

is only one State in the Commonwealth that has such legislation; that is New South Wales. The Government have taken steps with a view of finding out how the measure operates there. Sometimes these things prove to be two-edged swords. By introducing such legislation we may make the position worse by discouraging people from building. I do not propose to deal with the subject of taxation at the present time because it is a matter that the Government do not propose to finally consider until the Budget is introduced. Whatever method of taxation is imposed it is bound to be the wrong one in the view of some people. With regard to the old age pensions, I told Mr. Hickey that I knew nothing about the matters he referred to. It is not in my department, but my experience of that department was that definite lines were laid down, and on top of that every case was treated on its merits. I think as a definite line, it was laid down that we should not give assistance to pensioners, but I know exceptions are being made to-day. I would be surprised to learn that the officers of the department had refused relief to anyone who deserved it. Mr. Hickey wanted to know how many soldiers had been settled on new country. It is only a few days ago that the question was asked in the House and the information was supplied. If that information is not sufficient I can perhaps let the hon. member have more. The matter of the Geraldton water supply is one with which I am familiar, and I know that an unfortunate position has arisen. The Minister for Works had a report from Mr. O'Brien. He was satisfied with it and he was anxious to help the Geraldton people. He knew what delay would mean, and he said that if the people were prepared to pay certain rates the Government would go on with the work. The Geraldton people agreed to that but in the meantime the Engineer-in-Chief raised certain very serious objections to the suggested scheme, and I think in the interests of the Geraldton people the Government were compelled, when they had engineers at opposite poles, to stay their hand and find out what the position actually was. I shall ascertain now how matters stand, but I assure the hon. member there is no desire on the part of the Government to shirk any work which will be in the interests of the people of Geraldton. I again appeal for forgiveness for my many sins of omission, and if there are any matters I have not dealt with I shall be glad if hon. members will bring them under my notice by way of question or in any other form. I have made notes of the different suggestions which have been put forward and will convey them to my colleagues. I say in conclusion that most hon. members in this House recognise that the present Government are faced with extreme difficulties in many directions, and that no matter what measure of success they achieve they are devoting themselves with singleness

of purpose in the endeavour to advance the best interests of Western Australia. A tone of greater confidence exists. There is more prosperity in Western Australia than has been experienced for a long time, and I think that the Government were quite justified in including in the Governor's Speech the expression of opinion that enterprise, energy and goodwill amongst the people were the only things required to make us a much more prosperous and bigger State than we are at the present time.

Question put and passed; the Address adopted.

*House adjourned at 10.17 p.m.*

## Legislative Assembly,

*Wednesday, 1st September, 1920.*

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

### QUESTION—MIDLAND COMPANY'S LANDS, ASSESSMENT.

Mr. TROY asked the Colonial Treasurer: 1, What was the land tax assessment on Midland Company's lands for the years 1917, 1918, 1919? 2, What amount of taxation has been paid, and what amount, if any, is still owing the State?

The COLONIAL TREASURER replied: 1, Amount of assessments on land held on 30th June, 1917, £1,466 8s. 10d.; 30th June, 1918, £1,453 14s. 4d.; 30th June, 1919, £1,388 12s. 2d.; total, £4,308 15s. 4d. 2, Amount of tax paid in respect to land held on 30th June, 1917, £1,466 8s. 10d.; 30th June, 1918, £720 9s. 11d.; 30th June, 1919, £1,388 12s. 2d.; total, £3,575 10s. 11d. Amount of credit

allowed under Land Tax Adjustment Act, 1918, £733 4s. 5d.; total, £4,308 15s. 4d. No land tax is owing.

#### QUESTION—SEED POTATOES, DISTRIBUTION.

Mr. PICKERING asked the Premier: 1, Is he aware that his instructions governing the distribution of seed potatoes in the South-West have been removed? 2, On whose authority has this removal been made? 3, As considerable anxiety exists amongst potato growers in the South-West in consequence thereof, will he have the matter of instructions reconsidered?

The PREMIER replied: 1, Yes. 2, The Governor in Council. 3, The regulations in question are under the Plant Diseases Act, and that Act does not provide for the imposition of regulations for any other purpose than may be justified by reason of the fact that they are necessary to prevent disease. The reports of the inspectors show that, so far as disease is concerned, the local conditions are practically identical on each side of the line which constituted the boundary of the restricted area. Prior to the removal of these restrictions, there were many complaints from growers in the South-West as to their inability to obtain seed potatoes when changes of seed were desirable. They can now obtain seed potatoes from any other part of the State, and also imported seed, provided it passes inspection at the port or place of entry.

#### QUESTION—GERALDTON WATER SUPPLY.

Mr. WILLCOCK asked the Minister for Works: 1, Has any report been received in connection with the investigations which have taken place at Wicherina regarding the suitability of the site for a reservoir for a water supply for Geraldton? 2, If so, what is the general nature of the report? 3, If favourable, will he give effect to his promise to have work commenced on the reservoir in September of this year?

The MINISTER FOR WORKS replied: 1, No. 2, Answered by No. 1. 3, The report when received will have immediate consideration, and no delay will occur in commencing the work should the report warrant same.

#### QUESTION—OLD MEN'S HOME.

Mr. WILLCOCK asked the Colonial Secretary: 1, Is he aware that the new instructions regarding the admission of men to the Old Men's Home are causing serious hardship to the applicants on account of unreasonable delay? 2, Is he aware that on account of such delay an application was not finalised until after the death of the applicant, many weeks after his application was made? 3, Will he

amend the regulations to provide that in country centres applicants who, in the opinion of either the Resident Magistrate or District Medical Officer, are fully entitled to admission to the Old Men's Home be admitted and railway passes granted on the order of the above mentioned without any delay?

The COLONIAL SECRETARY replied: 1, No. 2, No; apparently the question refers to an occurrence at Geraldton, but in this instance there was no delay in replying to the application for a railway pass. 3, The matter will receive consideration.

#### QUESTION—WAR PENSIONS AND TAXATION.

Hon. W. C. ANGWIN asked the Colonial Treasurer: Will he introduce legislation this session to amend the Income Tax Assessment Act to provide for exemption from payment of income tax on amounts received as pensions under the Commonwealth War Pensions Act?

The COLONIAL TREASURER replied: Yes.

#### LEAVE OF ABSENCE.

On motion by Mr. O'Loughlen leave of absence for two weeks granted to Mr. Holman (Murchison) on the ground of ill health.

#### BILLS (3)—FIRST READING.

1, Guardianship of Infants.  
Introduced by Mr. Roche.

2, Local Authorities' Sinking Funds.

Introduced by Hon. W. C. Angwin.

3, Westralian Meat Works, Limited, Shares Validation.

Introduced by Mr. Willcock.

#### PAPERS—WHEAT AGREEMENT.

##### *New South Wales' Supplies.*

Mr. HARRISON (Avon) [4.40]: I move—

That all papers in connection with the alleged repudiation of agreement to supply New South Wales with wheat from the Western Australian Pool at local consumption price be laid upon the Table of the House.

The Premier: This is not a formal motion.

Mr. HARRISON: I am informed by the Premier that this is not a formal motion. I have already spoken to the Minister concerned, and I understood there would be no objection to the production of these papers. There is a controversy in the wheat growing areas as to how this particular matter stands. Much has been said in the newspapers by people who have not had the evidence before them, and I thought the best means of getting the evidence was to have the papers laid on the Table of the House.

The Minister for Mines: It would be objectionable to place the papers on the Table of the House until the matter had been finalised.

Mr. Thomson: I second the motion pro forma.

The Premier: I move—

That the debate be adjourned.

Mr. Troy: This is a most extraordinary proceeding. The motion has been moved without any explanation or any discussion, and the Premier now moves that the debate be adjourned.

Mr. Hudson: You cannot discuss a motion for adjournment.

The Premier: Does the hon. member wish to discuss the matter to-day? If so, he has already had his opportunity.

Motion put and negatived.

The Premier: I have no objection to the debate being continued.

Mr. Troy: Let us hear something about all this.

Mr. Harrison: Does the hon. member mean me?

Mr. SPEAKER: The hon. member has already spoken.

Hon. W. C. ANGWIN (North-East Fremantle) [4.45]: I had thought that the leader of the Country party would give some reasons for his motion. It is known that the Country party repudiates the agreement entered into for the sale of wheat to New South Wales, Queensland and Tasmania. Seeing that the Country party is exhorting the Premier to take on a costly law case, with a view of trying to prove that this State did not enter into any such agreement, it is surprising that the leader of the Country party should ask the Premier to lay his cards on the table, in order that those who will be opposing him in the law courts may secure the information they want.

The Minister for Mines: They do not offer to put their own cards on the table.

Hon. W. C. ANGWIN: If the Country party thought the Government had any chance of winning the case, they would not move for the tabling of the papers, but would endeavour to keep them in the back-ground. I do not think the Government should be made to show their hand in this way, although if I thought the laying of the papers on the Table would save the Government from going to law and running the country into great unnecessary expense, I would vote for the motion.

Mr. Hudson: Do not you think the cost of the case will come out of the pool?

Hon. W. C. ANGWIN: No. The costs will have to come from the coffers of the State, or let me say from the deficit. There is no doubt the State will have to pay the costs. Mr. Baxter, at the conference, would scarcely have been cheered to the roof if those present had thought they would have to pay law costs.

Mr. Hickmott: Surely the expenses will come out of the pool?

Hon. W. C. ANGWIN: Very little, if any, of the expense will come out of the pool. If the case is taken to the courts the Consolidated Revenue will have to furnish the costs. Those who followed Mr. Baxter's speech can come to no other conclusion than that what he said was in effect, "We intend to see that you are protected. We will make an endeavour to set aside the agreement which Western Australia, with the other States, entered into." I hope the Government will not lay the papers on the Table.

Mr. O'Loughlen: On what grounds?

Hon. W. C. ANGWIN: On the grounds that the case has not yet been listed before the court.

Mr. Maley: It never will be.

Hon. W. C. ANGWIN: I hope it never will be. From the statements made by the Prime Minister there can be no doubt that Western Australia will have to furnish her share of the wheat supplied to New South Wales, Queensland and Tasmania. Nor is there any doubt that if the Minister for Agriculture were to make an honest confession it would save the State the expenditure of many hundreds, if not thousands, of pounds.

Mr. Thomson: That is a reflection on a man who is not here to defend himself.

Mr. Troy: Oh, why be a Pharisee?

Hon. W. C. ANGWIN: I have eyes to read what the Minister said, and I have a certain amount of knowledge to assist me in putting my own interpretation on his statement. So far as I have been able to read the statement made by Mr. Baxter, he says he was fully aware of the situation and fully in accord with the action of the Wheat Board as a whole.

Mr. Thomson: That is only your opinion. Why accuse him of being dishonest?

Hon. W. C. ANGWIN: I say that if he were to make a straight-out statement, it would be in the nature of a confession. What his remarks have been based on is a second thought, as the result of which he proposes to endeavour to get out of the agreement entered into. It is desired to get back on Mr. McGibbon, to show that Mr. McGibbon has done something wrong, and the only way to do that is by trying to make the farmers believe that the Government did not enter into this understanding arrived at by the wheat pool.

The Premier: That is not so.

Mr. Troy: Then why do not you tell us what is so?

Hon. W. C. ANGWIN: I wish it were not so, but I am afraid it is so.

Mr. Thomson: You are battling very hard for the other side.

Hon. W. C. ANGWIN: I want to save this State from a waste of money. Only a few nights ago I read an article—

Mr. Thomson: Printed in South Australia!

Hon. W. C. ANGWIN: Yes, in the "Farmers' and Settlers' Bulletin."

Mr. Thomson: They are pledged to the sale of the wheat.

Hon. W. C. ANGWIN: Just as Western Australia is pledged. They say definitely that the other States agreed to supply New South Wales, Queensland, and Tasmania. South Australia is in exactly the same position as Western Australia.

The Premier: Oh, no. They want to drag us in.

Hon. W. C. ANGWIN: It is not because they want us in, but because their representatives on the wheat board sold the wheat for less than they should have got for it. The South Australian authorities were so disgusted over the matter that they sent special delegates to Melbourne to investigate the position, and the result of that investigation was published in the "Farmers' and Settlers' Bulletin" on the 2nd August. They realise that their representatives on the wheat board entered into an honourable agreement, and this special delegation took the stand that they have to supply what their representatives agreed to supply. They have warned the wheat growers of South Australia that an agreement was entered into, and they say that if the price of wheat had since fallen instead of rising, there would have been no outcry, and that New South Wales, Queensland, and Tasmania would still have had to pay the price agreed upon. The steps taken here have been entirely different. In Western Australia it appears to be another Hughes-Watt affair. An attempt is being made to show that the other fellow did something wrong, and if we do not watch the position carefully we shall be landed in heavy law costs.

The Premier: You are prejudging the case.

Hon. W. C. ANGWIN: No; I merely want to save the money. I believe in honouring an agreement once it is entered into.

Mr. Thomson: You have to prove that it was entered into.

Hon. W. C. ANGWIN: I believe that it was.

Mr. Thomson: I believe that it was not.

Hon. W. C. ANGWIN: Two of the responsible representatives say that it was not entered into, but the third says that it was. If we read the discussion which took place in the Press prior to the conference, one of the two representatives referred to almost admitted that the agreement had been entered into. I refer to the Minister for Agriculture, who, having a fluent tongue, can make the average farmer believe that white is black.

Mr. Maley: Who is the Minister for Agriculture?

Hon. W. C. ANGWIN: Mr. Colebatch. The Country party have shown by this motion that they do not think the Government have a leg to stand upon. They believe the Government's case to be so weak that they want the papers tabled before that case comes on.

The Colonial Secretary: What case do you refer to?

Hon. W. C. ANGWIN: The Honorary Minister said they would fight this case in the law courts before they supplied the wheat at the price mentioned. The Government are backing him up in that.

The Attorney General: Can you say what the agreement actually was?

Hon. T. Walker: You say there was none.

Hon. W. C. ANGWIN: I am not allowed to quote from "Hansard" of this session, but I did hope that the leader of the Country party would give some reasons for his motion. He did not do so. If I had time I would read to the hon. member the extract from the South Australian "Farmers' and Settlers' Bulletin," which gives definitely the contract entered into.

The Attorney General: Which gives what it thinks the contract was.

Hon. W. C. ANGWIN: The contract was to supply the three States named with a certain quantity of wheat at a given price. The wheat was sold at the price obtaining when the agreement was entered into. If the price were to increase, the purchasing States would pay no more, while if the price decreased those States would still have to pay the price agreed upon. That is according to the delegation sent from South Australia to investigate the matter. It was a straight-out purchase from the Australian Wheat Pool. If the Government are willing to table the papers, let them do so, but for my part I will certainly vote against the motion.

