per cent.

Mr. Scaddan: It is.

The PREMIER: In other States 40 per cent. was taken up in this way. It was all a question of financial equilibrium. As long as we had an advancing country, and a new country, and a country with any amount of possibilities such as we had, it was to be hoped we would never see the day when Parliament would refuse to borrow money for works of this description.

Mr. Scaddan: America did this and had to repudiate.

The PREMIER: That was over the war.

Mr. Scaddan: But they said exactly the same as you, "that they were a progressive country and could spend money out of loans."

The PREMIER: We had a long way to go yet before we approached the danger mark. Indeed, we would never approach it so long as the population went on increasing, and so long as our industries went on expanding; and in those circumstances we could surely go on borrowing money to assist our industries and our people whether they were on the goldfields or in agricultural centres. But long before we considered the advisability of spending revenue on reproductive works, like railways, which ought to finance themselves, as a whole, and always would do, he hoped, in Western Australia, we should take into consideration any surplus revenue we had for the purpose of building roads and bridges. We were now forced into the position that money

had to be taken from loan funds for certain road and bridge construction, and we had also to have certain sums for the construction of large permanent buildings, such as the Houses of Parliament, technical schools and other schools, and works of that description. Why? Because we did not get exactly as much revenue as would cover the demands of the present needs of the population. We also took large sums of money from loans for the development of agricultural and mineral resources. This was the position. Before we utilised a penny from revenue for a work such as that before the Committee he would ask Parliament to support him in providing roads and bridges out of revenue, and then all buildings, and then, if there was still any surplus, he would like to provide for agricultural and mineral development; and then, and then only, would come the question of constructing reproductive, and highly reproductive, works of this description out of revenue if we still had any surplus.

Mr. Scaddan: You were responsible for getting away from the policy of spending revenue on public buildings and roads and bridges.

The PREMIER: If any public work was necessary for the benefit of the people, and if there was not the revenue to construct it, he would spend loan moneys on it, and repay it over a given period, and think he was doing right and doing justice to the people. He would never think of asking Parliament to enable him to spend revenue on railway construction until he had provided for the roads and buildings and works of that description that were required and which could not be made directly reproductive. A railway could be made to produce anything necessary to make it payable. By imposing a certain tariff and certain rates we could make a railway payable, more especially when we were in the happy position of having a monopoly. We could work the railway system in order that it should always pay interest and sinking fund. Therefore, where was the commercial element?

Mr. Johnson: You may have to penalise another railway to make this a financial success.

The PREMIER: The railways were like a huge commercial concern, with numbers of branches, some just paying, some losing, and some highly paying, but when taken in the aggregate forming a payable proposition.

Mr. JOHNSON: The goldfields lines carried the agricultural lines for many years.

The PREMIER: That was very doubtful. In fact, the Great Southern Railway, and even the South-Western Railway, carried the goldfields line for a number of years. Did anyone expect the Port Hedland-Marble Bar Railway to pay interest and sinking fund for the first few years?

Mr. UNDERWOOD: Yes.

The PREMIER: No member with knowledge of business would dream of it, but we were justified in saddling the whole railway system with the small loss on that railway, knowing that it would open up a vast territory and probably become a payable concern in a few years. He would not hesitate to-morrow to ask Parliament to provide the necessary money to build the Trans-Australian railway to our borders. He would know that for the first few years it would not pay full interest and sinking fund in addition to working expenses, but he believed he could justify the position that in the near future the railway would not only be a highly paying proposition, but before 10 years had passed would pay not only expenses but also interest and sinking fund. The Committee should not cripple the Government and practically hang up this work. The line should be constructed at once so that we could get the early traffic. It was a business proposition to start promptly and finish promptly, and get the early revenue, also to give facilities to the hundreds of people we hoped would settle in the centre.

Mr. TROY: The policy of the Labour Government in regard to building works from loan funds, was undoubtedly to borrow money to build reproductive works, that it was not necessary that a work to be productive should be reproductive in the first or second year, and that so long as in good time it was re-

productive we were justified in borrowing money to carry it out. It was absurd for any party to endeavour to develop a great country such as ours and to build everything from revenue, even if we had the revenue at our disposal for the works. There was so much to be done, so many railways were wanted, that it was only natural we should build these railways from loan money, provided that they would be reproductive. It was doubtful whether we had built any railways during the past five or six years, with one or two exceptions, that would not become reproductive during the currency of the loan; and that was a reproductive work as he understood it. According to the Premier, if it had not been for Mr. Gardiner's action the Labour Government would not have been compelled to build the rabbit-proof fence from loan. The Labour Government were condemned for that.

The Premier: We have done it ourselves.

Mr. TROY: When the hon. member was in opposition no opportunity was lost to condemn the Labour Government for building the rabbit-proof fence from loan. Why was it built from loan? Because it was an urgent work. It was essential the Government should push on the work in order that the fence could be built before the rabbits made further advances into the agricultural areas, and had it not been for the rapid construction of the work the rabbits would have been in the agricultural districts by this time. He commended the Government at that time for utilising loan moneys. Although it was not the wisest course, yet it was the only course that could be taken, because the Government saved the country from the devastation that would have resulted by the invasion of the rabbits. When the Bill to construct the Bullfinch railway was before the House the other evening, he (Mr. Troy) deprecated the haste which was shown, and he stated that the district could afford to wait a little longer as there were other places which had waited a considerable time to get reasonable facilities granted, and he further stated that here was a rich mine, and the cartage for a few miles would be very



little cost to such a rich mine. He doubted, notwithstanding the reports, whether any rich stone would be found outside the Bullfinch. No doubt the Bullfinch was a very decent proposition, but he could see no reason why we should depart from the policy which had been adopted in the past of carrying out a work that we were assured was productive from Loan Funds. We had built agricultural railways from loan because we believed them to be re-productive works. At the same time we should build the goldfields railways from loan if we believed them to be re-productive. His objection to this railway was that the Government had shown undue haste, and that there were other localities which had waited for years and had not been given facilities which they were entitled to.

**Mr. McDOWALL:** It was to be regretted that he had not listened to the remarks of the member for Guildford in proposing the amendment, but it would have been immaterial to him had he done so, because the proposal was a hybrid one: it was hybrid in the sense that part of the cost was to come out of Loan Funds, and part out of revenue. If the principle were involved that we should only construct railways out of revenue then there might be some argument in support of the contention of the member for Guildford, and if that principle was to apply to the agricultural railways as well as to the goldfields railways then there would be some reason to support the proposal. On this occasion there was a double proposal which did not commend itself to him. Under these circumstances it was his intention to support the appropriation of the £40,000. It was extraordinary that members who represented goldfields constituencies, and members who had represented goldfields constituencies, should attempt to place the goldfields railways on a different plane to the other railways of the State. He (Mr. McDowall) had said in the Assembly before that the question of agriculture was running mad in this State, and he maintained most emphatically that we were pleasing agriculture altogether to the detriment of the goldfields. He did

not wish to be misunderstood in this connection; he did not mean to say that there was any actual studied misrepresentation in this direction, but we must all be forced to realise that there was a tendency to exalt agriculture and maintain that anything done for the development of the agricultural resources of the State was right and proper. There was unfortunately on the other hand a tendency that anything done for the goldfields was speculative. He objected to that most emphatically. The proposal before the Committee was to take £15,000 from loan moneys and £25,000 from revenue. Was that not practically saying that the goldfields railways should be treated in a different manner from the agricultural lines. When an agricultural proposal was brought forward, and an attempt was made to do the same thing, he then would be able to listen and reason with members, but he could not help raising his voice against what was now a monstrous proposal. The goldfields of Western Australia had been the making of the State. One had only to look at the immense amount of gold produced and to look at the statistical returns which showed that the country had been raised from 50,000 inhabitants to 250,000 in a few years. One had only to realise the influx of population which had caused the agricultural areas to be populated, and one must realise that it was the goldfields that had made Western Australia what it was to-day. If it were not for the goldfields of the State there would certainly be no occasion for a very long time to come to have a dock at Fremantle. His further reason for opposing the amendment was undoubtedly that it was placing the goldfields lines on a different plane from the agricultural lines. If the proposal should by any chance be carried, what opportunity had we to object to this procedure being carried out again? We were setting a precedent that it would be found extremely difficult to get over on a future occasion. If we could get sufficient revenue to construct all our railways out of revenue then there might not be any objection, but to say we should start now and carry out a proposal of this description was extremely

ridiculous. To say that every work that was to be carried out was to be paid for from money obtained from the immediately surrounding country was ridiculous, and that was what members in effect were saying. If this were done the country would never be developed.

Mr. Scaddan: How did we get our destroyers?

Mr. McDOWALL: That was not a question of this kind, and besides it was useless making ridiculous comparisons. These destroyers were not reproductive in any sense of the word, while railways were reproductive.

Mr. Johnson: This particular line might not be.

Mr. McDOWALL was prepared to take the risk. He was of opinion that in five years the line would have repaid the capital expended, and would be returning a handsome revenue to the State; but he emphatically entered his protest against any proposal to set a precedent that railways to be constructed on the goldfields were to be paid for immediately from revenue coming from the particular goldfields. He saw no justification, and no reason, for it, especially when he realised the vast amount of good the goldfields had done for the State. He, therefore, emphatically opposed the proposal of the member for Guildford.

Mr. ANGWIN: It was amusing to hear the member for Coolgardie. He seemed to be one of the leaders of that class in the State at the present time who liked to make dissension between the goldfields and the coast, and no doubt if the goldfields papers would print the speech which the hon. member had just delivered, he would be a hero in the minds of some people in those parts. The Minister was right in his remarks in regard to expending loan funds for the construction of railways in the present state of the revenue. We could not get away from the fact that even on this year's Estimates the hospital vote was considerably cut down, but if there was sufficient revenue to build a railway, which would be a reproductive work, according to the statements of some members, there

ought to be sufficient money to provide for the sick in the hospitals.