The ATTORNEY GENERAL (Hon. T. P. Draper—West Perth) [5.0]: I want to say at once that the Government have no objection whatever to laying the papers on the Table of the House but, to my mind, it is very doubtful whether that course should be adopted, when at the present time the question as to what the actual agreement was, and what that actual agreement means is a matter on which we cannot get people to agree. I would not take any notice of the mass of statements which have been made by the Press in the Eastern States or the statements which have been made by a member of Parliament in this House, or in the other House. In making that statement I am not casting any slur upon the member in question, but I am looking at the question from a professional point of view as to what the words which were alleged to constitute the agreement mean. They may mean what was said in the Eastern States. They may mean what the Honorary Minister says they mean. That is a question for the court to decide.

Hon. T. Walker: What is the surface or ordinary meaning of the words used?

The ATTORNEY GENERAL: The ordinary meaning, I consider, is not what is suggested in the Eastern States. There are two points involved. I am not referring to what actually took place at the conference but, according to the Press statements, it is suggested that it was agreed that this State should undertake to join in supplying from the wheat pool, on an oversea basis, wheat

to New South Wales and Queensland, for the requirements of New South Wales, which would include, it was alleged in the Eastern States, requirements for the purpose of gristing, in order to enable that State to retain its export trade. That is the widest interpretation put upon the question by the Eastern States.

Mr. O'Loughlin: You admit that the statements made—

The ATTORNEY GENERAL: I shall be very much astonished if a court holds that this is the interpretation of the agreement. It is impossible at this stage to say whether it is or is not. I certainly do not think it goes to that extent. I am saying this to satisfy members that they should consider whether, at this stage, before litigation is commenced, before even the wheat pool in Melbourne has fulfilled its promise to send its case over to the Western Australian Government and tell us what their case is, the papers should be laid on the Table. That promise was made some considerable time ago, and they have never kept it. From a common-sense point of view, it does seem rather foolish to offer opinions here as to what might have been the consequences of the Honorary Minister's action until the Government know the case set up by the Wheat Board. Surely no possible advantage can accrue to Western Australia or to anyone concerned by so doing. The Government have not the slightest desire to conceal the papers. If that were the only question involved, the Government would lay the papers on the Table immediately, but I ask members to think twice before that course is decided upon.

Mr. MALEY (Greenough) [5.3]: Notice of this motion was given by the member for Avon (Mr. Harrison) a week before the conference of wheat growers assembled. I am quite in accord with the opinion of the Attorney General that no good purpose can be served by laying these papers on the Table. Even from the point of view of the enemy, no information is likely to be gained from them. Most of the papers, I presume, are in the Eastern States, and it would be impossible to lay them on the Table. I want to point out that even the papers in possession of this State, when placed before the member for Perth (Mr. Pilkington) in his professional capacity for an opinion, did not help him very much in forming an opinion. That is the position exactly. The matter was placed on the Notice Paper before the conference assembled, and the whole question, so far as I can see, remains in statu quo.

Mr. TROY (Mt. Magnet) [5.5]: I do not think we want the papers laid on the Table of the House if the Government will be embarrassed. What surprised me was the attitude of the leader of the Country party (Mr. Harrison), who gave notice of motion for the tabling of the papers and then abandoned the whole proposition without an explanation. If the hon. member was satisfied

with the explanation given at the farmers' conference, he could have said so here. He could have said, "I have heard the explanation given at the farmers' conference, and I do not intend to pursue the matter any further." I take the same attitude as does the member for North-East Fremantle (Hon. W. C. Angwin). I have a very strong opinion, not a legal opinion but an opinion shared by many others, including well known and leading members of the Farmers' Association, that this sale was made. In my opinion the Government will only be wasting the people's money if they go to law over the matter.

The Premier: There is no such suggestion at this stage.

Mr. TROY: I say it will be only wasting the people's money if the Government go to law for the purpose of pretending to the farmers of this country that they are out to conserve the farmers' interests. I believe that an agreement was arrived at, an agreement that binds the Government of this country at least, and when the export parity rose the Government found that a loss would result to our farmers. The Country party knew that the Government would not be too popular in the country if that loss resulted.

Mr. Thomson: That is why you take that view.

Mr. TROY: I have as much interest in the pool as has the hon. member, probably more. I am not concerned about the Government selling the wheat at 7s. 8d. It is a pretty good price; I am not clamouring for the last shilling. I am satisfied with what is provided for in the agreement, but I do not want the Government to waste the country's money by incurring heavy legal charges on a proposition which will be entirely hopeless, simply to cover up the actions of a Minister of the Crown, who might just as well have admitted that he made the sale.

The Premier: I do not think you are right in assuming that.

Mr. TROY: I do not blame the gentleman concerned for doing it.

The Premier: I know you do not.

Mr. TROY: Probably he did it in all good faith. I might have done the same thing in similar circumstances.

Hon. W. C. Angwin: It was done in good faith.

Mr. TROY: I think 7s. 8d. a bushel is a reasonable price. I do not hold that we should ask the people of the Eastern States for the utmost shilling they can pay for the wheat.

Mr. Mahey: It is not a question of price but of agreement.

Mr. TROY: The time may come when we shall want them to reciprocate.

Mr. Thomson: And they will do it!

The Minister for Mines: We had that time and they made us pay the last penny.

Mr. Thomson: Yes, for the last ounce.

Mr. TROY: I am not prepared to do evil because evil was done.

Hon. W. C. Angwin: They had no wheat for sale at that time.

Mr. TROY: I am prepared to accept the 7s. 8d. a bushel, and I believe the Minister in another place who made the arrangement made it in all good faith. I am sanguine that the Minister agreed to the proposition because during the whole period over which the controversy has extended—it was carried on with unabated fury by Mr. Baxter and Mr. McGibbon—that gentleman has held his peace. I saw Mr. Colebatch at Marvel Loch when he was coming down from his visit to the Kimberley district. That was when the controversy started, and I am satisfied from the fact that he has held his peace that he is satisfied in his own mind that the contract was made.

The Premier: That is not so.

Mr. TROY: I do not want to see the Government, who are so pushed for revenue, wasting the money of the country in a hopeless action at law in endeavouring to retrieve something that is past.

The Premier: There is no suggestion of that.

Hon. W. C. Angwin: It was stated in the paper.

Mr. TROY: Do I understand the Premier to say there is no suggestion of action?

The Premier: At this stage, no.

Mr. TROY: Then what is the confusion in the Press? Mr. Baxter said he is going to fight it. That statement was made at the farmers' conference. The question has been asked in the Federal Parliament.

The Premier: I say at this stage there is no suggestion.

Mr. Hudson: The Minister for Mines said there was, and that was why he did not want to put the papers on the Table.

The Minister for Mines: I did not say anything of the sort.

Mr. Hudson: You will find it in "Hansard."

Mr. TROY: I understood from the Press reports that the Minister said the Government proposed to fight this action. I know that an assurance was given at the recent farmers' conference held in Perth that the Government would fight it. That cannot be denied.

Mr. Hudson: That was camouflage.

The Minister for Mines: That might mean that they are making a claim and we are resisting it.

Mr. TROY: Then Mr. Baxter said he would fight it to the bitter end.

Mr. Thomson: Why should not he fight it if there is to be any case?

Mr. TROY: Members on the Government side are trying to throw dust in the eyes of their own supporters, and to pretend that there is a case when as a matter of fact their own Minister in another place has admitted the responsibility for any loss that occurs to their supporters. Their incapacity will be revealed to their constituents. All this noise has been made, and all this trouble has been entered into by the Government so that the farmers might be led to believe that the Government are doing

their best in behalf of the farmers. I hope the Government will not proceed with this case, because leading men in the association are convinced that there was a contract.

Mr. Thomson: There are other men just as convinced that there was no contract.

Mr. TROY: Some of the leaders have taken legal opinion and are convinced that there was a contract.

Mr. Maley: How do you know that?

Mr. TROY: I happen to know some of those men as well as the hon. member. I do not propose to tell him who gave me the information.

The Minister for Mines: A legal opinion on what? We cannot get one.

Mr. TROY: The leading members of the farmers' association are satisfied that a contract was honourably entered into, and that the Government will simply be wasting the money of this country if they go to court over a case which they know is hopeless. The Government can please themselves whether they lay the papers on the Table, but the Government should understand that this House does not desire them to enter upon any heavy legal expenses.

Hon. T. WALKER (Kanowna) [5.14]: I am very much confused as to what the real facts are. In listening to the Attorney General, I judged that there is some contemplation of certain matters requiring the interpretation of the court. We were assured by the Attorney General that he would be very much surprised if the court gave an interpretation of certain words not disclosed, which has been given to those words in the Eastern States. That suggests clearly that legal consideration has been given to the question in anticipation of what the court might rule.

Mr. Thomson: The Attorney General is the legal adviser of the Government.

Hon. T. WALKER: It is anticipated that, when litigation does take place, the decision of the court will be in accordance with the view taken by the legal adviser of the Crown, namely, the Attorney General. The Premier tells us there is no suggestion of that, but those in effect are the words he used.

The Premier: No, I said at this stage.

Hon. T. WALKER: Of course there is no suggestion at this stage, because at this stage the Government are in a quandary.

The Premier: Yes, I said so.

Hon. T. WALKER: We do not know what action did transpire.

The Premier: Your friend pronounced judgment.

Hon. T. WALKER: There was no pronouncement of judgment. At a former sitting of this House, the member for North-East Fremantle (Hon. W. C. Angwin) quoted from "The Farmers and Settlers' Association Bulletin" of Adelaide. That paper, an official organ of the Farmers and Settlers' Association in South Australia, distinctly announced

that there was a contract made for the sale of 30 million bushels of wheat at the price of 7s. 8d. per bushel.

Mr. Maley: Thirteen millions.

The Premier: Eleven millions.

Hon. T. WALKER: I cannot say what the quantity is. A definite statement is made in that journal as to the quantity sold. I heard the journal read, but I believe it is now, unfortunately, not procurable in the precincts of the House. However, it was a definite sale. That is the point.

Mr. Thomson: Who said it was a definite sale?

Hon. T. WALKER: The "Farmers' and Settlers' Bulletin," published in Adelaide.

Mr. Thomson: We are dealing with Western Australian wheat.

Hon. W. C. Angwin: Are they all liars in South Australia, and are we all truthful here?

Mr. SPEAKER: Order! The member for Katanning (Mr. Thomson) must cease to interject.

Hon. T. WALKER: Does the member for Katanning know more than the Attorney General knows?

Mr. Jones: He thinks he does.

Hon. T. WALKER: Does he know more of the facts than those who have spoken in the public Press on the matter? If so, it is his duty to let the facts be known.

Mr. Maley: Do you not know that New South Wales and Victoria have always supplied Tasmania and Queensland?

Hon. T. WALKER: No doubt they have. This is a definite statement in which all the parties concerned agree—"From the pool."

The Minister for Mines: You know the conditions of the pool, do you not? There are two pools.

Hon. T. WALKER: I am speaking of that pool in which Western Australia is involved.

The Minister for Mines: No. The Australian pool deals only with export. The State pool deals with the State's wheat.

Hon. T. WALKER: The understanding was that this sale was to be considered as export; and Mr. Hughes, the Prime Minister, said something to that effect in the Federal Parliament. Now, are we to trust the Prime Minister who assures us that the sale to New South Wales was or ought to be considered as an over-sea sale? That is to say, it was to be just exactly the same as if the wheat were exported. It was to be considered on that basis. If the Prime Minister is correct, then the statement of the "Farmers' and Settlers' Bulletin," Adelaide, can hardly be correct. But I want to ask the Attorney General what is meant by those opinions to which he was giving publicity through the agency of the "West Australian" not very many months ago? What was meant by his careful consideration of all the facts, of the statement made by Mr. McGibbon, by the Minister for Agriculture, and by Mr. Baxter? What was meant? A recognition that Western Australia might be committed and that the only

way out was the interpretation of conduct and phraseology?

The Attorney General: There were two questions. Firstly, was an agreement made? Secondly, for what purpose was the wheat to be supplied? That is most material.

Hon. T. WALKER: I will deal with the consideration of those two questions as the matter may be interpreted apparently from the Attorney General's own lips in the "West Australian." He gave it as his opinion that no contract was made, that the materials were there, evidently, for a contract, but that in his opinion no contract had been made. The Attorney General echoes that to-night when he says that he does not think any court will put the interpretation upon it that the Eastern States put upon it. So we are left just exactly where we were, in a quandary. The Attorney General himself has practically said to-night that he is in a quandary. Now I will say to the House that if there is to be no legal action taken upon this matter, there is no objection to the House being made acquainted with the facts.

The Premier: There may be. Who can tell at this stage?

Hon. T. WALKER: How can we tell at any stage? The Government have their legal adviser and surely he is aware of the facts.

The Premier: We have not got the case of the other side yet.

Hon. T. WALKER: Their case is our case. The member for Katanning (Mr. Thomson) may laugh, but our case is the facts that took place at the meeting of the board in Melbourne. Our case is the record of those facts forming the contract, or the imperfect contract, or no contract at all, whatever it may be.

Mr. Maley: There is no contract.

Hon. T. WALKER: Our case is precisely in that respect on all fours with the other. The facts, whatever the facts are, will determine whether there is or is not a contract. We cannot deny that. Therefore we are in precisely the same position as the East so far as information is concerned. Surely we have through our representatives all the information that the East has. Surely our Minister has a copy of the minutes. All the facts are in our possession, as they are in the possession of the Eastern States. Our case depends upon all the facts, and upon nothing else. The case of the Eastern States depends, similarly, on the facts. Why therefore wriggle about it? We surely are as capable of understanding plain language as they are in the East. To wait for others to report is as much as to say that we are not in possession of the facts, or that we have had the facts misrepresented to us by our own representatives.

The Minister for Works: Do you regard Parliament as an appeal court?

Hon. T. WALKER: Not in this instance. If the whole thing rests on the legal interpretation of phraseology, then the proper court for it is an established tribunal.

The Minister for Works: You are appealing before a judgment has been given.

Hon. T. WALKER: I am not appealing in any sense of the word. I am trying to get at where we stand. Whom are we to follow? The Attorney General leads us to believe that there is a possibility of an interpretation by a court. The Premier says there is no question of law at this stage.

The Premier: That is so.

Hon. T. WALKER: It is a quibble.

The Premier: It is no quibble.

Hon. T. WALKER: It is an evasion. If the report, or if whatever is submitted from the East, goes against the views of the Country party here, or against the view of the Attorney General or other Ministers, I take it then there is a suggestion of contesting the matter. There is that suggestion then.

The Minister for Works: Supposing there were, what then?

Hon. T. WALKER: Then the Premier was incorrect in stating that there was no question of litigation at this stage.

The Premier: No.

Hon. T. WALKER: The suggestion has been published in the Press and through meetings of the Country party, and it has been made more than once from the platform that Mr. Baxter was going to fight this thing to the bitter end, and that if the view held by the East was insisted upon, Western Australia would try the highest tribunals in Australia, and also the Privy Council itself, before giving in. That suggestion has been made again and again.

Mr. Lutey: That was just camouflaging the farmers.

Hon. T. WALKER: The suggestion has been made. If the Government are prepared to let the matter drop where it is, are prepared to take it that a contract has been made, either wisely or unwisely, then there can be no object whatever in withholding the papers, there can be no objection whatever to letting everybody read the minutes and all the details that led up to the present state of confusion. But I should certainly object to the papers being laid upon the Table if there be a determination to have the matter decided in the courts. If there be the possibility of the matter being submitted to the tribunals, let us keep the papers where they are.

The Attorney General: It would be absurd, on the contention put forward, for the Government to sign the papers which have been sent to them for signature.

Hon. T. WALKER: That is news at the last moment. We learn as we go along. If there is a possibility of litigation, the papers should certainly not be laid upon the Table of the House. But if there is no chance, no suggestion of litigation—

The Minister for Works: There is always the possibility, and it is wise not to show your hand.

Hon. T. WALKER: If that is the view taken by the Government, if it is possible that litigation may ensue, then the papers should not be placed upon the Table of the House, and I shall fight against that. But if the case is otherwise, if we are to take it that there is a contract and let it go on as it is, the House should be admitted into the confidence of the Government as soon as possible, and acquainted with all the particulars.

Mr. BROWN (Subiaco) [5.29]: I hope the Government will not agree to lay the papers on the Table of the House. The question refers, as far as I understand it, to the 1920 pool; and until that 1920 pool is properly adjusted, it will not matter to this State whether we are going to get the overseas price or the local consumption price. So far we have not refused to supply any wheat, and it has not been demanded from us. We have been told that when the adjustment takes place we shall know where we stand. If the adjustment takes away a few thousands of pounds from this State, then it will be for the Government to consider whether money is being taken from us which rightly belongs to us, and then it will be for Parliament to say whether it will be wise for the Government to take action or not. It seems to me ridiculous to ask that the papers be laid upon the Table of the House in connection with an alleged repudiation. I do not understand where this repudiation came from in the first place. It was talked about outside and in the Press and at the Farmers and Settlers' Conference, but surely all that has no bearing, so far as Parliament is concerned, as to whether the repudiation is legitimate or not. I hope a precedent will not be established in connection with this matter. Litigation might take place and by the placing of the papers upon the Table of the House information may be disclosed which may be of detriment to the State. I can see no valid reason for the papers being laid upon the Table of the House and I shall oppose the motion.

Mr. PICKERING (Sussex) [5.32]: In connection with this matter my opinion is that nothing will be gained by laying the papers on the Table of the House. I am not interested in the wheat pool. I have no wheat to put into the pool. The area on which I live is too expensive to clear for cultivation of this nature. It has been said that a million pounds is at stake on this particular question. I have every confidence in the Minister for Agriculture and I accept the statement he had made in regard to the business.

Hon. W. C. Angwin: He was not there.

Mr. PICKERING: His not having been there is not a vital point so far as knowledge is concerned. I understand that no member on the Board other than the Minister could bind the State in connection with the sale.



of the wheat, and therefore the contention that there was no contract is correct.

Hon. W. C. Angwin: But a Minister was there, though not the Honorary Minister.

Mr. PICKERING: I have gone carefully into the question with regard to the attitude of the Minister in another place whilst attending the Wheat Board meeting, and I am satisfied that the question he dealt with was not the sale, but the fixing of the price for local consumption. I hope the motion will not be carried.

Mr. THOMSON (Katanning) [5.34]: I am surprised at the member for North-East Fremantle (Hon. W. C. Angwin). He seems most anxious that we should act honourably. He declares he is convinced that we as a State are bound to supply the Eastern States with wheat at a given price, but we have had a statement made by those actually responsible, and they are in a better position to know how the matter stands. We must consider the enormous amount of money at stake, and I am surprised at the attitude the hon. member has adopted in reading and quoting from the South Australian "Bulletin," which admits on its own showing that they are pledged to the sale of this wheat. Then we have the member for Mt. Magnet (Mr. Troy) stating that it was to cover up the tracks of the Minister of the Crown. I do not think that the business people or the farmers of Western Australia are desirous of covering up the tracks of any particular Minister.

Hon. W. C. Angwin: I believe the farmers agree with Mr. McGibbon on this question.

Mr. THOMSON: I can assure the hon. member that there are plenty of farmers in my district who do not believe in Mr. McGibbon, and so far as I am concerned, I am going to see that the farmers in my district who have wheat in the pool get that extra million pounds. I intend to support the Government in every way to secure that for Western Australia.

Hon. W. C. Angwin: We all want that.

Mr. THOMSON: Hon. members opposite have a remarkable way of showing that it is their desire to see the farmers get that money. Hon. members seem to object because the Honorary Minister stated that he was going to fight the matter to the bitter end. It is his duty to fight the matter so that Western Australia may get justice.

Mr. Munsie: Who will pay the costs?

Mr. THOMSON: If we are successful, I trust the other side will pay. If we are unfortunate enough through some point of law to lose, it will not hurt the State such a great deal if we have to pay the costs. But if I mistake not, the pool will have to pay the costs.

Mr. Munsie: You know they will not if it goes to law.

Mr. THOMSON: I know nothing of the sort. I was rather amused at the statement made by the member for Mt. Magnet. He

said we may want the other States to reciprocate. We know very well, and the member for North-East Fremantle knows, how the Eastern States served Western Australia in 1914 when our settlers were in difficulties and our stock were starving.

Hon. W. C. Angwin: I know they never had anything to sell.

Mr. THOMSON: The hon. member knows that the Commonwealth Government compelled this State, which had imported wheat and maize to feed the people and the starving stock, to pay duty on what we imported instead of waiving that duty. That could easily have been done.

Hon. W. C. Angwin: They did the same to New South Wales.

Mr. THOMSON: We need not look for very much from the Eastern States. Unfortunately we are importing large quantities of butter and other things from the Eastern States. I wonder to what extent they are going to reciprocate. We need not look for sympathy and assistance from the Eastern States. If legally we are compelled to supply the wheat, of course we shall reluctantly do so. The hon. member seems to be so anxious that Mr. McGibbon should be on the right side. We have had a statement made by Mr. McGibbon and another by the Honorary Minister, and so far as I am concerned I am going to support the Honorary Minister. As a representative of the farming interests I would be wanting in my duty if I did not. The member for North-East Fremantle pretends that he is sympathetic towards the farmers, yet he makes a statement here that is anything but sympathetic.

Hon. W. C. Angwin: I believe it was an honourable deal.

Mr. THOMSON: The fact of the matter is that hon. members opposite see an opportunity to embarrass the Government.

Hon. W. C. Angwin: We did not move the motion.

Mr. Munsie: We think the Country party are going to run the State into expense, and it is not fair that the wheat pool should pay and not the country.

Mr. THOMSON: I trust that the papers will not be laid on the Table of the House. I desire further to say in all sincerity that I believe the Honorary Minister was right, especially when we take into consideration the statements made by the Attorney General and the Premier that the Eastern States have been requested to state the grounds on which they base their claims and that they have failed to do so.

The Attorney General: They promised to do so.

Mr. THOMSON: But they have not done so to date. Everything points to Mr. Baxter being right. I am fighting for the farmers and for justice in this matter, and I trust that the member for North-East Fremantle will show practical and not false sympathy.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [5.40]: We are discussing something which even the motion itself sets out is "alleged." Therefore we might get back to the subject of the motion and consider whether it is desirable that these papers be laid on the Table of the House. We should realise that the purpose of laying papers on the Table is not merely to supply information to members, because generally speaking papers are available to hon. members if they will call at the offices of Ministers and peruse them there. The object in calling for the tabling of papers is to make those papers available to the general public, and whether the members for North-East Fremantle and for Katanning are right or wrong, the fact remains that the dispute existing between the Federal Government representing the Australian Wheat Board and the West Australian Government representing the State of Western Australia has not been finalised and until the matter is finalised it is not good policy to lay the papers on the Table of the House. I know if the member for North-East Fremantle were on this side of the House he would adopt precisely the attitude we are adopting now, and he would say that if we had a reasonable opportunity of demanding full value we should demand that full value, because they demand full value for the products that they send us. The people in this State know well that during the periods of war and drought, when we had to look more than ever to the Eastern States for many of our requirements, and when we had a Price Fixing Commission in Western Australia, nearly the whole of the increased cost of living in this State was due to the fact that the producers in the East were demanding more from us for commodities than they were getting over there. Members opposite know that we have no control. We had to go to the Federal Government to make representations for prices-fixing in order to protect the people in Western Australia from the producers in the Eastern States. It is suggested that we have entered into an agreement with regard to the disposal of wheat from this State. I do not know sufficient about the matter to say whether there is an agreement or not, but whatever agreement we have entered into, if the Government are in honour bound to adhere to any agreement, then we shall adhere to it. I say, however, that what was put up was never agreed to by this Government or by its representatives. I went to Melbourne in December on another matter, and was specially asked to represent the Western Australian Wheat Board at a conference that was being held here. This question arose at that conference. The minutes will show that I asked the question as to whether this would affect Western Australia and I was told that it would not do so, that Western Australia had never been permitted to supply any other State in Australia, and that this duty belonged essentially to South Australia and Victoria. I then said, "Whatever decision is arrived at by this meeting I

understand that it does not affect us in Western Australia." Then Mr. Pitt said; "It does not concern you but only concerns Victoria and South Australia." I received a definite understanding on the point, with the result that I took no further interest in the discussion. I realise that we are Australians, but we have to consider matters affecting our welfare, not from the point of view of the direct conditions that may prevail but from the indirect point of view. If we realise that we are in duty bound to give the eastern side of Australia at a reasonable figure the commodities that we produce so as to assist in preventing as far as possible any increase in the cost of living there, and they in turn can be induced to view the position through the same spectacles, the better it will be for Australia. This has been the trouble throughout the Commonwealth during the last few years. I am not going to be a party to preventing the producer here from getting the full value for his commodity, merely because of a dispute that may exist between the Honorary Minister and Mr. McGibbon. Especially do I have this view when we have to pay full value to the Eastern States for the commodities we receive from there. It is all a matter of exchange. They do not pay us in cash; we send them our wheat and they send us butter and other things. Do they ever suggest sending us butter at a lower price than the market price? I told them in Melbourne that butter that was sent to us as first class butter, at the same price that could be obtained for first class butter in London, was nothing but cart grease.

The Honorary Minister: I sent back many cases myself.

The MINISTER FOR MINES: Are we supposed to say, "You smote me on one side of the cheek, now here is the other side for you to smite."

Hon. W. C. Angwin: Who suggests we should do so?

Mr. Thomson: You stated that we should reciprocate.

The MINISTER FOR MINES: Any agreement to sell a commodity can only be an agreement when the buyer undertakes to accept that commodity at the price quoted. If I offered to sell a certain commodity and was prepared to sell it at 7s. 8d., and the prospective buyer says, "We will see about it" and the price goes up to 10s., the buyer cannot say afterwards; "I will take it at 7s. 8d."

Hon. W. C. Angwin: That is not so in this case.

• The MINISTER FOR MINES: The buyer has to take it at the price quoted at the time that he agreed to be a party to the agreement, and not afterwards. In December they said we were not in it at all, and that they did not want our wheat at any price. The hon. member knows that at present we have been in difficulties in regard to offal. We talk about establishing the dairy-industry—

Mr. SPEAKER: I do not think we can allow a broad discussion on this motion.

The MINISTER FOR MINES: We are here to guard not only the interests of the farmer, but the interests of the whole State. That is what the Government are here for. I realise my responsibilities as a member of Cabinet, and in the circumstances, and in view of the fact that we send the Eastern States a particular commodity, and get others in return, we are entitled to see that our own producers get a fair deal. There has never been the slightest desire to repudiate any agreement that has been entered into. No such suggestion was ever made. All we have asked is, "What is the agreement that you say exists? If you have a claim against us put it up." They answered, "Very well, we will send you full particulars and tell you exactly the ground on which we claim against you, and the matter can then be decided." We accepted that position. That took place months ago, and they have not yet sent the full particulars along, although we have repeatedly asked them to do so. Now we have sent the Honorary Minister over to the Eastern States to discuss the matter with them on the spot. They are not too strong on the point, or they would have sent everything along the next morning. There is every reason for the Government acting cautiously in this matter. We are entitled to protect our own producers just as the Eastern States Governments are entitled to protect theirs. The time, in my opinion, is not opportune for making this matter public. It is not a question merely of making it available to hon. members, but it is a question of letting the general public know the full details and letting those also know who are trying to make out a case against us—our case.

Hon. W. C. Angwin: The Commonwealth Government have got the money.

The MINISTER FOR MINES: I do not deny that, but does the hon. member suggest that the Commonwealth have always been anxious to assist us with money?

Hon. W. C. Angwin: The Commonwealth will keep the money for your share of the wheat.

Mr. Troy: They are waiting for your case, because they have the money.

The MINISTER FOR MINES: I have no hesitation in saying that I believe this matter will be finally adjusted to the satisfaction of the Federal Government, the New South Wales Government and the Government of this State, but we have no right to force the position until we have the full facts before us. Mr. Hughes has not sat upon the board, for Senator Russell has always represented him. Senator Russell made a statement to the Prime Minister, who has circulated it. It is just the same as when the Premier makes a statement to the public on information supplied by the Honorary Minister. Will hon. members suggest that everyone must accept a statement as being the other man's case as well?

The Australian Wheat Pool deals overseas with the sale of wheat grown in Australia. The Australian Wheat Pool deals with the sale of wheat grown in Australia overseas. The State Wheat Pool or board deals with the sale of wheat locally.

Hon. W. C. Angwin: That includes Tasmania and New Zealand.

The MINISTER FOR MINES: The Australian Wheat Board cannot bind the State Wheat Board by merely passing a resolution at one of their conferences. The resolution has first to be considered by the State Wheat Board, and agreed to by the State Government acting on their behalf.

Hon. W. C. Angwin: How can they stop them from sending the wheat away?

The MINISTER FOR MINES: It is still a question as to whether they can.

Hon. W. C. Angwin: They did do so.

The MINISTER FOR MINES: I know. It is still a moot point as to whether they can do so, but I am strongly of opinion that they never had the power to prevent us from doing it.

The Honorary Minister: They never had the right.

The MINISTER FOR MINES: After all, we were asked to send over wheat in excess of the requirements of New South Wales for local consumption to grist into flour at local consumption prices, they to sell the flour from it at export prices and send their flour to the markets we are trying to get for ourselves.

Hon. T. Walker: Is it true that they have done that?

The MINISTER FOR MINES: They tried to do it but we stopped them. We have had an uphill fight all along the line, even to the extent of fighting New South Wales in giving a bonus under the lap in contravention of the Federal Constitution, in order to encourage the growth of wheat in New South Wales and the sending of flour overseas to get the offal for home uses. We have had to fight that. It is only in the last two or three years that the New South Wales Government have dropped that. Is it fair that we should send wheat to New South Wales to grist into flour to send to our markets, and for us to go short of offal?