The Premier: We are providing for the hospitals alright.

Mr. ANGWIN: The hospital votes had been considerably cut down.

The Premier: That is because they had too much before.

Mr. Underwood: Oh, no.

Mr. ANGWIN: The very argument brought forward by those members to show that railways should not be built out of loans was the very argument why they should be built out of loans. One member had stated that the Bullfinch line would pay for itself in five years. Then where was the risk? It made no difference whether it was an agricultural railway or a goldfields railway, every member on the Opposition side would give it fair consideration. The hon. member for Coolgardie had said that he believed agriculture was running mad. It was to be hoped that it would become madder.

Mr. Underwood: How about the London Office and the immigrants?

Mr. ANGWIN: If the hon. member had his way there would be no London Office and the country would be at a standstill, and beyond doubt unless the country was going to borrow money it would be at a standstill. The Bullfinch railway had been passed almost unanimously, only a small number of members having raised their voices against it. Owing to the pressure on the general revenue of the State it had been necessary for the Government to reduce in the first place the Hospitals vote, and to next refuse the assistance asked for in connection with the construction of roads, and there was not the least doubt that a large sum of money, even with the construction of the railway, would be required to be expended about Bullfinch in necessary improvements there. Then how could we expend revenue in the construction of a railway when the money was required for other purposes even in that district? Under the present conditions the policy of opening up this country by the building of railways out of loan funds, whether on the goldfields or in the agricultural districts, was a wise one.

Mr. Bolton: You would not make a distinction?

Mr. ANGWIN: The only member who would make such a distinction was the member for Coolgardie. If there had been any difference the goldfields had been treated far better than other portions of the State. Railways had been scattered throughout the goldfields districts, roads had been built everywhere, and grants had been showered in abundance, and when there were grievances the people had only to wait on the Treasurer and the purse was opened for them. How different was it on the coast, where the people had practically to go down on their knees to the Treasurer if they wanted assistance. The argument used by the hon. member for Coolgardie was entirely wrong. Although the House had made a mistake in agreeing to the construction of the line, yet seeing that the House had so agreed, it would be only consistent to provide the money out of loan funds for that purpose.

Mr. UNDERWOOD: The member for Albany had called attention to the fact that he was the only person to tell what the policy of the Labour party was. That hon. member did not admit the right of another hon. member to express his opinion, and he had been congratulated by his colleague, the member for East Fremantle, on having put him (Mr. Underwood) in his place. He felt duly suppressed.

Mr. Jacoby: Is this a caucus meeting?

Mr. UNDERWOOD: To his mind the policy of the Labour party was to decrease borrowing, and if that was not the policy he was greatly mistaken. There had never been a better opportunity of making a start in the building of public works out of revenue than was presented by the proposed railway. We would never have a better chance of making a start in the construction of works out of revenue than at the present time, especially as it was revenue produced by the district which the railway was to serve. It was the duty of not only the Labour party, but of every political party to stop the excessive borrowing that had taken place all over Australia.

Mr. Bolton: Can it be excessive if it is reproductive?

Mr. UNDERWOOD: The hon. member for North Fremantle had complained of him being out of step. Anyone who was in step with that hon. member was deaf to the beats of the drum of progress. Any argument that the goldfields railways were speculative in comparison with other railways was on false premises.

The Premier: The hon. member for Guildford said so.

Mr. Johnson: I said nothing of the sort.

The Premier: You said that it was generally admitted that they were speculative.

Mr. Johnson: Your Minister said so. I will quote him if you like.

Mr. UNDERWOOD: The goldfields and mineral railways of Australia were the best paying railways with the exception of racecourse railways. The first railway in Victoria, and the best paying one to-day was that from Melbourne to Ballarat and Bendigo. The best paying railway in South Australia was that which ran to Broken Hill, and in Western Australia the mainstay of the railway system was the Kalgoorlie line. There was nothing speculative about any of the mineral railways of Australia. They were the absolute certainties and had helped to pay for many non-paying lines in other parts. He did not necessarily object to that, because the mineral fields were likely to give out in time, and those who were getting the benefit of the riches which were in the ground should contribute something towards developing the other portions of the State. Mention had been made of the rabbit-proof fence, and he still disagreed with the construction of that work out of loan funds. If there had not been sufficient revenue with which to build the fence, it should have remained unconstructed or more revenue should have been raised. There were several avenues of taxation yet to be opened up, and that was one of the good things for which such avenues should have been opened. He would always protest against loan money being spent on works of this description. The rabbits were inside the first, second,

and third fences, and if the Government erected a fourth and a fifth fence they would find their way inside those too. As a matter of fact, the country did not agree that the rabbit-proof fence had anything to do with keeping the rabbits out. The fence was a waste of money, even the maintenance now, and keeping boundary riders engaged upon it.

Mr. TROY: I entirely disagree with you.

Mr. UNDERWOOD: Having some land between the two fences he was satisfied to take his chance with the rabbits. The member for Coolgardie claimed that we should build all our railways out of loan or out of revenue. He (Mr. Underwood) entirely disagreed with that proposition. We should endeavour to build what we could out of revenue, and when we got a big work that could not possibly be done out of revenue we would be justified in building it out of loan. Where there was a small work, however, it was due to the Government to spend money that they had received from the district on the construction of that line. The hon. member for Guildford should withdraw his amendment and move one to provide that 15s. instead of £15,000 should be spent out of loan on this railway. The member for Albany stated that he was not in favour of building such lines out of revenue.

Mr. PRICE: Refer to the member for Albany's remarks, and do not put into his mouth words that he did not use.

Mr. UNDERWOOD: The member for Albany said that he was in favour of such lines being constructed out of loan, and so did the member for North Fremantle.

Mr. PRICE: I do not want any words put into my mouth.

Mr. UNDERWOOD: The hon. member used those words.

Mr. BOLTON: That ought to settle it.

Mr. UNDERWOOD: If the hon. member was in favour of building railways out of loan, he should be in favour of building everything out of loan. One might as well go the whole hog.

Mr. PRICE: Were he to allow the hon. member's remarks to pass unnoticed he would be lacking in duty to himself. The words which the member for Pilbara attributed to him were not used,

and coming as they did from a supporter of the Labour party they were rather surprising; but no matter from whom they came they had to be challenged. The statement which had been made earlier in the day was that he was prepared to support the expenditure of loan moneys on reproductive works. That was a very different thing from what the member for Pilbara had said, that he (Mr. Price) was prepared to support the construction of everything out of loan. The correction should be made because it was surprising that the member for Pilbara should deliberately and wilfully suppress very material facts in connection with an hon. member's speech.

Mr. BOLTON: The proper demeanour which he should display should be fear and trembling for daring to have views which were opposed to those of the member for Pilbara. The member for Pilbara seemed to be upset because exception had been taken to the accuracy of the statement made by that member. The member for Pilbara had deliberately said that the party had a non-borrowing policy.

The Premier: It was the Federal Labour Government which was referred to.

Mr. BOLTON: The member for Pilbara said this party also, and the member for Pilbara, who was known as the funny man of the party, with his usual gestures, took exception to the member for North Fremantle objecting to the proposal. That particular plank of the Labour party's platform referred to the limitation of borrowing for works which were not of a reproductive character. Speaking personally, he would support a loan for any reproductive work.

Mr. JACOBY: What is the definition of reproductive work?

Mr. SCADDAN: One that will pay interest and sinking fund during the life of the work.

Mr. BOLTON: It need not necessarily be a non-reproductive work because it did not pay interest during the first few years. The Bill would receive his support, because the capital value would be increased, and we could afford to spend loan moneys on such works.

Mr. JOHNSON : Speaking on the amendment, it was his desire to declare that he had never advocated, nor had he ever been heard to advocate, that the policy of the Labour party was a non-borrowing policy. That was not the case as far as the State was concerned, nor was it the case as far as the Federal Government was concerned. The Premier was not correct, therefore, in declaring that his policy applied to the Federal Government. True, the Federal Government would not borrow to build battleships.

The Premier: And the Transcontinental railway.

Mr. JOHNSON: The Federal Government were going to borrow money for the Transcontinental railway. The Premier should be corrected there, because he knew he was making a misstatement.

The Premier: I do not know anything of the sort.

Mr. JOHNSON: The Premier had evidently read the speeches of only Sir John Forrest and Mr. Hedges, and had never followed the utterances of Federal Ministers. He (Mr. Johnson) also desired to take exception to the Premier's construction of his meaning into an attack on goldfields railways generally. He dealt solely with the Southern Cross-Bullfinch railway, and no other proposition, and in doing so quoted one of the Premier's own Ministers, who declared that he recognised it to be a speculative railway. Some members on the Ministerial side of the House said that it was a gamble, consequently, it would strike one that as the Government had derived some £25,000 in revenue unexpectedly the speculative character should be removed, and that that sum of money should be devoted towards the construction of the work. The member for Pilbara asked, why agree to the expenditure of even £15,000 from loan money. The reason was that there would be an asset in the rails and fastenings, on which this £15,000 would be spent. If the railway was not a profitable concern, and if the district did not develop as we anticipated it would, then we could lift the rails and fastenings. Those rails and fastenings would represent more than £15,000, and would cover the expense of putting them down and raising them.