Hon. W. C. Angwin: Mr. Hughes said that Western Australia had never been requested to send any wheat. The request was never made to Western Australia. It was going through the pool.

The MINISTER FOR MINES: What did he want? The only pool that the Australian Wheat Board controls is the export pool, and that is not New South Wales. As a matter of fact, in order to allow Mr. Hughes to take wheat from our pool and send it to New South Wales, he has to get the concurrence of the Western Australian Wheat Board. If South Australia said, "Very well, for the purpose of supplying New South Wales, we will treat the wheat as

being wheat to be used for export purposes and allow control by the Australian Wheat Pool in conjunction with New South Wales" that would be merely an agreement to allow the wheat to be treated as export wheat and put into the Australian Wheat Pool. If the Western Australian Government said it was not to be treated as wheat for export, the Australian Wheat Board could not compel us to do so. The Australian Wheat Board has a constitution just the same as ours, and that provides that only on the question of export can that board interfere.

Hon. W. C. Angwin: They have got the money.

The MINISTER FOR MINES: They may have the money, but the hon. member knows that this does not make a case. They may say, "We have the pull because we have the money, and if you do not do as we demand you will not get the money." I do not think, however, that people in the Eastern States would permit the Federal Government to do that, and I do not suggest that the Federal Government would do it. If we are bound by any agreement we will stand by that agreement, whatever it may cost the Government. We are not entitled, however, merely to come to a conclusion, because the other man makes a demand, until we have a case submitted. If we are in honour bound, we will stand by it and be bound.

Mr. LUTEY (Brownhill-Ivanhoe) [5.53]: The debate shows clearly the slipshod manner in which the Government conduct their business. The member for Avon (Mr. Harrison) has put forward a definite motion on a question which concerns something like a million of money. As the responsible leader of the Country party, he is no doubt backed by the rest of his party in asking this important question. In the few remarks he made on the question he said that he had consulted with Ministers.

Mr. Maley: He is speaking as an ordinary member of the House.

Mr. LUTEY: The Premier lightly and airily passed it off and moved the adjournment of the debate, without affording hon. members any explanation at all. People are waiting for the explanation. They have, at all events, had more than they would have had but for this motion being brought forward. There is another motion coming forward directly, and I am sorry to see that the leader of the Country party has, conveniently for the Government perhaps, vanished from the Chamber.

The SPEAKER: The hon. member cannot anticipate another motion.

Mr. LUTEY: I hope that when adjournments are moved for, as has been done in this case, when important questions are submitted to the House, the Government will give some explanation before the matter is postponed.

Question put and negatived.

## MOTION—WORKERS' COMPENSATION ACT, TO AMEND.

Mr. MUNSIE (Hannans) [6.0]: I move—

That in the opinion of this House the Government should introduce a Bill during the present session of Parliament for the purpose of amending the 'Workers' Compensation Act.

I am sorry that it should be necessary for a private member to move such a motion. We have had many speeches delivered here expressing surprise that the Government made no intimation in the Governor's Speech of their intention to do anything from an industrial standpoint. If there is one Act more than another which affects the workers of this State it is the Workers' Compensation Act. Seeing the number of resolutions that have been carried by different organisations and forwarded to successive Governments, since 1912, requesting amendments to that Act, I did think some amendment would have been made in the measure. Having gone carefully through the Workers' Compensation Acts of the various States and of the Commonwealth and of New Zealand, I am prepared to admit that in some instances our Act is ahead of the others. But in many other instances it is considerably behind them. When we go beyond Australasia I can name Germany, Sweden and Switzerland as being in the forefront in this legislation. Although we have been at war with Germany, the Workers' Compensation Act of that country is the most up to date in the world. I am not saying that out of any good feeling for Germany, but merely by way of stating an undeniable fact. The Act of Sweden is considerably ahead of anything in the Commonwealth, and the same may be said of the Swiss Act. So, too, the Act of Great Britain is ahead of all the Australian Acts except that of Queensland. I mention these facts in passing in order to show that in asking for amended legislation I am not making any unreasonable demand. One desired amendment in our Act is in the direction of increasing the amount which a worker may earn under the Act. In 1912 the Government of the day considered that a worker earning anything over £300 per annum should not come within the purview of that Act. If that sum was considered sufficient in 1912, hon. members will agree that it is not sufficient to-day.

Mr. Pickering: What is the amount in Germany?

Mr. MUNSIE: It is £500.

The Colonial Secretary: They can claim £450 under our Act.

Mr. MUNSIE: But if a worker earns more than £300 it puts him outside the purview of the Act. In that respect the amount in the Commonwealth Act is £500, in that of Queensland £400, and in that of New South Wales £312. We have in this State an instance of the Arbitration Court giving to an industrial union, the typographical society, an award which puts the members of that union

beyond the scope of the 'Workers' Compensation Act, since those members earn £6 per week. In consequence they are not entitled to compensation under the Act.' I have given three instances of Australian Acts in which the sum is higher than obtains in the Western Australian Act. Instances in the other Australian Acts of the sum being less than that in our Act are as follows:—South Australia £260, Victoria £250, Tasmania £212, and in New Zealand £260. I have gone carefully through all the Acts to find out how we stand in comparison with the others. The Acts of the Commonwealth, Queensland, and New South Wales are ahead of ours. In my opinion the sum in our Act is not sufficient.

The Attorney General: Have you the English Act?

Mr. MUNSIE: No.

Mr. Davies: It was £300 also in connection with the workers' homes board.

Mr. MUNSIE: But I am not dealing with the definition of "worker" now, I am dealing with the amount which a worker can earn while still coming within the scope of the Workers' Compensation Act. Also, the total sums payable under our Act are quite inadequate. Here is the comparative table: Western Australia £400—

The Attorney General: That is death.

Mr. MUNSIE: Yes. New South Wales £500, Queensland £600 at death and £750 by instalments for total incapacitation. South Australia £300.

Mr. Thomson: In Queensland the compensation is paid through the State insurance department.

Mr. MUNSIE: Yes. The sum in South Australia is £300. But that Act includes industrial diseases. In Victoria the amount is £500, in Tasmania £400 for death and £500 for total incapacitation, and in the Commonwealth Act £500. Then we come to New Zealand, one of the oldest of the Dominions in point of workers' compensation legislation, and we find this anomaly, that for death they pay £400 and for total incapacitation £300. It is the only Act which I have seen providing a lesser amount for total incapacitation than for fatal accident. Our Act will never be complete until it includes industrial diseases. I do not think any sound argument can be put up against such inclusion.

Mr. Hudson: We tried it ten years ago.

Mr. MUNSIE: Yes, and the argument put up against it has ever been that the industry could not stand it. Personally I think that if the Government are going to allow the private insurance companies to do the insurance under the Workers' Compensation Act, those companies will see to it that the industries cannot stand it. I believe the workers in every industry in Western Australia could get the benefits provided under the Queensland Act without the employer having to pay one penny more than he is paying to-day.

The Attorney General: Is that of Queensland the only Act under State insurance?

Mr. MUNSIE: Yes.

Mr. Duff: What do they get there?

Mr. MUNSIE: They get £750 for total incapacitation. Why I believe that the employers would not have to pay more, is because the only industry that would be affected to any extent at all if industrial diseases were brought under the Workers' Compensation Act in Western Australia, would be the mining industry.

Mr. Thomson: What about farming?

Mr. MUNSIE: How many industrial diseases are known to men in the farming industry?

Mr. Thomson: There is flour-milling.

Mr. MUNSIE: If employment in the flour mills imposes industrial diseases, the millers should be made to pay. If the State took on the responsibilities under the Workers' Compensation Act it should pay the amounts paid in Queensland and charge not a penny more. I have here the fifth annual report of the mine workers' relief fund, established originally in Kalgoorlie and Boulder, but now extending practically throughout the mining industry of Western Australia. The establishment of that fund has been a Godsend in hundreds of homes, and has done wonderful work in thousands of cases, including the dependants of the miners. Anything I may say in connection with the workers' compensation legislation must not be taken as disparaging to the mine workers' relief fund.

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

Mr. MUNSIE: Before tea I was dealing with the necessity for including industrial diseases under the Workers' Compensation Act and I stated that the employers, under a system of State insurance, would not be called upon to pay any more than they are paying at present, and I believed the workers would receive considerably better benefits. A good deal has been said in recent years about the need for economy. If the Government made insurance under the Workers' Compensation Act a State concern, they could save Western Australia between £40,000 and £50,000 a year. A considerable sum of money paid at present through the Charities Department would be saved under a proper workers' compensation scheme. The amount subscribed to the mine workers' relief fund also would be saved because, if industrial diseases were included in the Act, it would not be necessary to subsidise that fund. According to the report issued on the 30th January of this year, the employees during last year—the fifth year—contributed £5,358 12s. 9d. The employers contributed £5,208 5s. 2d. and the Government subsidised the fund to the extent of £5,283 9s. Under a proper State system that £5,283 9s. would be saved because there would be no necessity for the

mine workers' relief fund if industrial diseases were included under the Act.

Mr. HUDSON: And the £5,000 the employees paid, too.

Mr. MUNSIE: The £5,000 paid by the employees would be saved, and I do not think the employers would be called upon to pay any more than they are paying at present to the mine workers' relief fund.

Mr. DUFF: You mean that the inclusion of mining diseases would not cost the mining companies any more?

Mr. MUNSIE: That is so.

Mr. DUFF: Would the insurance companies take it on?

Mr. MUNSIE: No, but the State should do so. During the five years, this fund has distributed £67,065 in benefits, which amount shows how necessary it is to have such a fund if these diseases are not included in the Workers' Compensation Act. In the first year, the amount distributed was £7,911; in the second year £12,578; in the third year £13,884; in the fourth year £15,422, and in the fifth year £17,370. This expenditure would not be necessary if the Government took on State insurance and included industrial diseases under the Act. In the Queensland Act, the section dealing with the payments to miners reads—

The amount of compensation under subsection one of this section shall be A. Where death is the result—(i) A funeral allowance not exceeding £20; and (ii) To the widow of the deceased worker the sum of £1 per week; and (iii) For each child under 14 years of age the sum of 10s. per week until the age of 14 years is reached: Provided that the total amount payable shall not exceed 50s. per week or the sum of £400 in all, less any amount paid as compensation under provision B hereof during the incapacity of the worker within 10 years prior to the date of death. B. Where total or partial incapacity for work is the result—(i) To the worker a sum not exceeding £1 per week during the incapacity, with such necessary medical comforts and medicine as the Commissioner may consider reasonable; and (ii) For each child under the age of 14 years a sum not exceeding 10s. per week during the incapacity of the worker or until the age of 14 is reached: Provided that the total amount payable to any worker and his dependants shall not exceed 50s. per week or the sum of £400 in all, irrespective of the period during which the incapacity continues.

I have urged this because I believe that any Government, irrespective of party, who attempt to pass a Workers' Compensation Bill without undertaking State insurance is not likely to get it passed in another place, and because I believe that under the system of private insurance the companies will make it impossible for the industry to carry the burden.

The Attorney General: Then it is hardly good enough for the Government.

Mr. MUNSIE: I would point out that it is good enough for the Government. In Queensland, prior to the introduction of the Act of 1916, the maximum amount payable was £300 and the maximum weekly payment was £1 a week, and it did not include any industrial disease. Under the present Act the payment of £1 has been increased to £2 a week for incapacity and the total payment for death by accident has been increased from £300 to £600, while the amount for total incapacity has been increased from £300 to £750; and the mining companies of Queensland are not paying one penny more in the way of insurance premiums than before. The Government of Queensland, on the other hand, have shown a profit of £53,000 during the first year's operations of the scheme. That is something definite to go upon, and it proves conclusively that the insurance companies here are charging an extortionate rate for insurance under the Workers' Compensation Act. We only need to look at one illustration. Several of the big mines were paying enormous sums to insurance companies for insurance under the Workers' Compensation Act. The Ivanhoe Gold Mining Company, in about the second year after the passing of the Act decided that from their experience it would be a good thing to conduct their own insurance. They set aside out of profits a fund of £10,000 and paid into it the equivalent of what they would have paid by way of premiums to private companies. At the end of four years their fund, after repaying the £10,000, showed a clear profit of £40,000. At the present time the profit would not be so much because the wages sheet is not so big, but the accidents would be proportionately fewer. The definition of "worker" under our Act needs to be broadened. It should include general servants and all workers and contractors who do work themselves or who employ men and do part of the work themselves, and tributers should also be included. I admit that there would be some little difficulty in defining tributers and bringing them under the Act, but I am pleased that the Minister for Mines has given an assurance that in the Mining Act Amendment Bill a tributer will be clearly defined and will get a better deal. The definition under our Act excludes a big minority of the workers of Western Australia. The definition of "worker" reads—

"Worker" does not include any person whose remuneration exceeds £300 a year, or a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business, or a member of the police force, or an out-worker, or a member of the employer's family dwelling in his house; but save as aforesaid, means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of

manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, in oral or in writing. Any reference to a worker who has been injured shall, where the worker is dead, include a reference to his legal personal representative, or to his dependants or other person to whom or for whose benefit compensation is payable.

The Act makes no provision for a small contractor who, in the true sense of the word, is a wage-earner. Is there any legitimate reason why a man who takes on a clearing contract in the country should not come under the Workers' Compensation Act? I can see none, and the same applies to the man who takes a contract on the mines. I admit that the mining companies and insurance companies have not stressed this point in regard to contractors who are earning not more than £300 a year, but the definition strictly enforced would exclude a good many of them. Our definition of "worker" should be the same as that of Queensland, which reads—

Any person (including a domestic servant) who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied or is oral or in writing: the term does not include (a) A person whose remuneration exceeds four hundred pounds a year; or (b) A person whose employment is of a casual nature, and is not for the purposes of the employer's trade or business, unless he is specially insured or is covered by a policy of accident insurance under this Act; or (c) A member of the police force; or (d) A contributor under the Public Service Superannuation Act of 1912; or (e) A member of the employer's family dwelling in his house.

Where a contract to perform any work in a mine, as defined by the Mines Regulation Act of 1910, is let directly to a contractor or contractors who (a) neither sublet the contract nor employ wages men; or (b) though employing wages men, actually perform any part of the work themselves, such contractor or contractors, and also such wages men so employed, shall, for the purposes of this Act, be deemed to be workers employed by the person who let such contract.

Every tributer working in connection with any mine, as defined by the Mines Regulation Act of 1910, and also any wages men employed by any such tributer, shall, for the purposes of this Act, be deemed to be workers employed by the person with whom the tribute agreement was made by the tributer.

That brings the tributer under the Workers' Compensation Act. I can see no valid reason whatever why contractors who do the work themselves, or why tributers, should in this country be excluded from the benefits of the Workers' Compensation Act. I also desire to emphasise that pay for incapacitation as

the result of an accident should date from the day of the accident. I admit that in this respect the existing Act gives a slight benefit as compared with the previous measure. Under the old Act, irrespective of how long the accident incapacitated the employee, he could never claim for the first 14 days of incapacitation. But the existing Act provides that if the accident does not incapacitate the worker for more than one week, no compensation shall be paid.