The Premier declared that because he (Mr. Johnson) had attacked this railway, that all goldfields railways were of necessity speculative, and had tried to make out that a comparison had been drawn between the goldfields and agricultural railways. What he had done, however, was to draw a comparison between the speculative railway and the general construction of agricultural railways. The railway to Kanowna was not looked upon by him as a speculative concern, because that field was developed and proved before the railway was constructed. The same thing applied to the Meekatharra railway; that could not be called speculative, because the Government waited to make certain that the gold mines there were permanent before they undertook the construction. The same condition of things applied to the Black Range railway; there was nothing of a speculative character there. No one, however, could say that the Bullfinch field was permanent, because there had not been sufficient development.

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

The CHAIRMAN: The hon. member for Guildford may resume.

Mr. JOHNSON: There was not yet a quorum present.

The CHAIRMAN: It was a continuous sitting, and therefore a quorum was not necessary.

Mr. JOHNSON: There were very few present to inspire a member in the making of a speech.

Mr. Seaddan: Wait till someone is here.

Mr. JOHNSON: The Chairman had directed that he should continue his speech.

The CHAIRMAN: Perhaps it was necessary to call the attention of the leader of the Opposition to the fact that it was a continuous sitting, and that when the time for reassembling was reached we should continue without any regard to the quorum. He (the Chairman) had called on the hon. member who had possession of the floor.

Mr. Seaddan called attention to the state of the House.

Bells rung and a quorum formed.

Mr. JOHNSON: The Premier had referred to the expenditure of certain

money from revenue by Mr. Gardiner, the then Treasurer, on the construction of railways, and had pointed out that at the end of that year there had been a deficiency. In fairness to Mr. Gardiner it should be pointed out that that gentleman was not Treasurer during the whole of that financial year, in the closing months of which, it was well known, there had been a considerable amount of reckless expenditure. As a matter of fact, on the eve of the general elections Mr. Rason, who succeeded Mr. Gardiner, had been guilty of most extravagant expenditure, largely with the desire of influencing the elections. Consequently it was not fair to hold Mr. Gardiner responsible for the recklessness of the administration of Mr. Rason.

The Minister of Mines: You should not accuse him of reckless expenditure.

Mr. JOHNSON: So reckless had been the administration of Mr. Rason that after signing the authority to spend £100,000 on the erection of offices in connection with the Railway Department that gentleman had subsequently forgotten all about it, and stoutly denied the signing of such authority. Surely this went to prove that his administration of the finances had been reckless. But in any case Mr. Gardiner had not introduced any innovation by expending revenue on the construction of railways, for a number of our railways had been partly constructed from revenue before ever Mr. Gardiner had taken over the reins. While perhaps there were but few railways which had been wholly constructed from revenue, yet revenue had been expended on the partial construction of several of our lines.

The Premier: On additions and improvements.

Mr. JOHNSON: Not on additions and improvements, but on actual construction. For instance, the Malcolm-Laverton railway had been, to an extent, constructed from revenue. And it was to be remembered that this expenditure of revenue had been in connection with railways which could not in any sense of the term be regarded as speculative, for they were railways extended to well established gold-

fields; whereas in this case we were asked to construct a railway to a goldfield not developed, and admitted to be of a speculative character.

Mr. BATH: The question of whether or not the railway was a gamble had been a matter for consideration when the Railway Bill was before the House. We would not deprive it of any of the characteristics of a gamble—if it were a gamble—by constructing it partially from revenue and partially from General Loan Fund. If we utilised the money which had been derived from the sale of town blocks at Bullfinch for the purpose of constructing the line it would mean we would have so much less revenue to devote to other purposes and, later, the Government would come along and declare that because they had been deprived of this money from Consolidated Revenue they would be compelled to use General Loan Funds for works of a more doubtful character, from the point of view of reproductiveness, than was this railway to Bullfinch. The objection he had was with regard to the method which had been pursued at Bullfinch. As a matter of fact the Government had laid themselves under the stigma of being parties to the unburdening of "wild cats" on an unsuspecting public. That was the worst evil he saw in connection with the railway. The Government should have rushed all the surveyors they could get on to the Bullfinch area, surveyed all the leases, and said to the leaseholders "Now, get to work and develop your properties; fulfil the labour covenants, and when you have given evidence of your desire for genuine mining development, as against speculative gambling at the expense of the public, then we will give serious consideration to the question of railway construction." But when the "wild cats" were unmasked, as undoubtedly they would be, the Government would be under the painful stigma of having been, wittingly or unwittingly, a party to those proposals. That was the unfortunate part of it. The following of proper methods would have taken only a month or two, because as a matter of fact had expedition been used many of these leases could have been

surveyed and genuine development insisted upon. It would have been a legitimate attempt on the part of the Government, who could have said, "We are anxious to help the field along, and we want to discriminate between the genuine propositions and the illegitimate ones." However, the opportunity had passed, and the Government had in a sense laid themselves open to the charge mentioned. Now that the railway had been decided upon the question was how the money was to be found. It would be of no advantage to use the revenue derived from the sale of Crown lands for the construction of the railway, and then have the Government come down later with the declaration that they must use General Loan Funds for works without a vestige of claim to be regarded as reproductive. Under the circumstances he could not support the amendment.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

Bill read a third time, and transmitted to the Legislative Council.

## BILL—HEALTH.

*To recommit.*

Order of the Day for the consideration of the Committee's report read.

The MINISTER FOR MINES moved—

*That the Bill be recommitted for the purpose of reconsidering Clauses 2, 3, 1, 11, 45, 51, 182, 186, 194, 238, 256 to 270, 276, and 294.*

Mr. HEITMANN: It was intended to move in the direction of the Commissioner's supplying the Minister with reports for presentation to Parliament. He moved an amendment—

*That the words "and Clause 23" be added.*

Amendment passed.

Question as amended put and passed.

*Recommittal.*

Mr. Taylor in the Chair, the Minister for Mines in charge of the Bill.

Clause 2—Division of Act:

The MINISTER FOR MINES moved an amendment—

*That the words "Central Board of Health" be struck out and "Minister, Commissioner, and the Officers of Public Health" inserted in lieu.*

Mr. HEITMANN: It would be well to get the opinion of the Committee as to whether we should have a department of Public Health.

The Minister for Mines: We could not do it now, it would be necessary to redraft the whole Bill.

Mr. HEITMANN: It was desired to make the Health Department control all matters concerning health, charities, medical, etcetera. At present the Health Department was a branch of the Medical Department, and the Medical Department was in itself a sub-department. Perhaps it would be possible to effect an alteration to the clause the Minister proposed to insert in lieu of Clause 11.

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

Clause 3—Interpretation:

On motion by the MINISTER FOR MINES the following paragraph was inserted:—"Commissioner means the Commissioner of Public Health."

The MINISTER FOR MINES: The member for Claremont had drawn attention to the fact that the definition of lodging house would make it imperative for persons at Cottesloe who took in a couple of lodgers occasionally to register. With a view to making the measure not so restrictive he moved an amendment—

*That the words "more than three" be inserted before "persons."*

Amendment passed.

The MINISTER FOR MINES: The definition of medical officer included all medical officers of health appointed by the central board or by a local authority. He wished to give the Governor power to make these appointments in lieu of the Commissioner. He moved a further amendment—

*That the words "Central Board" be struck out and "Governor" inserted in lieu.*

Amendment passed.

The MINISTER FOR MINES: In view of the decision of the Committee it was necessary to give the Minister charge of the general administration of the Act, leaving the details to the Commissioner and the local authorities. He moved a further amendment—

*That in the definition of "Minister" the word "general" be inserted before "administration."*

Amendment passed.

The MINISTER FOR MINES: In many parts of the Bill the word "official" was used. It was necessary to have a definition. He moved a further amendment—

*That the following paragraph be added to the clause:—"Public Health Official means an inspector, or medical or other officer appointed under Section 17 of this Act."*

Amendment passed, the clause as amended agreed to.

Clause 4—Repeal:

The MINISTER FOR MINES moved an amendment—

*That in line 5 of Subclause 3 the words "central board" be struck out and "Crown" inserted in lieu.*

Amendment passed.

The MINISTER FOR MINES moved a further amendment—

*That at the end of the clause the following words be added:—"and when in any enactment or document any reference is made to the Central Board of Health, such enactment or document shall, so far as regards its operation after the coming into force of this Act, be construed as referring to the Commissioner."*

Amendment passed, the clause as amended agreed to.

Clause 11—President:

The MINISTER FOR MINES moved an amendment—

*That all the words after "The" in line 1 be struck out and the following inserted in lieu:—"Governor shall from time to time appoint for the due administration of this Act subject to the control of the Minister, a duly qualified medical practitioner to be a Commissioner of Public Health. Such Commis-*

*sioner shall hold office during the Governor's pleasure, and shall not engage in private practice."*

This amendment would give the Governor full power to appoint a commissioner. He (the Minister) did not know how the member for Cue could insist on an amendment in this clause to make the Public Health Department a separate department. It would be just as well if the member left the matter to be dealt with by administration, as public health matters were growing in importance in the State and would receive prominent consideration.

Amendment (to strike out the words) put and passed.

Mr. HEITMANN: For the reason put forward by the Minister, that health matters were important, he desired to create a department of public health. It would be preferable instead of having a Health Department in the State, dealing with the Minister through an under-secretary, that the Department of Health should deal with the Minister direct. Nothing could be gained by the business of this department going from the commissioner, or his clerk, to the under-secretary, perhaps through many other officers before it reached the under-secretary, and then from the under-secretary, who probably did not know anything about health matters, to the Minister. The desire was, if possible, to create a department of public health, as health matters were becoming of great importance compared with what they were previously. If the Minister was favourable to the creation of a department of public health we might add to the amendment the words, "and shall, under the Minister, be responsible for the administration of the Health Department, which is hereby created." He could not see the necessity for the last sentence in the Minister's amendment, providing that the commissioner should not engage in private practice, because no one would be appointed a commissioner who desired to engage in private practice. In the Health Department of the State we had good, energetic men, like Dr. Hope, Dr. Cumpston, and the clerk of the department, all of



whom studied health matters, and it must be annoying to these persons to have the work of the department sent to the Minister through an under-secretary, who did not know anything about health matters. If the Minister could be reached direct these officers would be more satisfied.

The MINISTER FOR MINES: When dealing with Clause 7 the member for Cue had an amendment added, that the general administration of the Act should be under the control of the Minister. He (the Minister) added the words, "and the Colonial Secretary for the time being shall be Minister of public health." He was advised that by the amendments which had been made to Clause 7, it would not be necessary for any communication to go through the under-secretary, but could go direct from the clerk of the new department, when created, to the Minister, so that what the member desired had been attained.

Mr. HEITMANN: Health matters dealt with by the central board, from what he understood, went through the Medical Department, which administered various Acts under fixed conditions. He did not desire to see such a department like the Medical Department created, and he did not want the Health Department to be subordinate to the Medical Department.

The Minister for Mines: It could not be.

Mr. Jacoby: Was it understood that there would be created an under-secretary of health?

The MINISTER FOR MINES: No; there would be a secretary for health now. The same practice would be followed as under the Water and Sewerage Act.

Mr. UNDERWOOD: Some provision should be put into the clause on the lines indicated by the member for Cue, stipulating that the commissioner should be directly responsible to the Minister. That might be done by inserting after the words "the Governor's pleasure" the additional words "and be directly responsible to the Minister." The object sought to be attained was to have the Health Department practically a department by

itself, and not under the control of the Under Secretary.

The CHAIRMAN: The Committee had already struck out of the clause the words "subject to the control of the Minister," which were practically equivalent to the words which the hon. member desired to insert.

Mr. Jacoby: "Directly responsible" is not the same thing.

Mr. UNDERWOOD: There was a difference in the two phrases. His object was that the commissioner should be directly responsible to the Minister, and that he should not act through the Under Secretary.

The Minister for Mines: The amendment says "subject to the control of the Minister."

Mr. UNDERWOOD: That might mean directly or through the Under Secretary. His desire was that it should be placed beyond doubt that the commissioner should be responsible to the Minister alone.

Amendment (to insert words) put and passed.

Mr. HEITMANN moved a further amendment—

*That the following words be added at the end of the clause:—"and the commissioner shall on or before the first day of July of each year furnish to the Minister for presentation to Parliament a report on the public health of the State, and the work of his department."*

The MINISTER FOR MINES: There was no objection to the amendment. If it were found to be out of place in that clause the mistake could be easily remedied in another place.

Mr. COLLIER: The word "July" might be omitted, because the department would be bound by the financial year in the same way as other departments, and it might not be convenient to report on the first of July.

The Minister for Mines: All health reports and other departmental reports are for the calendar year.

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

Clause 45—Power to levy general health rate:

The MINISTER FOR MINES moved an amendment—

*That the words "upon the capital unimproved value" be struck out.*

Those words had been inserted on a motion by the member for Brown Hill in Committee and members were now asked to restore the clause to its original form. That was the only instance of where, when an amendment had been carried against him, he had asked for a re-committal, and he urged members to give consideration to the health, municipal, and roads boards authorities who were unable under the present Act to rate on the unimproved value. When dealing with an amendment of the Municipal Act the member for Brown Hill could more fittingly urge that it should be made compulsory to tax on the unimproved value, and if such an amendment were made the Bill before the Committee would give power to tax as the hon. member desired. The Committee would not be stultifying themselves in any sense in reversing their previous decision.

Mr. BATH: Since the Committee had decided upon the amendment which was now sought to be reversed, the case submitted in its favour when it had been moved had been strengthened. It was now found that the select committee upon the Roads Bill had recommended that that system of rating should be made compulsory in the Roads Bill, and it was to be anticipated that when the House had an opportunity of dealing with the rating clauses of the Municipalities Act a similar amendment would be inserted in that measure. In that case the anomaly would be entirely the other way because there would be local governing Acts with provision for rating on the unimproved value whilst in the Bill before the Committee there would be other rating provisions.

The Minister for Mines: But not compulsory.

Mr. BATH: The Minister was not opposing the reform, but thought that it should be brought about in other measures. If a reform was desirable it should be introduced in local governing mea-

sures every time the opportunity was presented. It was for that reason he had moved the amendment, and for that reason also he hoped the Committee would adhere to their previous decision.

Mr. PIESSE: In many small districts where the area was limited and the unimproved value of town lots was very small, it would be found that the revenue derived by rating on unimproved values would be insufficient to carry out the administration of the Act. The hon. member for Brown Hill in referring to the report of the select committee upon the Roads Bill had omitted to state that in that report the Committee had advised that the unimproved value should be taken wherever possible throughout the State. The Committee probably had in view the fact that there were districts where rating on the unimproved value would be impossible.

Mr. Johnson: Why impossible?

Mr. PIESSE: Impossible for the reason already indicated. In such districts as Woodanilling and Broome Hill the unimproved value was very small. If a district embraced a large area of rural land there would be some argument in favour of making rating on the unimproved value compulsory, but where the area was small and the boundaries of the district were limited it would be impossible to raise the necessary revenue. He could not see why we should not give the local authorities the option of rating on the annual rental value as well as on the unimproved value. The local authority should adopt the unimproved value wherever possible. It was his intention to vote for the clause.

Mr. JOHNSON: If the taxation on the unimproved value was the fairest system it was our duty to see that it was enforced. It was difficult to imagine any district in which it would be impossible. If at Broome Hill, which place had been quoted, the unimproved values would not return sufficient for the administration of the measure, he could not imagine that even if a tax on the rateable values were imposed sufficient revenue would be obtained. Was it not a fact that where the values were low the cost of adminis-

tration was practically nil? If there was no value there were no people. The member for Katanning should support the clause that provided for unimproved value. If the area was small the responsibility would be small. It was no argument to say that because the town was small this system of rating should not be enforced.

Mr. Piesse: Why not give the option.

Mr. JOHNSON: If one was fair and the other unfair why give the option of enforcing the unfair system?

Mr. JACOBY: The system of taxation on the unimproved value was one he was strongly in favour of, but he recognised it would not apply in every particular instance. We must provide in Roads Boards districts, where there was a town situated in that district, and where they did not want to be forced into declaring a municipality, a method of securing a higher rating in the town area. If we were taxing on the unimproved value, and supposing the rate were one penny in the pound, only eight shillings and fourpence would be derived from a property, the annual value of which would be assessed at £100, but which might probably be worth more than £500. To do the health work of a town properly this kind of rating would not be sufficient. Under the other system it would be possible to get five or six pounds more. For the present we could allow the people concerned to decide upon a system of rating which would be convenient. If we made a cast-iron stipulation we might find it would suit some and not other localities. He was not prepared to agree to the clause as it stood and he could not see the object of allowing this differential rating. The Government should decide the maximum. Why should some districts be limited to sixpence and others to ninepence?

Mr. Johnson: Why alter the clause in the Bill? It is all right as it stands.

Mr. JACOBY: It would not allow certain districts to get enough revenue.

The MINISTER FOR MINES: It was to be hoped that members would not be led away by the bogie with regard to taxation on unimproved values.

Mr. Johnson: It is no bogie.

The MINISTER FOR MINES: If we allowed the clause to remain as amended we would have the principle that one system and one system alone should be adopted, and that the values could only be made under the Health Act on the capital unimproved value. In every municipality they were only allowed to tax on the annual assessment, quite a different principle. Why not leave it as it was in the Act and as it appeared in Clause 46? Why not leave it optional on local authorities to tax under which ever system they liked? Then, if the Municipal Act were amended in the direction desired by some hon. members, namely, to make taxation on the unimproved value compulsory, it would be practicable to adopt the same principle under the Health Act and have the books prepared for the carrying out of that method.

Mr. Johnson: Would you give them an opportunity of so preparing their books?

The MINISTER FOR MINES: Could the hon. member say what decision the House might arrive at next year in connection with the Municipal Act? By that time it might be considered that the annual assessment was the better system of the two. At the present time the smaller health boards, taxing on the annual assessment, found it impossible to raise sufficient money for the purpose of carrying on their health work, and for that reason power was given to the Governor to enable those small health authorities to increase their taxation up to 50 per cent.

Mr. Johnson: Why not leave the amount absolutely at their discretion?

The MINISTER FOR MINES: Parliament had never yet gone that far.

Mr. Angwin: But the Government have gone further and declared that the boards would have to tax.

The MINISTER FOR MINES: That was a very old story. He did not think it was wise to give unlimited power of taxation to any board. The proposal was to leave the health authorities to tax under whichever system they preferred.