The Attorney General: The object of that is to prevent malingering.

Mr. MUNSIE: Yes; but it is an absolute incentive to malingering. Our present Act goes on to provide that if the worker is incapacitated for more than one week but less than two weeks, he shall receive the difference. Let me illustrate: if a worker is incapacitated for 10 days and then returns to work, he gets three days' compensation; whereas if he stops off for another four days he gets paid for the whole fortnight. Is a man likely to lose a week's pay for the sake of stopping home a day or two? Of course he would stop at home. Thus our existing Act is an absolute incentive to people to malingering. The only proviso which the Queensland Act makes in this respect is to the effect that if the accident does not cause a worker to be incapacitated for more than three days he gets no compensation at all. Another point which has been a very sore one with men unfortunate enough to be incapacitated in Western Australia is the failure of our Act to give the worker the same right to have lump sum compensation fixed as is given to the employer, which is to say the insurance company. The employer can, under the present Act, take the employee into court in order to compel him to accept a lump sum settlement. But the employee has no power to take the employer into court for the purpose of compelling him to pay a lump sum by way of settlement. That position is unfair and one-sided. The South Australian Act gives the employee the same right as the employer has in this respect. Paragraph 18 of the First Schedule to the South Australian Act reads—

Lump sum redemption of weekly payments. Where any weekly payment has been continued for not less than six months, the liability therefor may on application by or on behalf of either workmen or employers be redeemed by the payment of a lump sum to be settled, in default of agreement, by arbitration under this Act. Thus South Australia provides a precedent for what I am proposing. I consider, however, that the term of six months is too long. I think three months would be ample; and if our Act is amended to give the employee his just right, I hope the Government will make the term three months instead of six. Another point requiring amendment, with consequent simplification of our Act, is the deletion of all reference to "average weekly earnings." In place of that, I would have the actual daily wage received at the time of the accident. That would be fair both to the employee and to the insurance company.

The present definition of "average weekly earnings," and the manner in which it is interpreted, are an advantage to the employer in some instances; and where there is an advantage to the employer, there must be a disadvantage to the employee.

[Resolved: That motions be continued.]

Mr. MUNSIE: Next I wish to refer to certain provisions of our Act. Paragraph 4 of the First Schedule provides—

Medical examination. Where a worker has given notice of an accident, he shall, if so required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid for by the employer, and, if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and to take or prosecute any proceeding under this Act in relation to compensation, shall be suspended until such examination has taken place, and shall absolutely cease unless he submits himself for examination within one month after being required to do so.

That is a protection for the employer as against the employee, and also a protection for the employee as against the employer, but it is absolutely no protection whatever for the employee as against the insurance company. I venture to say that in 75 per cent. of the cases where dispute arises as to the settlement of compensation, the argument is not between the employer and the employee at all, but between the employee and the insurance company; and in every case the insurance company demands a medical certificate. The person who has met with the accident has to pay for the medical certificate. It is not the employer who demands the certificate, but the insurance company; and in 99 cases out of a hundred the company deduct the fee for the certificate from the amount of compensation paid. Not in one case out of a hundred does the employer pay the cost of the certificate. Since I have been in Perth I have taken part in the settlement of at least half a dozen compensation claims on behalf of the employee, and on every occasion the employee has had to produce a medical certificate. In not one of the cases that I have helped to settle have I ever seen the employer. I have always had to deal wholly and solely with an insurance company. That refers to cases where lump sum compensation was being obtained.

The Attorney General: Do you say the insurance company are entitled to deduct that amount from the claim?

Mr. MUNSIE: I say they do deduct it. I do not say they are entitled to deduct it. However, there is nothing in the Act to prevent them from deducting it. The Act merely provides that the employer shall pay for the medical examination if he demands it.

The Minister for Works: Are not the insurance company the agent of the employer?

Mr. MUNSIE: That may be so; I believe it is so. But when a man meets with an accident and has a claim for compensation, he is immediately told by the employer, "We insure with such and such a company, of which Mr. so and so is the manager; you must go and see him." What the employee or his representative should say to the employer is, "If there is any dispute between you and your insurance company, that is your business, and not mine. I am dealing wholly and solely with you." But unfortunately that is not the attitude which is adopted. The custom is for the employee to deal with the insurance company instead of the employer. Our Act further provides that—

In addition to the compensation payable under this section there shall be payable a sum equal to the reasonable expenses incurred in respect of the medical or surgical attendance, including first aid, on the worker in respect of his injury, but not exceeding one pound.

What medical or surgical attendance could we get for £1? Clause 25 of the first schedule is a point blank contradiction of that. It reads—

Any money payable under this Act in respect of the expenses of the medical or surgical attendance on an injured worker may be recovered by action in the local court in accordance with this Act at the suit of the worker, or at the suit of any person by whom the said expenses or any of them have been incurred, or at the suit of any person entitled to receive any payment in respect of the said attendance.

That gives the worker the right, if there is medical or surgical attendance necessary, and he has to pay that, to sue for that amount over and above the compensation. Paragraph (d) however limits him to £1.

Mr. Davies: I think that was intended for first aid.

Mr. MUNSIE: I do not think so. It says—

In addition to the compensation payable under this section there shall be paid a sum equal to the reasonable expenses incurred in respect of medical or surgical attendance

That is not first aid—

—(including first aid) on the worker in respect of his injury, but not exceeding £1.

That paragraph wants to be altered. Then we have the final paragraph of Clause 26 of the first schedule, which states—

Where a worker who has been partially incapacitated by injury resumes or attempts to resume work, and is unable, on account of the said injury, to work or continue to work, the resumption or attempted resumption of work by him shall not deprive him of any right to compensation under this Act which he otherwise had.

That, in my opinion, is a wise paragraph to put in any Act. I am only quoting that clause because of the attitude adopted by the insurance companies. I have seen



some of the discharge notices that the insurance companies have compelled men to sign before giving them the right to go back to work on trial and they have been so worded that personally I believe if the matter were taken to court, the worker would have no standing, having signed the whole of his right clean away. That is not a fair practice. But as I said, to get justice all round under the Act there must be sympathetic administration and to do that we must have workers' compensation controlled by the State. I also want to emphasise the point that the percentages set out in the second schedule—are, in my opinion, in many instances, insufficient. But above that, this probably will be new, although I think it is just, all the same. At present every workman for the loss of a thumb is entitled to 30 per cent. of the £400. If the worker meets with an accident which causes him to have his thumb amputated, or the thumb is cut off at the time of the accident, he will be paid half wages until such time as he is sufficiently recovered. That is until he is able to resume work. Then, when he goes for the 30 per cent. of the £400 the insurance companies deduct the amount he has been paid in weekly compensation from the amount set forth in the schedule. I claim on behalf of the worker that the amount set forth as the amount in the schedule for the loss of a thumb, or an eye, or a leg, or a foot, is the amount that should be paid for such loss, and it should be paid in full irrespective of the weekly payments made to the worker. The weekly payments under the Act are provided as sustenance while the worker is disabled. I hope the Government will take that into consideration when they are introducing an amending Bill, as I hope they will. There are one or two other points that I want to make. I desire to point out how the lump sum settlement is arrived at to-day. Unfortunately we have printed as a heading over the schedule in the Act these words: "Ratio of compensation to full compensation as for total incapacity." I want to draw attention to how the insurance companies interpret that. Say a man has lost an eye. He is entitled, according to the schedule, to 50 per cent. of the £400. During the time the employee has been off work, he has been paid £20 at the rate of £2 a week for 10 weeks. The worker then is in a position to be able to resume work, but he is entitled to something under the second schedule for his injury and the Act says, "Fifty per cent. of the £400," which would mean £200. What do the insurance companies do? When they are approached for settlement they say: "Yes, he is entitled to 50 per cent. of £400 payable at 50 per cent. less the £2 per week already received by him." I hope the Government will make it very definite indeed as to how the lump sum shall be paid, or how the companies are to arrive at the balance of the lump sum. I would like to quote a case which, I admit, ended favourably for

the employee. It was the case of Lewis v. Thomas Plunkett, and it was argued out in court. The solicitor for Plunkett, who was the employer, argued that the victim was only entitled to 20 per cent. Let me read this—

Lewis was injured on November 26th, 1918, and as a result of his hurt three fingers were amputated from his left hand. He received half pay in accordance with the Act until January 25—in all £18. After that the doctor pronounced him fit to resume work. The question then arose what further compensation, if any, was Lewis entitled to. Through Mr. Dwyer, Lewis to-day made application for compensation under the second schedule of the Act to the amount of £120, being 30 per cent. of the £400 which he could claim.

That is how I interpret the Act and I think it was the intention of the Legislature at the time that it should be so interpreted.

Mr. Plunkett, through his solicitor, admitted his liability to pay compensation to the extent of 30 per cent. of half wages, or a weekly payment of 11s. 10d.

Both sides agreed that while the man was incapacitated he was entitled to half wages, namely £1 19s. 6d. but when they came to give a lump sum Plunkett argued through the insurance company that they had the right, according to the Act, to extend those payments over a period at 11s. 10d. per week until such time as the man received £120. That is an absolutely unfair advantage to take of a worker. It never was intended by the Act, and if the Government introduce an amendment, I hope they will see that this kind of thing does not occur again in the future. We have some difficulty here sometimes in getting settlement under the second schedule and a considerable delay takes place in many instances. I will go further and say that in some instances insurance companies will hold back a settlement until such time as they get a poor unfortunate man in such a position that he will accept something less than he is entitled to receive. They do that deliberately. The State will be well advised to copy Victoria in connection with legislation in this direction. Section 6 of the Victorian Act compels the insurance companies to make prompt settlement. Here they take the ruling rate of interest from the lump sum. It is rarely the case that a man who is entitled to £200 receives more than £180 or £185. Section 6 of the Victorian Act provides—

If in any proceedings under this Act for the settlement of compensation a judge of the county court, or a police magistrate, as the case may be, is of opinion that the employer is responsible for, or has caused any unreasonable delay in such settlement, the amount of compensation awarded and payable under this Act shall be increased by such an amount as the judge or the police magistrate shall direct. Such increase shall not exceed (a) in the case of a lump sum £10 per cent. per annum on the

amount of the compensation from the date of the notice of the accident to the date of the assessment of compensation; (b) in the case of weekly payments £10 per cent. per annum on the amounts of the weekly payments accrued due on the date of assessment of compensation from the respective due dates of such weekly payments to the date of assessment of compensation.

Victoria has gone so far as to penalise the employer, which is the insurance company, there being a section in their Act to protect the worker against the employers' delay in the settlement by the payment of a lump sum or by weekly payments. I trust that also will receive attention at the hands of the Government if they introduce a Bill here. Two pounds per week is the maximum that can be paid under the Act, and that is insufficient. If in 1912, £2 was considered enough on a £400 maximum, under the Act, then it is certainly not sufficient under existing circumstances. There is another phase of the Act on which judgment has been given by the Full Court, and which shows that there is another loophole in it. The Act is very careful, where a worker meets with an accident, and is paid a weekly payment as compensation for that accident, to make provision for settlement by a lump sum if an agreement is signed, but that agreement has to be registered and must have the approval of the registrar, and the registrar, on behalf of the worker, can object to it. The flaw in our Act is that if the worker meets with an accident, as often happens, in a sparsely populated portion of the State, and can receive no medical attention without travelling perhaps 100 miles, he may be away for six or eight weeks and receive no weekly payments. If the individual was entitled to £200 as compensation for his accident, and he signs an agreement accepting £50, the Act does not protect him, because, owing to his long absence, no weekly payments have been made to him. That is not as it should be. We had a case along these lines tried in Western Australia. That was the case of *Statham v. Grundy*. The man in question lost an eye, and the circumstances surrounding that case were as I have illustrated. He was in a place where he could get no medical attention. He came to Perth and was treated here, and became sufficiently physically fit to resume work. Before resuming work he went to see about his compensation. He called upon a solicitor, and the matter was argued out and he signed an agreement. This agreement was unfair to him and not in accord with what the Workers' Compensation Act intended. After he had signed it he went to the Trades Hall, and told them there what he had done, and what amount he had signed for. They told him that he was entitled to more under the Workers' Compensation Act. He then commenced an action to repudiate the agreement. The case came before Mr. Canning, P.M., and Mr. Canning awarded him the amount that he could have claimed under the second schedule of the Act, because he said the agree-

ment was not registered when it should have been registered under the Act. An appeal was made against this decision to the Full Court, but the Full Court upheld the appeal, because the man had received no weekly payments. The Chief Justice in concluding his judgment, said that the result of this case was very unfortunate, for it meant that the man, who had met with a severe accident, would be left with no compensation at all, but that all the court could say was that the magistrate was wrong in the conclusion at which he arrived, and that therefore the appeal should be upheld. It was unfortunate that the man was foolish enough to sign the agreement without first accepting some weekly payments. When we know of cases like this it behoves the Government to amend the Act so that they may not happen in the future. I also wish to refer to another case which unfortunately is not yet concluded. This case is one in which Mr. Canning gave a certain decision. That decision was appealed against before the Full Court, which decided against the man, and there is now on foot an appeal to the High Court. I mention this case because it is a very serious one, so far as the compensation to workers in Western Australia is concerned. If the judgment of the Full Court holds, our Workers' Compensation Act may as well be put on the scrap heap, so far as the second schedule is concerned. A man met with an accident to his eye. He obtained two medical certificates which distinctly state that his eye was totally incapacitated for any industrial use. A further medical certificate was obtained, which stated that he still had one-sixth of his sight left. On that one-sixth the Full Court here put him out of court, and he had no claim under the second schedule. If I had my hand crushed, so that it was of no use to me, but not actually removed, I would not come under the second schedule of the Act. But if I lost my hand altogether I would be entitled to do so. It will thus be seen what a serious position crops up in this respect. I admit that the Act endeavoured to make it fairly plain, and that it was the intention of the Legislature that the decision of the court should not be given in the way that it can be now.

The Attorney General: The schedules have always been very unsatisfactory.

Mr. MUNSIE: The Act says "for the purpose of this schedule the expression 'loss of' includes the permanent loss of or use of." This man, who could not see his hand before his face, is ruled out from any claim under the second schedule because he had not entirely lost the sight of his eye. I hope I have given sufficient reasons to convince the Government and hon. members that it is necessary during this session to introduce an amendment to our Workers' Compensation Act. I have much pleasure in moving the motion standing in my name.

On motion by the Attorney General debate adjourned.

# MOTION—OIL PROSPECTING REGULATIONS.

Mr. PICKERING (Sussex) [8.25]: I move—

That in the opinion of this House, it is desirable that regulations governing the prospecting for oil should be introduced without further delay.

This is a question of vital importance to Western Australia. We find that in our Mining Act the only section dealing with oil is Section 48. It provides for the granting of a lease for mining and all purposes necessary to effectively carry on mining operations therein or thereon for any mineral other than gold. There are no regulations dealing further with this question. I regret that the Minister for Mines is not present. It has been my misfortune on previous occasions, when addressing myself to this important question, to meet with anything but success in my appeals to the Minister. When I first spoke on this question the member for Yilgarn (Mr. Hudson) occupied the position of Minister for Mines. The treatment I received at his hands was very curt and brief. Now we have another Minister, the member for Albany, but I am afraid that he too treats this question with scant courtesy. The reason why I bring this before the House is that I realise it is of vital importance not only to Western Australia and Australia, but to the British Empire. Every other aspect of mining is adequately provided for by regulations. The only area that can be obtained under the existing Act is, I believe, 48 acres which is altogether inadequate for the purpose of mining for oil. I am glad that the Press of this State is beginning to realise the importance of this question. I should like to quote from the "Sunday Times" of the 27th June last an interesting article that is placed before us. It instances the difficulties in regard to oil in the way of the individual who may desire to prospect for it. It says—

In November last an applicant who requested the granting of a permit to occupy a temporary reserve for a period of 12 months, for the purpose of prospecting for coal and oil in the South-West, was notified by the Mines Department that he must furnish evidence of the actual prospecting work intended to be carried out, and that he must lodge a deposit of £50 to ensure that such work would be carried out to the Minister's satisfaction. Failure to observe the obligation would involve forfeiture of the deposit, and the permit under the provisions of the Mining Act would be for 12 months, with the right of extension for a further 12 months, subject, however, to any Act or regulations promulgated in the meanwhile, and the fee chargeable for the permit would be £5 5s. per annum. These conditions meant that prospectors or

leaseholders were to take a step in the dark on unknown ground, inasmuch as the Government might at any time bring in an Act or regulations defining their position, which might not at all be satisfactory to the interests of the enterprise. It is absolutely certain that it is through the lack of legislation or regulations governing oil areas that no capital has been forthcoming in sufficient substance to warrant a thorough undertaking being launched. A local resident who is interested in this subject writes:—"As a constant reader of *"The Sunday Times"* I am very pleased to note that you are taking a keen and worthy interest in the possible solution of our national oil problem by the possibility of discovering oil within the Empire, and not unnaturally Western Australia in particular. As a prospective prospector for oil seeking a business basis from which to commence operations, I would like to know what inducement is there to spend large sums on prospecting for oil (especially on Crown lands) when there is no sound title to the area prospected?"

Anyone with a knowledge of oil must know that it involves the expenditure of a large amount of money to bring the discovery and development of oil to fruition. Enormous sums of money have been expended in vain in the search for oil. In this State the difficulty is greater than in many other countries. I should like to point out how vital is the oil industry in this State. On a previous occasion I read something from a book entitled *"The Oil Conquest of the World."* I want now to quote the following paragraph—

The world could roll along very comfortably without coal; it would not miss it if all the supplies were cut off tomorrow. But if the oil resources of the world were extinguished, the whole advance of civilisation would come to a dead stop. Every mechanical device would be condemned to idleness: machinery cannot move without oil any more than the human frame can subsist without water. The unique value and indispensability of oil lies in the fact that, not only can it be made to fulfil every purpose for which coal at present is employed, but can be utilised for a host of other applications as well.

The uses to which oil can be put are innumerable. Over 200 have been enumerated. Oil enters into every aspect of our life, and it is necessary that every possible step should be taken to discover it. Let me give some figures as to the quantity of oil required for ordinary purposes—

The outlook for commerce, unless the production increases more rapidly, is far from being attractive. It is certain that oil fuel will be embraced by the leading

powers for naval purposes within a few years. It is estimated that, if this practice is adopted upon a comprehensive scale, a round 200,000,000 barrels of oil will be consumed annually. The mercantile marine likewise is contemplating resort to liquid fuel, and if current expectations are fulfilled, a further 200,000,000 barrels per year will thus be absorbed. Thus the needs of navies and commercial vessels will demand 400,000,000 barrels which, at the moment, represents four-fifths of the total annual output of the globe.

This does not take into consideration the vast quantity of oil required for other motor vehicles. It is so enormous that the position is serious and it is questionable whether the world's requirements can much longer be supplied seeing that four-fifths of the total output is required by the naval and mercantile services. There is little or no oil either in England or in Australia. The main sources of oil in Australia are the shale that exists in New South Wales. Therefore it is of the utmost importance that we should take steps to encourage the search for this vital necessity. One thing, there is very little waste in the manufacturing process through which the oil goes and the uses to which it is put are so diverse that even the residue of coke is useful for fuel. By the discovery of oil a large avenue will be opened for the employment of our people. If oil can be found the process of treating it involves increased labour in every possible direction. When first oil was discovered special provision had to be made on the spot for tanks and plant, but all the modern treatment of oil means the taking of the oil from the source where it is found to some refinery on the coast for treatment. This is done by pipes, the manufacture and laying of which involves large sums of money and the employment of much labour. It means employment for the people, the introduction of capital and the lifting of the debts that rest upon the people of Australia. If we could make a discovery of oil in Western Australia to-day the deficit would soon be wiped out.

Hon. T. Walker: This is pouring oil on troubled waters.

Mr. O'Loughlin: I hope the flowers of your dreams will blossom in paradise.

Mr. PICKERING: They will blossom in my own time in Western Australia. Let us see how interested the Mines Department is in this question. If hon. members will look at the report of the department for 1918, they will find two or three pages devoted to this important subject. On page 65 we have this—

Mr. J. H. Mitchell, of Southern Cross, in a letter to the Hon. the Premier, dated the 17th December, 1917, stated that in his opinion there are great possibilities in the Nullabor Plains of striking a big supply of petroleum at a moderate depth below the limestone formation. Further,

that if deemed of sufficient national importance, he was prepared to give many reasons why petroleum would be found under that big limestone formation, and that, should the Government desire, to obtain a full explanation of his views—based on long practical and geological experience—Mr. Mitchell was prepared to set about gathering together all knowledge he possessed relating to the subject.

If we turn to another part of that report we see what notice the Government have taken of Mr. Mitchell. Here is the paragraph:—

Should the Government deem it necessary, Mr. Mitchell could be asked to supply his reasons for believing that petroleum occurs in the Nullabor Plains, and when his evidence has been received such might be referred to this office for the purpose of scientific and critical investigation.

This is very encouraging to people seeking for oil. Oil is found at varying depths down to 5,000 feet. If we refer to this departmental report we find that in boring for water the greatest depth attained was 2,000 feet. So there is still a margin of 3,000 feet to operate upon in the search for oil.

Mr. O'Loughlin: Notwithstanding that there is no indication of oil in the first 2,000 feet.

Mr. PICKERING: On many of the most successful oil fields in the world the best strikes have been made at great depths.

Hon. T. Walker: But indications were found before reaching the great depth.

Mr. PICKERING: Not in all instances.

Mr. Wilson: Shale always carries indications.

Mr. PICKERING: Not necessarily on the surface. On page 70 of the report of the Mines Department will be found a reference to shale. It seems strange that we have no report of a later date than 1918. I take it as further evidence of the desire to throw cold water on the search for petroleum. I am endeavouring to show that the attitude of the Government is that of discouragement of the exploitation of oil.

The Minister for Mines: That is incorrect.

Mr. PICKERING: It is not incorrect.

The Minister for Mines: Say the department, if you will, but not the Government.

Mr. PICKERING: Well, I will say the department. The conclusion which the Government Geologist draws is as follows:—

While the need for oil is great, and it being desirable to take every reasonable step to search for it, it cannot be said that if there is a lack of it on the Australian mainland such will retard the progress of the Commonwealth, having regard to the vast area of undeveloped coalfields in the Eastern portion of the continent, for coal must, for many generations to come, always remain the chief source of power.

That is what the Government Geologist says in the face of the expert opinion of the

world's authorities. Also the Government Geologist has this to say—

In a memorandum dealing with certain proposals submitted to the Minister for Mines relating to the occurrence of petroleum in the neighbourhood of the mouth of the Blackwood River on the South Coast, it was pointed out that—“An obligation rests upon the State to see that every possible inducement to search for oil (or indeed any other mineral deposits) along legitimate and healthy lines is held out, and to this end I would strongly urge upon the Government the advisability of offering a substantial bonus for the discovery of oil.” I will therefore recommend the Government to offer a substantial bonus of say from £6,000 to £8,000 for the first 50,000 gallons of crude petroleum obtained from an oil pool within the confines of Western Australia.

Hon. Sir H. B. Lefroy: More than that is being offered now.

Mr. PICKERING: If oil is discovered, the man who discovers it does not require £8,000.

Mr. O'Loughlen: The Federal Government have increased their offer to £50,000.

Mr. PICKERING: They are beginning to get a little more sense than our Government have, but that is not the way to encourage the search for oil. In other prospecting ventures, the Government have advanced so much per foot for sinking, and that is the only really valuable inducement the Government can offer to prospectors for oil.

Mr. O'Loughlen: The expert reports have been very encouraging.

Mr. PICKERING: When the State first started goldmining, the experts' reports were antagonistic to the discovery of gold in Western Australia, and it was some time before the proper treatment for the extraction of the gold was discovered. Experts are not always right in regard to oil. In America experts have been proved to be greatly at fault, and oil has been discovered where geologists declared there was no oil. If we take the view that, because experts say there is no oil here, there shall be no search for oil, we might as well decide not to trouble about passing legislation to encourage the industry.

Mr. Smith: Some of the experts do not want to find oil.

Mr. PICKERING: I will quote another passage from “The Oil Conquest of the World”—

The Australasian continent has not been neglected, but the prospectors have failed to reap attractive fruits from their labours. Australia's oil resources, at all events so far as the settled and explored regions are concerned, appear to be concentrated in shales, although petroleum wells have been sunk and are being worked upon a limited scale in Tasmania and New Zealand. Wresting the oil content from shales is not a process to be undertaken lightly.

I know of only one place in the Empire where the shale is being treated successfully and that is somewhere on the border of England and Scotland.

Mr. Wilson: That is a different kind of shale.

Mr. PICKERING: It is almost identical with the shale found in New South Wales.

Mr. Wilson: No, it is not.

Mr. PICKERING: I say it is.

Mr. Wilson: It is a kerosene shale.

Mr. PICKERING: The shale in New South Wales is almost identical in content with that in Great Britain.

Mr. Wilson: It is a kerosene shale.

Mr. O'Loughlen: It is very difficult to understand these foreigners.

Mr. Wilson: Never mind about these foreigners.

Mr. PICKERING: A very different position environs the development of the shale industry in Scotland and in England as compared with what pertains in Australia to-day. The cost of labour and the high cost of machinery, bolstered up by an iniquitous protective tariff, would not permit of the development of the shale in New South Wales.

The Minister for Mines: It was discovered in the days of free trade in New South Wales.

Mr. PICKERING: At that time the knowledge concerning the shale industry was not so extensive as it is to-day. The same content of oil in the shale in Scotland is made to pay.

Mr. Smith: That is a different kind of shale.

Mr. Wilson: I worked in those mines in Scotland, and I know there is 8ft. of shale there.

Mr. SPEAKER: Order!

Mr. PICKERING: If I may make an interjection, I would like to say that this question is of vital importance to the State. The future prosperity of this State and of Australia depends very much on the discovery of oil. If we could discover oil here, it would lift us out of the morass of debt into a sphere of prosperity difficult to contemplate or conceive.

All the reports of the Government Geologist, however, are antagonistic to the discovery of oil. The Minister for Mines either discredits the reports of his geological experts or else he has some doubt in his mind, because when we approached him about being liberal in the matter of legislation covering possible oil discoveries, he threw cold water upon the idea. He said, “No, we want to control it. We want to nationalise it. We want to place all sorts of obstacles in the way of its exploitation.”

The Minister for Mines: I do not recollect having said it but you might have been about when I was dreaming it.

Mr. PICKERING: The Minister has said it very conclusively on several occasions in this House.

The Minister for Mines: I never made such foolish remarks in my life.

Mr. PICKERING: Yes, the Minister did so, and he has made even more foolish remarks I should say. I should not like to account for the foolish remarks he has made on other occasions than those I refer to. I wish to bring home to the Minister the vital necessity for at once tabling the requisite regulations or introducing legislation at the earliest possible opportunity. I know of citizens of this State who are largely interested in the discovery of oil, who have put their money into it, and are doing their best to encourage other people to do likewise.

Mr. Smith. You want someone to put the oil there, too.

Mr. PICKERING: I am not here to advocate the salting of oil fields or anything of that sort. If there is a prospect of discovering oil in Western Australia, it is the duty of members to see that every facility is afforded those who are prepared to undertake what the Government Geologist describes as an almost hopeless and stupendous task. I have often endeavoured to impress upon members the vital importance of such a discovery, how it would benefit every phase of life, how it would benefit every industry. I would not have brought forward this motion but for the lack of interest and earnestness displayed by the Minister for Mines. It is with the hope of getting the House to take these necessary steps that I have brought the matter forward again.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [8.54]: I would not have the slightest objection to the motion moved by the hon. member if I could only understand what he means when he talks about regulations to govern the discovery of oil. One can only make regulations under an Act. It is not competent for the Government to make regulations, except in accordance with an Act of Parliament already existing. Not only myself but my predecessors have concluded that it is impossible to make regulations to give tenure in the event of a discovery of oil being made in Western Australia. Although the hon. member has attempted, by his speech and by his attitude on other occasions, to impress on the House and through the House, the country, that he is the only man taking an interest in the discovery of oil, he is after all only what oil prospectors would describe as a seepage. It is not oil that is in the mind of the hon. member so much as gas, and that is only an evidence of oil somewhere else. The hon. member may know as much about the subject as our experts. If he knows more than our experts, he should not be here, and Mr. Gibb Maitland should not be where he is.

Mr. Pickering: Is there any objection to a specialist being here?

The MINISTER FOR MINES: If the hon. member were filling a Ministerial office, he

might, on this as well as on other matters, disregard the advice of professional officers and conclude that they had no knowledge of the subject, but that all the knowledge was contained in his own mind. I am not prone to acts of that kind. While I may to some extent disagree with experts on different matters, I am not competent, where technical knowledge is essential, to disregard the evidence submitted by scientific men who have had a lifelong training, especially on the word of some man in the street that there are prospects of oil somewhere or other and that the experts know nothing about the matter. I know that the member for Sussex has, for a long time, suggested that we should bore for oil in the Busselton district.

Mr. Pickering: I never suggested the Busselton district.

The MINISTER FOR MINES: Why, there was a deputation; the files will disclose that what I say is correct. The hon. member suggested boring operations down on the Blackwood River or somewhere in that vicinity.

Mr. Pickering: That is not in the Busselton district.

The MINISTER FOR MINES: But the Government Geologist reported against the proposal. I do not think members would tolerate a Minister who, in deliberate opposition to the advice of professional officers, spent money because a member or a few individuals held the opinion, backed by no evidence—

Mr. Pickering: Oh, yes, there is evidence.