Mr. ANGWIN: It was to be hoped the Committee would be consistent and ad-

here to the decision previously given. The Government had gone to the length of proposing to compel local boards to levy taxes, and now the argument used by the Minister was that it would be unwise to give the local authorities discretionary powers as to what amount they should collect by taxation. The Minister was well aware that every municipal conference held since 1898 had passed resolutions asking for power to rate on the unimproved values. The member for Swan had contended that if the local board could not raise sufficient money on the 1½d., provided in the Bill, they should have authority to strike a higher rate; but the Minister had said it would be unwise to give them discretionary powers. The member for Katanning had discovered a mare's nest in the report of the select committee on the Roads Bill. That hon. member was overlooking the fact that the proposal referred to was in connection with mining areas, where it had been found impossible to secure sufficient contributions from the larger mines under the unimproved capital value system. The Bill provided greater rating powers than had ever before been given. Under Clause 99 a rate could be struck for certain works which had previously been provided out of the general health rate. Would it be fair that a man who erected a house at a cost of £500 should be heavily taxed, while his neighbour, who failed to improve the adjoining block, went free of contribution to the health rate? The introduction of the system would make but little difference to the municipalities, for all they would have to do would be to put on the unimproved value and add another column to the rate book; while in connection with land tax assessments a great advantage to the Government would lie in the effecting of a check on the unimproved values of land throughout the State. A large majority of the municipalities had adopted the system of rating on the unimproved value, and practically all the others were desirous of adopting it.

Mr. JACOBY: How were we going to administer the proposed principle equitably where we had included in a health

district a large area of rural lands? The member for Katanning had suggested that in such cases the local authority should be allowed to rate on the capital value within the township area and on the unimproved capital value beyond that area. This represented an attempt to get over the difficulty. But under the proposal included in the Bill as it now stood the effect would be that the rural lands included in the district would pay the greater portion of the health rate, whereas the benefit of the work done would be derived by the area within the township.

Mr. Bath: The present system applies exactly the same.

Mr. JACOBY: The hotels and the stores of a little township paid very little rates indeed, in comparison with the advantages derived. The only way to get over the difficulty, and still adhere to taxing on unimproved values would be to allow the local governing bodies to strike a certain rate in a township area and a lower rate in the areas outside the township.

Mr. BATH: The difficulties raised by the hon. member were against the clause as it originally stood in the Bill. There was no power given to discriminate between the owners of rural lands and those in townships unless provision was made by which the township was created a health board and the health district boundaries were not coterminous with the road district boundaries.

The MINISTER FOR MINES: The amendment before the Committee was whether we were going to have taxation on unimproved values alone or allow the board the option of rating on the annual value or on the unimproved value. Until we decided that issue we need not discuss the amendments on the Notice Paper to the other portions of the clause. We were now asked to strike out the words in the clause which did not leave the option open to the health board.

Mr. JACOBY: If the Minister's amendment was defeated, could the clause be amended in the direction of giving power to strike a higher rate within a

township, and a lower rate within the rural areas of one health district?

The MINISTER FOR MINES: Clause 51 provided that the local authority could levy differential rates in respect to portion of a district defined for the purpose by proclamation.

Mr. BROWN: With that assurance one could oppose the Minister's amendment, because all the roads boards with the exception of those on the goldfields could rate on unimproved land values. If values were low a high rate could be struck, and if values were high a low rate could be struck. A rate of 13/4d. in Perth would give the same return as 1s. 6d. in the pound on the annual value. As to large buildings on small areas that was the very bedrock of rating on unimproved land values. A person should not be rated higher than his neighbour.

Amendment put and a division taken with the following result:

Ayes	..	..	..	14
Noes	..	..	..	22

Majority against .. 8

#### AYES.

Mr. Butcher	Mr. Male
Mr. Carson	Mr. S. F. Moore
Mr. Cowcher	Mr. Nanson
Mr. Daglish	Mr. Plesse
Mr. Draper	Mr. F. Wilson
Mr. Gordon	Mr. Layman
Mr. Gregory	(Teller).
Mr. Harper	

#### NOES.

Mr. Angwin	Mr. Johnson
Mr. Bath	Mr. Monger
Mr. Bolton	Mr. O'Loughlin
Mr. Brown	Mr. Scaddan
Mr. Collier	Mr. Troy
Mr. Davies	Mr. Underwood
Mr. Gill	Mr. Walker
Mr. Hardwick	Mr. Ware
Mr. Heltmann	Mr. A. A. Wilson
Mr. Horan	Mr. McDowall
Mr. Hudson	(Teller)
Mr. Jacoby	

Amendment thus negatived.

The MINISTER FOR MINES moved a further amendment—

*That the following be added as Sub-clause 2:—Such annual rate shall not exceed—(a) in districts from time to time declared by the Governor, by notice in the "Government Gazette," to*

*be within this subsection, one penny farthing in the pound on the capital unimproved value of the land in fee simple, and (b) in other districts, three farthings in the pound on the capital unimproved value of the land in fee simple.*

The object was to give power to rate on the unimproved value as decided by the Committee. A maximum should be fixed.

Mr. ANGWIN: It was surprising that the Minister should move the amendment after the remarks of the members for Kataning and Swan. Why was there a necessity to put any restriction upon the local authority? If the local authority rated the people too high they could be removed. The only difficulty the Government had had with local authorities in the past, especially in the roads board districts, was to get them to strike a rate sufficient to meet the expenses and the requirements of the district. The Government had found it necessary to provide a minimum as well as a maximum. They could not trust the roads boards to put on sufficient taxation to carry out their duties. But now when we came to this important matter dealing with public health the Minister turned round and said, "We are going to ask you to carry out certain duties, and if you do not do it we will compel you, but we will not allow you to strike the rate you desire." How was it possible for the local authorities to get on at all when their wings were to be clipped in this most essential particular. It seemed that there was no confidence, on the part of the Minister, in the people who were elected to the boards of health. If it was intended to debar the local authorities from striking a sufficient rate to keep districts in a healthy condition would the Minister subsidise the amount from funds to be voted by Parliament? From his (Mr. Angwin's) experience local authorities tried as far as possible to keep the rates down to the lowest possible penny. Their idea was to show that they could carry on their work with a low rate. The local authorities were to be trusted in these matters. There was not a local authority that would strike one-eighth of a penny more

rate than was necessary to carry out the administration of the Act.

On motions by the MINISTER FOR MINES, Subclause 3 was further amended by striking out "value" in line 4 and inserting "rate" in lieu; also by striking out the words "on the annual ratable value or" in line 4; also striking out the words "as the case may be" in line 5.

Mr. JACOBY: It would be impossible to raise sufficient funds, for the larger buildings in a town would pay very little. The clause required a little further consideration. Because we would have the extraordinary position that under the system of taxing on unimproved values large buildings in the town site would pay an absurdly small amount, and it would be impossible for the health authority to do the work on the amount paid by such properties.

Mr. Bath: It ought to be left to the local authority.

Mr. JACOBY: Yes. He did not object to the principle of a maximum being inserted, provided it was made sufficiently high.

Mr. Bath: Threepence would be ample.

Mr. JACOBY: At all events 1¼d. was absurd.

The MINISTER FOR MINES: The hon. member could rest assured that the Health Department would be asked to go fully into the question. If it was then found necessary he (the Minister) would have the clause recommitted.

Mr. Jacoby: There is nothing to prevent the Minister moving to recommit on the next report to-morrow.

Mr. Bath: Or on the third reading.

Mr. Jacoby: The Bill would then be printed.

The MINISTER FOR MINES: The matter would be satisfactorily dealt with.

Clause, as previously amended, put and passed.

Clause 51—Application of rating provisions of local governing Acts:

The MINISTER FOR MINES moved an amendment—

*That the following be added to stand as Subclause 2:—"A local authority may utilise the same valuation rate-book, notice of assessment or valuation,*

*or distress warrant for rates made under this Act and rates made under its local governing Act."*

The point had been raised by the member for Kalgoorlie, and a promise given that the new subclause would be inserted on recommitment.

Amendment passed; the clause as amended agreed to.

Clause 182—By-laws as to dairies:

The MINISTER FOR MINES moved an amendment—

*That the following stand as Subclause 3:—"The Governor may make regulations providing for payment of such compensation as he may deem just by the local authority to the owner of any cattle destroyed pursuant to any such by-law, and providing for such total or partial reimbursement of the local authority as he may think just out of such moneys as may be provided by Parliament for the purpose."*

Although not present when the clause was originally discussed, he understood a promise had been made that the proposed new subclause would be inserted.

Mr. ANGWIN: The subclause was altogether contrary to the provisions of the clause. In any case it should have been added to Clause 217. He was afraid that at all future meetings it would be necessary for the local authority to have a solicitor present in order to indicate where the various clauses could be found. He would not object to the insertion of the new clause, but he had the strongest objection to the leaving in of the words "local authority." It should not be left for the local authority to pay the compensation. Any destruction of diseased cattle would be carried out by the Government officer, and that action should be approved of by Parliament providing the money for the compensation. If the proposed new subclause were agreed to, instead of the Minister providing the compensation it would become a charge on the funds of the local authority. He moved an amendment on the amendment—

*That in line 3 the words "by the local authority" be struck out.*

If this were agreed to he would move to

strike out further words in accordance with the proposed amendment.

The MINISTER FOR MINES: It was to be hoped the words would not be struck out. Surely some responsibility should be placed on the local authority. To remove from the local authority all responsibility for the ordering of the destruction of cattle would be unwise, while it would be unjust for the public generally, through the Crown, to be made pay for the destruction of cattle in a particular district. We were going quite far enough when we gave power to make regulations providing for a fair proportion of any amount paid away in compensation for the destruction of cattle being reimbursed by the Crown. The amendment moved by the member might result in no compensation whatever being paid.

Mr. Bath: Will the new subclause make it mandatory on the local authority to pay compensation in all cases?

The MINISTER FOR MINES: It was improbable that it would be thus interpreted. Clearly, it would be hardly fair to destroy cattle without compensation, while, on the other hand, it would be most unfair to make, say, the goldfields people contribute towards the compensation paid for cattle destroyed in the South.