The MINISTER FOR MINES: Backed by no evidence, I say—

Mr. Pickering: There is any amount of evidence.

The MINISTER FOR MINES: That such a venture might prove successful, but which, on the facts obtainable, would not be likely to prove successful. I realise as much as does the hon. member—and there are others with as complete a knowledge of the subject as he possesses—that it would be a tremendous advantage to this State, to the Commonwealth and to the Empire if we in Western Australia found oil of commercial value and in sufficient quantities. One can hardly state the amount of reward that should be offered to the prospectors who unearthed oil pools or reservoirs in the State. The evidence of the possibilities of oil existing here is not very convincing. I would be failing in my duty if I said anything to discourage those people who are genuinely prospecting for oil but, if the hon. member suggests that, because I do not go round beating a drum and crying from the housetops that someone or other says there is a likelihood of oil being discovered and because I do not offer ridiculous rewards to encourage others seeking not oil so much as capital, if he says that on this account I am failing in my duty, I am prepared to be so charged. I decline to tell all and sundry something which I know is not correct. I have received during the last 12 months all sorts of samples of what

have been reported by the finders to be oil. When analysed, there was not the slightest trace of oil in the samples. With the little knowledge I possess, I have often felt disposed not to pass a sample on for analysis, but I always decided that, as the sender considered there was a possibility of it containing oil, I would submit it for analysis. So far, however, not much in the way of direct evidence of the discovery of oil has been submitted. I quite agree with what the hon. member has said regarding the advantages which will accrue to the State if oil is discovered, but I do not wish to be carried away at this juncture by an agitation that it would mean so much to the State and thus lose what I consider is justly due to the State. Oil is a national asset and, while we should pay some substantial reward to the discoverer of oil, we should not hand over to the finder rights in connection with a discovery like some of those wells found in America which, in importance, would make a gold discovery pale into insignificance. But will the hon. member suggest that we should introduce methods that would bring into Western Australia another Standard Oil Company, another octopus such as they have in America? Should I, as Minister, as trustee of the people, be responsible for introducing into this country what they have had in America for years, a system of prospecting for capital instead of oil? In my opinion the hon. member's proposition is, so far, nearer to water than it is to oil. He says nothing has been done. But the Government have granted to individuals and companies the right to prospect on Crown lands, allowing them large areas, with a promise that Parliament should be approached to give them a reward claim in the event of a discovery. I cannot do more than that. I cannot pledge Parliament. I want to express my opinion as to what is right with regard to the future of the State as well as its present. If Parliament likes to provide that anyone who comes into this State and spends a few pounds in prospecting for oil shall, in the event of oil being discovered, be allowed to do as he pleases, let Parliament take the responsibility. The member for Canning (Mr. Robinson) and the member for Yilgarn (Mr. Hudson) when holding the Mines portfolio issued permits giving the exclusive right to prospect for oil over large territories. Prospecting for oil is a very different thing from prospecting for gold or other minerals. First of all, geological data must be obtained for the purpose of oil prospecting. Going down even 2,000 feet would not always settle the matter. There are certain rocks in which oil cannot live. That is the opinion of everybody. Every oil expert knows that when one strikes on a certain rock, it is no use going further. In the first place, it must be ascertained by a close geological examination of the country whether the strata lend themselves to a deposit of oil. If they do, then it is necessary to follow up the strata to discover what is likely to be the trend of such a flow, and then make further

excavations for the purpose of seeking further indications, such as gas or bitumen. All this takes much time and means travelling over considerable country.

Mr. Duff: Have your experts decided from surface indications only or have they gone down to any depth at all?

The MINISTER FOR MINES: They have no other means of deciding except the nature of the rock. I do not suggest that the Government experts cannot be wrong in the matter. If I thought it was not possible for them to err the same as other human beings, with the exception of the member for Sussex (Mr. Pickering), I would not waste the time of this Chamber and another place in bringing down legislation, but would simply accept the views of the departmental experts and say "There is no need for legislation because oil will never be discovered in this State." My position is that if there are people willing to search for oil, we ought not to discourage them. But if the hon. member wants me to become a sort of advertising medium for oil prospectors, I am not prepared to carry out his wishes. There is a certain company operating in Western Australia under permits issued by my predecessors, permits which have been re-issued to the company. The company have someone moving about the country looking for geological data. They have also two persons prospecting in London. One here, two in London. I suppose certain particulars are obtained here and passed on to London, where oil companies or wealthy persons are being asked to find the capital necessary for carrying on the work. Now let me show the attitude I have adopted. As soon as the representative of that company arrived in London, he approached certain people. Then the Government Geologist of this State recommended that a cablegram should be sent to London advising these people against the company's representative. The Government Geologist said that the data which had been taken to London disclosed no possibility of oil being found in that particular area to which they referred, and that therefore we should publicly advise against the representations being made in the old country. I took the responsibility of absolutely declining to ask the Premier to send any such cablegram to London, for the reason that if the company's representative was able to satisfy those people that he had indications of oil, and if they as oil experts—which the Government Geologist cannot altogether claim to be—were prepared to find capital, I had no right to interfere. I gave the company's representative no assurances, and I gave the people in London no assurances. But the mover of this motion would suggest that I should, off my own bat so to speak, recommend the company to the people in London, advising them to furnish the company with all the money asked for, and this notwithstanding the advice I had from the Government Geologist. It would be impossible for me to do such a thing. I do not object to capital being got for the purpose of oil exploration. But the point is that the

people who are prospecting for oil cannot continue further because they have no security of tenure. I have said to them, "I am prepared to ask Parliament, if you discover oil, to give you the right to select for yourselves 640 acres within the permit area, for the purpose of operating for oil." I have told them that they may go where they choose to obtain the best spot available, and this without having to pay oil dues to the Crown. In addition to the reward claim of 640 acres, I have told them I am prepared to recommend Parliament to give them the right to take up two other leases of 48 acres each. But I have also said that outside that area, the remainder of the country must remain to the Crown, either to be worked by the Government themselves or to be worked by someone else on the Government's behalf. I am not preventing any future Government, or future Parliament, from doing as they choose in connection with the matter. But I do consider that a man who discovers oil gets a fair deal if he is given a square mile of country at his own choice as a reward. What the mover has said about my being callous in this matter is quite wrong. The hon. member is not the only person in the community who is anxious for an oil discovery. But anxiety for such a discovery will not put oil there. All this talk that has been going on is pure moonshine, and is likely to cause people who would otherwise be cautious, to rush in and invest their money in oil prospecting. There is not a man who is seeking oil under a permit but assures me he has got the oil. I suppose suggestions of the same sort have been made to the hon. member. If the hon. member publishes forth all these brilliant prospects through Parliament, we shall have the same position existing here, as in America. I am willing to encourage prospecting on fair lines, and I shall ask Parliament to grant a fair reward in the case of discovery. After all, it is not a question of spending a few pounds to discover oil. The discovery of seepage or of gas is not the discovery of the actual flow of oil. The actual flow may be miles away. One may bore on the spot where one has discovered seepage, or an evidence of gas, and then fail, even after putting down a large number of bores, to find the actual flow. In this respect I have accepted the statement of the "Sunday Times" that the Anglo-Persian Oil Company expended two million pounds in Persia before finding oil. Now, where is the ordinary prospector, the man with a billycan and a swag, going to prospect for oil if those are the conditions attaching to discovery? We have a man in the North-West who has given evidence that he has indications. But he will have to pass the matter on to someone with an extensive capital for the purpose of carrying on boring operations. Those operations may go on for months, and even for years, though of course it is possible that the first bore may discover the oil. But, as I said previously, people who have been handling oil propositions in other parts of the world realise that it is a matter of the aggregation of a tremendous amount of capital. Very

few of the people who hold permits will, in my opinion, discover oil on their own account. They will have to call in assistance from other quarters before they can do it. Therefore I will not at this stage take the opportunity of saying great things about oil prospects in Western Australia. Whatever is required as a genuine reward for discovery, I am prepared to ask Parliament to grant. But that is all.

Mr. Green: What was there in W. Scott's discovery at Mount Barker?

The MINISTER FOR MINES: I have never heard of that at all. I have heard of there being evidence of oil in many parts of this State. Stuff has been brought to Perth for the purpose of showing that oil existed in a certain locality, and it was stuff that would burn magnificently.

Mr. Lambert: Was that bitumen or gas? The MINISTER FOR MINES: I cannot say.

Mr. Lambert: Was it solid or a gas?

The MINISTER FOR MINES: It was a gas. I have also heard about a discovery at Collie.

Mr. Wilson: That was published in the Press, but the Collie people know nothing about it.

Mr. Griffiths: I have an inquiry from Melbourne about a discovery at Denmark.

The MINISTER FOR MINES: The hon. member suggests that we should encourage prospecting for oil, and I assure him that anything I can do will be done. But I have had no requests except as regards security of tenure. That is all the Government have been asked to provide by Act of Parliament, some legislation ensuring that the maker of an oil discovery shall have security of tenure. I understand that if this is provided, the people interested are prepared to find capital for the purpose of trying to discover oil in Western Australia.

Mr. Wilson: Cannot they take up the area under a coal mining lease?

The MINISTER FOR MINES: Yes, but they have no rights after that. In any case that is not desirable. As a matter of fact simultaneously with the renewal of these permits we had proposals from a wealthy oil company to prospect for oil in Western Australia, and if I had been carried away by a desire to do something I would have said yes, and the small individuals who have already made investigations and got data together would have suffered. That kind of thing is not desirable. It is better that we should be cautious in a matter which is of such great importance to us. If it were merely a question of the discovery of a pot-hole it would not matter very much. But it is a matter which means so much to Australia and to the Empire, and therefore we should be exceedingly cautious. If the hon. member will take an hour or two off I will lend him a report which I have received from the Imperial authorities urging upon us the exercise of



caution in dealing with this matter, and it is that caution that Pam trying to exercise.

Mr. Lambert: The hon. member will then lend himself to the Standard Oil Company as an expert.

Mr. Pickering: There are other people who think themselves experts in this Chamber.

The MINISTER FOR MINES: We are not doing anything to retard prospecting for oil, and where it has been possible to give assistance we have given it. Where applications have been made for exclusive rights we have asked that a bond should be put up if it is proposed to work the areas, and if the areas are not worked of course the bond will be forfeited. Prospecting for oil is very different from prospecting for other minerals, where two parties can work side by side, and when it becomes a question of who can get the pegs in first. I have given no exclusive rights to prospect over Crown lands, but we have insisted on prospecting being carried on. If we did not insist on prospecting being carried on we would be closing the country against anyone else who desired to prospect. The people who discover oil will get a fair reward, but I do not want to give away all. The person who discovers oil will not have put it there. It belongs to Western Australia; and it is my desire to protect the interests of the people.

Mr. GRIFFITHS (York) [9.20]: It is rather pleasing to hear the Minister for Mines speaking as he has done. It only bears out what was said in London recently, that Western Australia is hopeful of discovering oil within its territory. It has also been said in England that the Hon. John Scaddan, Minister for Mines, is preparing a Bill to promote and control oil production in Western Australia, and these remarks have been attributed to him—

Judging from information supplied to me I am fairly optimistic regarding the possible discovery of oil in Western Australia, but a lot of work has yet to be done before anything definite can be said. I realise the importance and value of the discovery of oil, not only to Western Australia, but to the Commonwealth and to the Empire. Therefore everything that can be done to encourage prospecting should be done.

The object of my friend the member for Sussex (Mr. Pickering) is to get something definite done. He feels like many of us that there is a lack of finalising, that the departments through circumlocution fail to arrive at anything definite. I can understand the hon. member's anxiety in trying to get something done, but, as the Minister points out, nothing can be done until prospecting permits are granted.

The Minister for Mines: We are giving them now.

Mr. GRIFFITHS: One of the journals of the old country, writing on this subject recently, declared—

It is sincerely to be hoped that if the prospector succeeds in his quest, the conditions governing the grant of licenses will be made sufficiently attractive and will, at least, not be more onerous than those obtaining in other parts of the world. In view of the serious situation regarding oil, no possible field should be neglected, and the Western Australian Government will be well advised in offering investor and prospector alike every inducement to enterprise.

I stated the other evening that Australia was a country which possessed all minerals, and so far as Western Australia is concerned we have all the minerals known to science, and it would be extraordinary if petroleum had been left out. I have taken a note of what the member for Sussex said in regard to certain boring that has taken place. Sinking has been carried on to a depth of 2,041 feet, and in going to that depth Enela limestone was struck at 900 feet, shale and thin bands of dolomite limestone and glauconite mud stones at 1,138 feet, making a total depth of 2,041 feet. Geologists are often at fault so far as searching for oil is concerned, and it is a well known axiom, known to those who have to do with oil, that it is no good depending altogether on the geologist. The drill is the only thing that will really prove whether oil exists or not. Only one proper boring plant has been used in Australia. It is no use searching for oil unless we have the proper machinery. The chief reason for failing to locate oil in Australia so far is that the boring has not been sufficiently deep and systematic. They have not been down to any depth really to test whether the oil is there or not. It will be strange indeed, having all the minerals known to science, if petroleum does not exist. It is worth looking for, as the member for Sussex remarks. Rotary drilling machines are used in California and they can bore at the rate of 200 feet a day, and can go down as deep as 6,000 feet. Nothing of that nature has been done in Australia so far as I have been able to learn. The other evening in this Chamber certain remarks I heard passed were that so far as sinking for oil in Australia was concerned, the shale beds of New South Wales had not been exploited to the extent that should have been done, and there were sinister influences at work to prevent that search being carried out in a systematic manner. I made some inquiries when in New South Wales, and it was freely stated to me by prominent men there that so far as the shale beds of New South Wales were concerned, they had really not been given a fair chance. There is a difference in the composition of the shale beds in New South Wales and those of Scotland, where the Scottish shale oil is obtained. I have been told by one of the best authorities in New South Wales so far as oil is concerned, that oil exists in that State, but for some unaccountable reason the Federal people are not

proceeding with that degree of thoroughness that they should be adopting to exploit the country to find out where this most valuable asset is. I have repeatedly asked questions in this Chamber with regard to the introduction of oil locomotives in the State. If we could get the proper type, and use them on our spur lines a big saving would be effected, and if the introduction of these locomotives should be followed by the finding of oil in the State the traffic costs in those outback places which are badly served at the present time would be materially reduced. I hope that something will result from the discussion we have had here to-night, and I hope members will treat this subject seriously. The matters of finding oil, pulverised fuel, and the investigation of potassic fertilisers are of considerable importance to this country and should not be regarded as dreams. They may be dreams that have been dreamed before in other countries and if anything can be done by hon. members to awaken the departmental officers of Western Australia to the importance of these subjects, the dreams will become actualities and we shall see an era of great prosperity dawn before us.