Mr. JACOBY: The Colonial Secretary had promised a deputation from the Dairymen's Association that he would frame regulations similar to the regulations framed by the Board of Agriculture in England, providing for compensation being paid where cattle had been condemned and destroyed for the protection of public health. It was to be regretted that the promise then made by the Colonial Secretary had not been given effect to. The Minister had left no doubt in the minds of the deputation that he would make statutory provision for the payment of compensation and that he proposed to get legal authority to frame regulations.

The Minister for Mines: It was thought that Clause 21 would apply.

Mr. JACOBY: Would it not be better to have this portion of the Act administered by the department instead of

through the local authority. Those troubles were not confined to any particular district. The cattle might be imported and get past the veterinary inspector at Fremantle.

Mr. Angwin: And may be brought in by the Government.

Mr. JACOBY: Cows imported by the Government had had to be destroyed. Why should the Government not make provision for the registration of all milch cows and for a fee to be paid for such registration, such fees to go towards the provision of a fund out of which compensation could be paid where necessary?

The MINISTER FOR MINES: An endeavour had been made by the Colonial Secretary to carry out the promise made to the deputation, and the amendment before the Committee was evidence of his desire. It had been particularly pointed out by the Colonial Secretary when discussing the question with the deputation that under the regulations of the English Board of Agriculture full compensation was paid by the local authority. The Government were asking for power to make regulations and it naturally followed that regulations would be made. In the event of cattle being destroyed the owner would have a great grievance against the Government, if Parliament, having authorised the framing of regulations, the Government had not made such regulations. The proportion of compensation, however, would depend upon Parliament.

Mr. Angwin: It does not depend upon Parliament at all.

The MINISTER FOR MINES: The regulations would provide the amount to be paid by the Crown and by the local authority, but the provision for the compensation would come before Parliament on the Estimates each year. Some responsibility should rest upon the local authority and it should not be relieved entirely of the possibility of having to pay any portion of the compensation.

Mr. BATH: Whilst the new subclause would, in some instances, give power to the local authority to provide compensation for dairymen whose cattle had been destroyed, it was undoubtedly antagon-

istic to the general tenor of the clause. In Clause 182 it was the local authority that was to make the by-laws, and the amendment was antagonistic and foreign to that provision because it proposed that the Governor should make regulations and by-laws. Whilst there were cases of hardship, the amendment was a dangerous innovation, because it would relieve the dairy owner of the obligation to take the care which he would otherwise observe, when there was a possibility that his cattle would be destroyed. For instance, a dairyman might have a couple of cows infected with disease, and he might take no care in segregating them and preventing others from catching the disease, with the result that the whole of his herd would be infected. Under the existing Act he knew that unless he took care he would have his cattle destroyed, but if he knew that he was going to get compensation he would take less care. So far as the amendment of the member for East Fremantle was concerned, the provision in the Bill was a reasonable one, because, after all, it provided that the Crown might reimburse the local authority to the extent of the whole or portion of the compensation paid. The amount paid should depend upon the attitude and general work of the local authority in that regard. The matter could be more reasonably met with a slight amendment to Clause 217, by making it refer to this provision as well as to the part of the Act to which it principally referred as drafted in the Bill. That clause provided for the consideration of the whole circumstances as to whether the necessity for destruction had been occasioned by neglect on the part of the owner, and allowed the compensation to be proportioned accordingly.

Mr. ANGWIN: In almost every instance the payment of compensation would have to be made by a small local authority. There were not many dairies in the city of Perth, most of them being in the outside districts. A few months ago a large number of cattle had been ordered for destruction at South Perth, and if the Government's amendment had been law the local authority at South Perth would have been compelled to pay compensation

for the destruction of those cattle, and Perth, which had received the milk from the cows, would have paid nothing. The same result would be observed in other large areas in the State, and the responsibility for the destruction of the cattle and the compensation to be paid would fall upon those outside the area served by the cattle. It was not always the immediate district that was to blame for cattle being diseased. He could understand the argument that it was reasonable for the local authority to pay compensation if disease was brought about by its neglect. In this case it would not be the neglect of the local authority. Cows imported by the Government were infected before being brought to the State. If they happened to drop at Cottesloe, and were destroyed, the local authority at Cottesloe would have to pay compensation though it was a clear case where the Government should bear the compensation. There was a promise made that the Government would bear certain compensation, but the experience of the past showed that this could not be relied on. The existing Health Act provided that the Government would pay half the cost of treating indigent cases, but the Government avoided payment by putting on the local authorities the responsibility of finding out which were indigent cases. The Government could turn round and say to the local authority, "Why do you allow the disease?" and refuse to contribute. The local authorities should only be asked to pay what they were entitled to pay. They were certainly not entitled to pay for the destruction of cattle that would be destroyed under this clause. No local authority could prevent an outbreak of tuberculosis in a dairy herd. By direction of the central authority by-laws were made so stringent in East Fremantle that the dairy herds were all moved out of the district; and although the district was supplied with milk, the local authority would not have to pay compensation for any cattle. As a matter of fact compensation in these circumstances would have to be borne by the smaller and outlying districts. It was regrettable the Minister threatened that if the amendment were passed the Gov-



ernment would not provide regulations or any compensation for the destruction of dairy cattle. The Minister tried to intimidate members who were anxious to see a fair thing for the dairymen. There were some members who were anxious to see compensation paid to dairymen, no matter from what source it was derived; but by the threat of the Minister there was a possibility of members being inclined to believe it was not a just claim on the revenue of the State, and it might lead them to support the clause as printed. On due consideration the Minister must realise that the request that the State should pay for cattle destroyed was only fair and reasonable. The impression conveyed by the Colonial Secretary in replying to a deputation was that it was the intention of the Minister to provide regulations by which the Government would provide the compensation necessary for the destruction of condemned dairy cattle.

Mr. JACOBY: The Colonial Secretary certainly did convey that impression, and it was somewhat surprising to find that this extraordinary way of giving effect to the very nice promise made to the deputation was adopted. If we were to have anything like effective examination of dairy cattle, it could only be done through the Stock Department working with the Commissioner of Health. What facilities would the local authorities have for the inspection of dairy cattle? They would not be able to employ the veterinary surgeons who were essential. The department would find it extremely difficult to leave the work of inspection to the local authorities, because the work would be neglected. The local authorities would not have the necessary experts at their command. All milch cows should be registered, fees should be charged for registration, and regulations should be framed for the payment of compensation. The fees collected for registration should form part of a compensation fund which should be supplemented by funds provided by Parliament.

Mr. Bath: The hon. member could insert an amendment to that effect.

Mr. JACOBY: It would be preferable to leave it to the Parliamentary Draftsman to deal with. The matter might be

dealt with on another recommittal. It was most important to settle it, otherwise there would be deputation after deputation and dissatisfaction until some proper method was fixed up. Now was the time to settle this vexed question, otherwise there would always be inefficient inspection of the dairy herds of the State.

The MINISTER FOR MINES: It was all very well for members to talk of further recommittal, but if they had had his experience of hour after hour being spent in some instances without passing a single clause, they would not be desirous of promising anything more in regard to recommittal. He was given to understand so far as the clause was concerned that the Colonial Secretary in reply to the deputation referred to read the English regulations, and those regulations provided that compensation must be paid by the local authority.

Mr. Jacoby: No; he only read the system.

The MINISTER FOR MINES: As to creating an indemnity fund by registration fees, it was a feasible suggestion; but all the dairy cattle in the State would have to be registered, and the fees collected by the local authorities would have to be remitted to the Treasury to form a common fund for indemnity purposes. However, in the meantime it would be well to see how the regulations worked.

Mr. Walker: That is not fair.

The MINISTER FOR MINES: We should throw a certain amount of responsibility on the local authority. The member for Kanowna would object to the people of Kanowna having to pay a portion of the cost of destroying cattle at East Fremantle. As far as inspection in the metropolitan area was concerned, it was carried out by veterinary surgeons of the Stock Department who were ex-officio officers of the Central Board of Health.

Mr. Jacoby: What about the country districts?

The MINISTER FOR MINES: That would have to be done by the local authority.

Mr. JACOBY: It was unfair to the country authority. The town authority received the assistance of the department and the country authorities had to pay for their men.

The MINISTER FOR MINES: The equity of having an indemnity fund was recognised, but it was to be hoped that the alteration asked for by the member for East Fremantle would not be agreed to.

Amendment (Mr. Angwin's) on amendment put and negatived.

Amendment (new subclause) put and passed; the clause as amended agreed to.

Clause 186—Mixture of food etcetera, with injurious ingredients and selling the same:

The MINISTER FOR MINES moved an amendment—

*That in paragraphs (a) and (b) the words "penalty for first offence £50, for second offence imprisonment not exceeding six months" be struck out.*

Amendment passed.

The MINISTER FOR MINES moved a further amendment—

*That the following be added to stand as Subclause 3:—"Notwithstanding anything in this Act or the Justices Act, 1902, the irreducible minimum penalty for the commission (either as a first or as a subsequent offence) of any act described in paragraphs (a) or (b) of Subsection (1) of this section shall be half the maximum penalty (pecuniary or other) to which the offender is liable."*

Amendment passed; the clause as amended agreed to.

Clause 194—Sale of patent medicines may be prohibited:

Mr. BATH: In connection with the subclause which the Committee inserted at his instance, provision was made for the punishment of the person who advertised quack nostrums and misrepresented the effect of them, and also for the punishment of the persons who published the advertisement, etcetera. The clause as submitted, however, only applied to newspapers printed and published within the State. If we prevented per-

sons from selling these papers in Western Australia after having received due warning, we should punish those connected with the newspapers which were published outside Western Australia as well as those which were published within the State. Members would admit that some of the advertisements in the newspapers which came from outside were infinitely worse than those which appeared in the newspapers published in the State. He moved an amendment—

*That the following subclause be added:—"If any person shall sell or offer for sale, or have in his possession for sale any newspaper or publication published outside of Western Australia containing any statement which is intended or apparently intended to promote the sale of any article as a medicine, preparation, or appliance for the prevention, alleviation, or cure of any human ailment or physical defect, and which is false in any material particular relating to the ingredients, composition, structure, nature, or operation of that article, or to the effects which have followed or may follow the effects thereof, he shall be guilty of an offence against this Division. Provided that no prosecution shall be instituted against any such person unless before such newspaper came into his possession he shall have been warned by the commissioner of the falsity of such statement or of some other statement substantially to the same effect."*

Amendment passed; the clause as amended agreed to.

Clause 238—Puerperal fever:

The MINISTER FOR MINES: The amendment it was desired to make to this clause was purely technical. In the opinion of the draftsman, certain words had been put in the wrong place. He moved an amendment—

*That the words "to the local authority" also "to the nearest magistrate who" be struck out, and "to the local authority and also to the nearest magistrate" be inserted in lieu.*

Amendment passed; the clause as amended agreed to.

# Clause 256 — Nurses' Registration Board:

The MINISTER FOR MINES: It would be remembered that on Friday last Clause 256 was subjected to a good deal of amendment, and that in the end he had allowed the clause to be negatived on the voices, feeling that the opinion of the House was against him. However, the department was very desirous of having power to control the nurses and midwives and, in consequence, he had agreed to move to reinstate the clause. He moved—

*That the following be added to stand as Clause 256:—(1.) For the purposes of this part of this Act there shall be a Nurses' Registration Board. (2.) The board shall consist of five members. (3.) The commissioner shall be ex officio a member and the chairman of the board and the other members shall be two medical practitioners and two matrons to be appointed by the Governor for a term not to exceed three years, and to be eligible for re-appointment. (4.) The clerk to the commissioner shall be the clerk to the Nurses' Registration Board. (5.) For the purposes of this section, "Matron" means a nurse holding general nursing and midwifery qualifications. Provided that one of the matrons may be appointed on the nomination of the members of the Australian Trained Nurses' Association resident in this State, and one of the matrons may be appointed on the nomination of the members of the West Australian Trained Nurses' Association.*

It would be found that the proposed new clause was identical with that negatived on the preceding Friday, and contained all the amendments previously made by the Committee.

Mr. HEITMANN: It would have been better for the Minister, instead of bringing down one clause dealing with all these subjects, had put them in different clauses. He (Mr. Heitmann) proposed to deal with Subclause 1 as he had dealt with it on Friday last.

The Minister for Mines: You do not want to go into that again, do you?

Mr. HEITMANN: On the previous occasion his amendment would have been carried but for an accident and the fact

that at least one member supporting it was absent. What he proposed to do was to strike out from line 2 the word "nurses" with a view to inserting "midwives." Briefly, he would say we had a number of clauses dealing with the registration of midwives, while there was but one clause devoted to the registration of general nurses. In his opinion, the whole matter ought to be dealt with in a separate Bill. At the same time it was urgent that we should have a registration of midwives although not, perhaps, so urgent as that we should have a registration of nurses. It was of sufficient importance to warrant the Government bringing down a Bill at a later period while, in the meantime, he thought that the registration clause should be made to affect midwives only instead of nurses leaving the latter still to be provided for in this regard. He moved an amendment—

*That in line 2 the word "nurses" be struck out and "midwives" inserted in lieu.*

Mr. BATH: Although not present when the clause was originally discussed he had been pleased to learn that the clause was negatived, thus indicating that the Committee were not desirous of retaining the registration of nurses as provided in the measure. He would appeal to the Minister to delete this provision from the Bill, and tackle the question of the registration of nurses, general and midwifery, in a proper manner, as, for instance, in a Nurses' Registration Bill. We had the example of other countries, notably New Zealand, where they tackled the question in a practical manner.

## *Point of Order.*

Mr. Walker: On a point of order, I ask if this clause can again be submitted, seeing that the Committee negatived it on a previous occasion. It has already been debated, voted upon, and a decision arrived at; and it is now revived. On the ruling given by Mr. Speaker the other day we cannot go back to the clause.

The Chairman: This is on recommittal and the House has given the Committee power to deal with the clause; therefore, I hold the Committee are in order in dealing with it.

Mr. Walker: There is no clause to be recommitting; we wiped the clause out in the Committee stage, and from that time there has been no such clause. Therefore it cannot be recommitting.

The Minister for Mines: Decidedly it would be out of order if the case were on all fours with that ruled upon by Mr. Speaker the other day. In that matter we were dealing with the consideration of a subclause, and during the proceedings an effort was made to debate a new subclause similar in its terms to the one which had been struck out in Committee. Now we are on the recommitment stage, and have obtained approval of the House for recommitment, and received the authority of the Chamber for that purpose.

Mr. Walker: I want to insist, and to draw special attention to the fact that there is no such clause any longer; that on last Friday this clause was clearly wiped out. How, then, can we recommit it? It has been absolutely disposed of, negatived, wiped out, annihilated.

Mr. Draper: Can we not add a new clause?

Mr. Walker: This is the clause we have already wiped out.

The Chairman: I would draw attention to *May*, eleventh edition, page 305, where it is stated:—

In passing Bills, a greater freedom is admitted in proposing questions, as the object of different stages is to afford the opportunity of reconsideration; and an entire Bill may be regarded as one question, which is not decided until it has passed. Upon this principle, it is laid down by Hatsell, and is constantly exemplified, "that in every stage of a Bill every part of the Bill is open to amendment, either for insertion or omission, whether the same amendment has been, in a former stage, accepted or rejected.

Mr. Walker: That is quite correct. But it does not say that a point decided, a question dealt with, or a clause eliminated can be reinstated or can be again discussed. In some other form you can make this amendment, but this clause has been wiped out and we cannot go back to the same thing.

### *Committee resumed.*

Mr. BATH: It was undesirable that the registration of nurses should be dealt with in the casual way in which Clause 269 dealt with the matter. There was an element of danger in a slipshod system of registration of nurses. Under existing circumstances those requiring the services of midwives at least demanded that the experience of those persons must be a guarantee as to their fitness; but if, on the other hand, there was a system of insufficient training and a certificate were granted for what, after all, was merely a theoretical examination, it would be giving certificates to incompetent persons, and the public would be accepting such certificates as a State guarantee of the fitness of the person, when in reality the certificates were a delusion and a snare. There must be either registration which ensured a proper degree of competency or no registration at all until full and proper provision was made for it in a Bill dealing specially with the subject.

Amendment (Mr. Heitmann's) put, and a division taken with the following result:—

Ayes	..	..	..	19
Noes	..	..	..	16

Majority for .. 3

### AYES.

Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. Monger
Mr. Collier	Mr. O'Loughlin
Mr. Draper	Mr. Scaddan
Mr. Gill	Mr. Troy
Mr. Hardwick	Mr. Walker
Mr. Heitmann	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Underwood
Mr. Johnson	(Teller).

### NOES.

Mr. Angwin	Mr. Layman
Mr. Butcher	Mr. Male
Mr. Carson	Mr. S. F. Moore
Mr. Cowcher	Mr. Nanson
Mr. Daglish	Mr. Plesse
Mr. Davies	Mr. F. Wilson
Mr. Gregory	Mr. Gordon
Mr. Harper	(Teller).
Mr. Jacoby	

Amendment thus passed.

The CHAIRMAN: The clause would also be consequentially amended.

Mr. HEITMANN: The words "matron means nurse holding general nursing and midwifery certificates" seemed misleading.

The Minister for Mines: It was just as well to have good qualifications.

Mr. HEITMANN: But there was no mention of what the period and nature of the service would need to be. A matron should be one who had been in charge of a hospital.

The MINISTER FOR MINES: We could go back to the qualification in the original Bill. This qualification was put in to meet the wishes of the Committee.

Mr. HEITMANN: The definition could not be accepted. We should have a matron on the board who was in charge of a training home.

Mr. Angwin: It took you all day to get that definition put in, and it will take you all night to get it out again.

Mr. HEITMANN: What the Committee were asked to insert the other day was less than the clause now proposed. He had only asked to add the words "Matron means a nurse holding general nursing and midwifery certificates" to what was already in the Bill, and had made no mention of selection by the A.T.N.A. and the West Australian Trained Nurses. He moved a further amendment—

*That Subclause 5 be struck out.*

Mr. ANGWIN: The words the member for Cue now proposed to have struck out were the very words that hon. member had previously moved to insert.

Mr. Heitmann: Not all of them.

Mr. ANGWIN: An amendment moved on the proposal of the member for Cue with the object of striking out the words "general nursing" had only been defeated by one vote.

Mr. Heitmann: I did not put in the whole subclause.

Mr. ANGWIN: We had now definitely decided this board was only to deal with the registration of midwives. Therefore it was only necessary to have midwifery nurses on the board.

Mr. Heitmann: That is what I want.

Mr. ANGWIN: The Minister might have allowed the commissioner power to examine these people and ascertain whether they were qualified to act as mid-

wives or not. The clause had been well discussed and the necessity for it was pointed out on the occasion of the previous sitting, and the necessity for having proper representation on the board for the two sections was also dealt with. These two sections were not working in harmony and there was a feeling that the members of the West Australian Trained Nurses' Association were not properly qualified nurses and consequently there was a fear that if a board was appointed for the purpose of granting certificates of competency the nurses who belonged to that association would in all probability be debarred from practising. Hon. members agreed then that a clause should be inserted in the form in which it had been introduced. Now, the member for Cue wanted to delete from the clause the words which by a fair majority were agreed to on the previous Friday. If these words were struck out it would mean that there would be on the board three medical practitioners who would be working in harmony with the association called the Australian Trained Nurses' Association.

Mr. Heitmann: That association does not think so.

Mr. ANGWIN: We knew from practical experience whom they favoured. However, if the Committee desired to reverse its decision it could do so.

Mr. SCADDAN: The member for East Fremantle was justified in asking the Committee to make this provision. On a previous occasion the Committee agreed that this board should be for general nurses and midwives as well. Under those circumstances the Committee were afraid that the board would be made up of matrons from the general nursing standpoint, while midwives would be overlooked. Now we were deciding that it should be midwifery registration only and under those circumstances the board would attend to the matter from that standpoint and not from the general nursing standpoint.

Amendment put and passed.

The MINISTER FOR WORKS moved a further amendment—

*That the following definition be added:—For the purposes of this section*

"matron" means a nurse who has been for not less than three years the head of a nursing staff of a hospital treating not less than ten patients a day.

That was the definition which the hon. member wanted.

Mr. Heitmann: Two years would be sufficient.

Mr. Scaddan: I do not see the necessity for the amendment.

The MINISTER FOR WORKS: If the Committee were not inclined to have the definition he would not press the amendment.

Mr. Scaddan: I do not see the object of it.

The MINISTER FOR WORKS: I will withdraw the amendment.

Amendment, by leave, withdrawn.

Clause as previously amended put and passed.

Clauses 257 to 259—agreed to.

Clause 260—Regulations for examination of midwifery nurses:

Mr. BATH moved an amendment—

*That in line 3 of Subclause 2 the word "six" be struck out and "twelve" inserted in lieu.*

If we were going to issue certificates which would be accepted at their face value as a State guarantee of efficiency twelve months' training would be necessary.

The MINISTER FOR WORKS: Before the provision was submitted to the Committee the standard and requirements prevailing in England had been consulted. Here in Western Australia, with much less opportunity for training, the member for Brown Hill proposed to demand higher qualifications than those provided for in other places. It might be found impossible to give effect to the amendment if it were carried.

Mr. Bath: You admit the training is essential?

The MINISTER FOR WORKS: The clause demanded training, and provided six months as a minimum. The board would have the option of insisting upon a longer term if desired.

Mr. Scaddan: That is a layman's interpretation of the clause.

The MINISTER FOR WORKS: There could be no doubt as to its mean-

ing. However, he was not going to insist upon the point. We must not pass legislation that we could not enforce.

Mr. Heitmann: If you can enforce six months you can enforce twelve.

The MINISTER FOR WORKS: It did not follow. The number of institutions in which training could be obtained was limited and, therefore, the opportunities of obtaining training was limited. So it was absurd to say that if possible to enforce six months it was possible to enforce 12 months with the same number of institutions and the same number of cases to be dealt with. He hoped the Committee would not make the provision so strict that it would be impossible to carry it out.

Mr. BATH: The Minister had quoted the English practice. It would be informative to the Minister to look up certain articles that had appeared in the *Nineteenth Century* magazine in regard to the fallacy of the practice in the United Kingdom. There was great need for amendment so far as the English system was concerned. He would refer the Minister to the example of New Zealand, where the registration of general nurses and of midwifery nurses was dealt with in two separate measures, and twelve months' training was insisted upon.

The MINISTER FOR WORKS: The English practice required that candidates should have attended at 20 cases, and provision was made that they should produce evidence of having conducted a prescribed number of cases. He hoped the hon. member would not persist in the amendment.

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

Ayes	..	..	..	17
Noes	..	..	..	13
Majority for				4

#### AYES.

Mr. Angwin	Mr. Monger
Mr. Bath	Mr. O'Loughlen
Mr. Bolton	Mr. Price
Mr. Collier	Mr. Scaddan
Mr. Draper	Mr. Troy
Mr. Gill	Mr. Ware
Mr. Hardwick	Mr. A. A. Wilson
Mr. Heitmann	Mr. Underwood
Mr. McDowall	(Teller).

	Noss.	
Mr. Butcher		Mr. Male
Mr. Carson		Mr. S. F. Moore
Mr. Daglish		Mr. Nanson
Mr. Davies		Mr. Plesse
Mr. Gregory		Mr. F. Willson
Mr. Jacoby		Mr. Gordon
Mr. Layman		(Teller).

Amendment thus passed.

Mr. DRAPER moved a further amendment—

*That in line 10 the word "attended" be struck out and "conducted" inserted in lieu.*

Mr. SCADDAN: How was the Minister going to provide for the training of midwives in districts where there were no institutions for the purpose of giving that training? Did it mean that they would have to come to Perth, where the Government had not done much to provide an institution for that purpose?

Mr. Bath: They certainly cannot attend cases unless they have training.

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

Clause 261—agreed to.

Clause 262—Fees and expenses:

Mr. BATH: In order to encourage the birth rate the Government could very well do without fees in this case, and he asked the Committee to negative the clause.

Clause put and negatived.

Clause 263—agreed to.

Clause 264—Removal from register:

Mr. COLLIER moved an amendment—

*That the following be added to stand as Subclause 2:—"Any woman who thinks herself aggrieved by any decision of the board in refusing to enter her name on the register or of the board in removing her name from the register may, within three months after the date of the decision, appeal to the magistrate's court in a summary way. The court may make such order as it thinks just, and such order shall have effect accordingly."*

The object of the amendment was to remedy a deficiency in the clause, which gave no power of appeal to any nurse who considered herself unjustly dealt with. This was the provision in the New Zealand Act, but the English Act pro-

vided an appeal to a higher court. He thought it preferable the appeal should be made to the magistrate's court, but was not particular on the point, except that there should be some appeal. Warders and attendants in gaols and asylums had been deprived of the right of appeal, no matter how unjustly they might be treated by the autocrats in control of their departments.

Mr. DRAPER: No doubt there should be an appeal to some court from the decision of the board, but we should not allow one magistrate to upset the decision of a board of experts. The appeal, if any, should be to the Supreme Court.

The MINISTER FOR WORKS: The amendment of the hon. member would be accepted if the appeal was to be to a Supreme Court Judge.

Mr. COLLIER altered his amendment by striking out "the magistrate's court in a summary way" and inserting in lieu "a judge of the Supreme Court."

Amendment (as altered) put and passed; the clause as amended agreed to.

Clauses 265 to 267—agreed to.

Clause 268—Reports to be furnished:

Mr. COLLIER: The first subclause provided that it was necessary for every registered midwife to furnish to the medical officer for the district a report of every case attended by her. Then why the need to provide in Subclause 4 that the occupier of a house where a female was attended should notify the fact to the medical officer of health?

The MINISTER FOR WORKS: The object of Subclause 4 was to meet cases of malpractice in which the midwife might be the culpable party. In such cases the midwife would not be likely to report her own guilt, and the subclause gave the second opportunity for getting information by providing a second vehicle by which information could be obtained. In cases of abortion it would be the only channel of information. It made a duty on the occupier when she discovered by a woman's condition that an operation had been performed to report the fact to the medical officer. The subclause would be useful.

Clause put and passed.

Clause 269 (consequential) negatived.

Clause 270—Examination of school children:

The MINISTER FOR WORKS: The Committee in discussing this clause had inserted a provision enabling dentists to examine the teeth of school children. It was intended to insert after "dentist" the words "or any oculist," but obviously the drafting of the provision would be wrong, so that he would deal with the amendment when the Bill was before another place.

Clause put and passed.

Clause 276—By-laws to be laid before Parliament:

The MINISTER FOR WORKS: This clause was merely submitted for consideration: there was no amendment to be moved.

Mr. Bath: The Minister for Mines promised an amendment.

The MINISTER FOR WORKS: The Minister for Mines did not promise to move an amendment to this clause. The hon. member for Kanowna raised certain points with regard to the clause.

Mr. Bath: It was the hon. member for Pilbara.

The MINISTER FOR WORKS: It was one of those members, and recommitment was promised in order to enable them to move an amendment. It was pleasing to notice that both members were absent and it was to be hoped that none would step into the breach.

Clause passed.

Clause 294—Notice of action:

The MINISTER FOR WORKS moved an amendment—

*That in line 7 after the word "abode" the words "or business" be inserted, also at the end of line 8 "if any" be inserted.*

The clause would then provide that an action should not be brought against a local authority "until the expiration of one month after notice in writing has been served on such local authority, member, officer, or person, stating the cause of action, and the name and place of abode or business of the intended plaintiff, and of his solicitor if any."

Amendment passed; the clause as amended agreed to.

Bill again reported with further amendments.

## ADJOURNMENT—SPECIAL.

The PREMIER (Hon. Frank Wilson): I move—

*That the House at its rising adjourn to 7.30 p.m. to-morrow.*

Question passed.

*House adjourned at 11.15 p.m.*

## Legislative Assembly,

*Thursday, 24th November, 1910.*

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The SPEAKER took the Chair at 7.30 p.m., and read prayers.

## QUESTIONS POSTPONED.

The PREMIER (Hon. Frank Wilson): Owing to the holiday, Ministers have been unable to get replies prepared to the questions on the Notice Paper, and consequently I ask that they be postponed till Tuesday.

Mr. Seaddan: Is that for all questions?

The PREMIER: Yes; including those for to-morrow morning. It has been impossible to get the replies to-day.

## PAPERS — EDUCATION DEPARTMENT. ASSISTANT INSPECTOR.

On motion by Mr. PRICE ordered: "That all papers and correspondence between the Education Department and the Public Service Commissioner in connection with the appointment of an assistant