Mr. LAMBERT (Coolgardie) [9.28]: The member for Sussex (Mr. Pickering) should be complimented on bringing this important subject forward and it is to be hoped that the Minister, in the caution which he thinks it is necessary should be exercised in the public interest, will not altogether curb that interest if he to some extent curbs his impetuosity while trying to foster the efforts that are being made to locate oil in the State. For some considerable time past, I and many others, I admit with little knowledge, have scouted the idea of discovering oil in Western Australia. With the certain knowledge I have at present, founded upon the closest investigation, my belief is that there is still a big chance of locating oil in Western Australia. If I were given to going into ecstasies I would from the reasonable indications of oil that have been brought to light, and after submitting them to the best authority in Australia, say, that we have invaluable indications of the presence of oil in this State. I do not claim to be an expert myself but certain natural gases were submitted to me and tested by me and subsequently submitted to the expert I have referred to, and we can now claim on these indications that the discovery of oil in Western Australia is almost certain. In the Sussex electorate the surface geological features indicate that there is a reasonable chance of seepages of oil being discovered. It behoves the member representing that district to justify the proper protection of these possible discoveries, and to spur on the Minister for Mines in the direction of framing regulations to meet the position. It is necessary to exercise the greatest possible precaution before permitting any company to obtain big aggregations of territory in connection with the search for

oil. I think the House and the country will be well satisfied with the reasonable safeguards the Minister is imposing in the interests of the public. It is pleasing to note that even if a wealthy oil corporation has made some overtures to the Minister and stated its willingness to spend a considerable sum of money in prospecting for oil, he has not been unmindful of those who have been doing useful pioneering work already. Notwithstanding this, I should like to see a well equipped undertaking with proper machinery prospecting in a systematic way for oil. If this debate has done nothing else it has certainly brought out the means by which the public interests will be safeguarded. The member for Sussex (Mr. Pickering) stressed the importance of the discovery of oil. I do not think it was necessary for him to say very much on that score. There is no doubt it would supersede in importance any other discovery that might be made in Western Australia. The country at large should be pleased at the temperate manner in which the Minister for Mines has listened to the requests that have been made to him. It is possible that efforts may be made to utilise the records of the department to obtain capital to boost a concern which is no good. If oil is discovered here I hope the Minister will not be unmindful of those who have done the pioneering work. In South Australia a friend of mine told me he had subscribed £10,000 or £15,000 for boring for oil there. Some of the soundest commercial men in Australia are connected with that enterprise. No doubt the Minister will be cautious about giving away indiscriminately any unlimited amount of territory to any company or individual who may desire to bore for oil in this State. I trust he will see that reasonable safeguards are made in the interests of the public, and that if we are fortunate enough to locate oil such an important national asset will be retained to the people of this country. While that caution is being exercised I hope he will keep in mind the great interest that it would be to Western Australia if oil were discovered, and that in the giving of permits he will bring in no hampering regulations which will retard the industry. As stated by the member for York (Mr. Griffiths), boring for oil is quite different from boring for water or anything else. A few minutes ago I was speaking of what an expert would consider the infallible indications of oil in Western Australia. This gentleman in Melbourne is of very high standing and is looked upon as the finest exponent in Australia on the question of exploring for oil. This gentleman offered, through me, to furnish a syndicate with the necessary machinery and money to prospect for oil in Western Australia. He apparently thought there was sufficient indication in the State to warrant him in spending a considerable sum of money. With the knowledge the Minister has he is absolutely justified in the somewhat restricted manner in which he is now proceeding. I only hope the member for

Sussex will not be backward in spurring on the Minister, either by calling the attention of members of the House to the importance of the discovery of oil or any other fair means he can employ. In my opinion, notwithstanding any geological report that may have been made, and any opinion expressed by the geologists of this State, there is still a reasonable chance of locating this valuable asset in Western Australia.

Mr. PICKERING (Sussex—in reply) [9.37]: I do not, as alleged by the Minister for Mines, claim to be an expert in this matter. I claim only to be a student. I do, however, claim to be an enthusiastic student of this oil industry, and am most anxious that every possible step should be taken to discover oil. I am glad to have been able to extract so much information from the Government as we have done on this occasion. I agree that there is necessity for caution. I do not think the motion, as it reads on the Notice Paper, conveys any idea that I wanted that exaggerated liberty instanced by the Minister. I must disagree with the suggestion that there is no evidence as to the possibility of finding oil in this State. Geologists of repute have reported to the contrary. Upon these reports citizens of the State are entering into a venture for the search for oil. Every possible measure of assistance should be given to any legitimate company or individual setting out to find oil. I have no desire to press this motion. We have had the assurance of the Minister that he will shortly bring down a measure to deal with the discovery of oil; when I will comment upon the statement that no regulations can be issued as things stand at present. I presume the necessary regulations would follow the introduction and passing of the Bill. I trust the excessive caution exercised by the Minister will not be carried out in an extreme manner. If too much caution is exercised the legislation resulting from such caution will probably preclude the search for this asset. I trust that when the measure is placed before us there will be appreciable facilities and inducements offered to the citizens of this State who are desirous of prospecting for this valuable commodity. I ask leave to withdraw the motion.

Motion by leave withdrawn.

#### MOTION—SHEARERS' ACCOMMODATION ACT.

Mr. GREEN (Kalgoorlie) [9.40]: I move—

That in the opinion of this House it is desirable to amend the Shearers' Accommodation Act.

It is some time since the Shearers' Accommodation Act was introduced in this Chamber. The then member for Gascoyne (Mr. McDonald) introduced a Bill in 1912 en-

titled "The Shearers' and Agricultural Labourers' Accommodation Bill." Unfortunately Clause 3 of that Bill, which included agricultural labourers, had a rather bad passage in this Chamber. Although in speaking to the Address-in-reply the then member for Northam (Hon. J. Mitchell) agreed that his only objection to the Bill was that it should not come into operation for 12 months, he admitted that agricultural labourers should be included in it. When it got into the Committee stage the provision to have agricultural labourers included was deleted from the measure. By the time another place had finished with it we had the emasculated Act now on the Statute book known as "The Shearers' Accommodation Act, 1912." I move this motion because I think the time has long since arrived when an Act should be passed, under which accommodation should be provided for the many workers who, I propose, should be set forth in the schedule, somewhat on similar lines to the Queensland Act. We are altogether out of date with similar Acts which have been passed in other States of the Commonwealth. In Victoria the Act providing accommodation for workers is fairly up to date. In New Zealand they have the Agricultural Labourers' Act which was passed in 1908, and in the interpretation of agricultural labour it includes every person employed 24 hours by an employer in agriculture or pastoral or flax milling works of any kind. It does not include the shearers, who is provided for under the Shearers' Act. That is the position with regard to the other States. The Queensland Act passed in December is the most complete I have discovered up to the present. Section 4 of that Act provides that:

This Act applies only to buildings, structures, works and premises used for or in connection with (a) construction works, (b) meat works, (c) pastoral purposes, (d) sawmills, (e) shearing sheds, (f) sugar plantations, (g) sugar works, and (h) such works as the Governor-in-Council may from time to time by Order in Council declare.

I submit that the Bill should be drafted upon similar up-to-date lines, and that it should provide for agricultural labourers, workers on construction works, meat works, pastoral properties, sawmills—including bush landings—firewood lines, and such other places as the Governor-in-Council may from time to time declare. Section 12 of the Queensland Act provides that if any employer refuses or neglects to obey the order of an inspector, a police magistrate sitting in petty sessions, upon the complaint of such inspector, may make an order directing the inspector to carry out the work at the expense of the employer. That provision is entirely lacking in our Act. Apart from the suggestions I have made for the broadening of our Act so as to embrace the workers I have indicated, I want to submit that the existing Act fails to do even the limited work for which it was designed, because of Section 12,

which deals with the duties of an inspector. This section provides that where an inspector, after making an inspection, has reason to believe that any requirements of the Act have not been complied with, he shall so notify the employer, directing him to comply with such requirements, and shall also specify in what respect he considers the said requirements have not been complied with. Finding upon another visit—which in the North-West and other remote districts may mean a journey of 200 miles—that his instructions have not been carried out, the inspector has to bring the matter before two justices of the peace, who in pastoral areas, almost needless to say, are fellow pastoralists of the pastoralist who is being asked to provide decent shed accommodation. I admit I do not see how that can very well be altered. But the point is that the justices of the peace themselves have no power to fine the offender in the first instance, but can only ask for a further inspection to see whether the Act is being carried out. So the inspector in the first instance makes his annual visit, gives the pastoralist notice to provide proper accommodation, comes back again in 12 months and, finding that his instructions have not been carried out, brings the matter before the justices of the peace who, if satisfied that the Act has not been complied with, may order the employer to comply with the Act in the prescribed directions. If the justices determine that the order of the inspector shall be carried out, the inspector has to make another journey to see whether the order has been carried out, after which he has again to bring the matter before the justices and they may then fine the offending pastoralist. Experience has shown that the provisions of the Act are absolutely unworkable. I admit there are but few pastoralists trying to evade the Act. Indeed, before the Act came into operation, a large number of pastoralists were giving fair hut accommodation, and after the Act was brought into force others who had not previously given that satisfactory hut accommodation, proceeded to do so. But in respect of those few who are trying to evade the provisions of the Act, it sometimes takes three years before they can be brought to book. In addition to the inability of the justices of the peace to fine on the matter first being brought before them, the Act is limited in its provisions for hut accommodation to stations where eight shearers are employed. The statute should be so amended as to provide that even where one shearer is at work the law shall apply. I stress the importance of bringing the Act into line with more up-to-date legislation in other States. In South Australia decent tent accommodation is provided for the workers on railway construction. Those tents are spread over properly constructed frames and are well floored, and provided with a lamp. Everything possible is done to see that the workers on railway construction have suitable hut accommodation. It is perhaps unnecessary to say that a workman properly housed is cap-

able of doing much more work than one who is housed in unsatisfactory conditions.

Mr. Hickmott: Under a tree is the healthiest place in which he can sleep.

Mr. GREEN: Yet I notice that the farmers, with their increasing wealth, are neglecting those healthful conditions and building palatial homes for themselves. It is probable that meat works will be established in many parts of Western Australia, and seeing that in most instances they will be built at great distances from municipalities it is necessary that suitable accommodation should be provided for the workers. It has to be admitted that the meat works at Carnarvon provide fine quarters for the workmen, the company recognising that it is profitable to give a man decent hut accommodation. In sawmilling districts satisfactory hut accommodation is provided at some mills, for which the workmen pay a nominal sum. Accommodation at several other sawmills could be considerably improved, while that at bush landings it is very far from being satisfactory. Indeed, the conditions at the bush landings may be truthfully described as wretched, especially in view of the heavy rainfall in the timber districts. The provisions of the Bill should be applied also to the firewood lines on the goldfields. At present the workers on those lines have to provide their own tents. Men in that avocation are of necessity largely nomadic and have to carry their blankets and other belongings on their backs. Such a load is in itself sufficient, without the addition of a tent. In these circumstances, the companies controlling the firewood lines could, with benefit to themselves and to the workers, provide decent hut accommodation such as is provided in South Australia. Referring to the agricultural labourers, I think it regrettable that the opposition to Mr. McDonald's measure came from a few members who were supposed to be representing the agricultural interests in this Chamber. I trust that no member in speaking to the motion will so far exhibit reactionary tendencies as to maintain that the worker in the agricultural industries should not have decent hut accommodation. When the measure introduced by Mr. McDonald was before the House, it was urged by some benighted members that the farmers in the eastern agricultural areas, and particularly in the newly settled districts, had not decent accommodation for themselves, and it could not be expected that, during the hard times they were experiencing—this was about 1912—they could go to the expense of erecting large premises for the housing of agricultural labourers, a large number of whom were employed only at harvest time.

Mr. Maley: Up to now have they been experiencing any better times?

Members: Yes.

Mr. GREEN: I do not wish to debate that point. The member for Greenough (Mr. Maley) sticks to farming and finds it a splendid pursuit. As a representative of the

goldfields, I am not going to make one to say that the agricultural industry in this State has retrogressed since 1912. Every speech made by the hon. member and his party has been designed to show that the agricultural industry is the one strong reed upon which the whole of our industrial and economic position rests, and that our whole future depends upon the farming industry. I believe that a portion of that claim is true. I have personal knowledge of farmers in the eastern agricultural areas who, in 1909 and 1910, were living on boiled wheat and were experiencing very hard times. I can give instances of men who, five or six years ago, owed the Industries Assistance Board as much as £1,200, but who, in five short years, have so improved their positions that they could be out of the hands of the board if they so desired, because they have balances to their credit. But they find it is to their advantage to remain under the board, even though they have money on the right side of the ledger. Tents are provided for under the Shearers Accommodation Act, and I say that good tents on a frame, and with a good fly, would suffice in some parts where buildings of a permanent character were not justified, say for use merely at harvest time. But for the ordinary farm labourer who is employed during the whole of the year, the farmers themselves should recognise that it is to their interests to provide decent accommodation. I recognise that a majority of the farmers have already provided decent accommodation, but I am here to suggest that those who have not fallen into line should be compelled to do so. I take it that members representing the farming districts would not insinuate for a moment that in their case compulsion would be necessary.

Mr. Maley: I think they are all prepared to give a man as good as they have got for themselves.

Mr. GREEN: Unfortunately, my experience in the eastern districts shows that that is not always the case. Often it is so, but it is because of one or two isolated instances which I have in mind that I believe the Act is necessary. At Dalwallinu a few weeks ago I visited a certain place. I shall not mention names as I do not wish to give the farmer a cheap advertisement. There were two men sleeping in an old shanty having bag sides and a bit of a tin roof. It had no floor and there was a lean-to stable attached to it, and the effluvium which came from adjacent horses was mingled with their dreams, while myriads of flies attacked them even in their sleep. They had hardly any time to sleep because the farmer had an alarm clock, not in his house but on the verandah, and at 4 a.m. I heard it go off and waken the hens two or three hours before they would have been awakened if they had been left to the kindly process of nature.

Mr. Hickmott: He must have been a poultry farmer who wanted to wake them early so that they would lay more eggs.

Mr. GREEN: For the moment I am not complaining of the hours, but that farmer is not more successful than other farmers in that district who keep decent hours. The conditions on that farm were insupportable. In another place I saw a hut within 50 yards of a pigsty. No doubt it is a joke to the farmers of the master class who are lucky enough to be in Parliament.

Mr. Hickmott: I was at a farmer's place not long ago and all he had was a bag shanty.

Mr. GREEN: It might be a joke to master farmers to think of men sleeping adjacent to a pigsty.

Mr. Thomson: Some of the farmers have only bag houses for themselves.

Mr. GREEN: Then the hon. member, who is a contractor, will be kept busy in building decent habitations. In one district a man had to sleep in the corner of a stable. His bunk was erected on a bed of manure, and those who know anything about the country in the summer time and the myriads of flies that infest such localities will agree that such conditions should not be allowed to continue. I shall have something more to say during the course of my reply if the discussion warrants it. I feel sure that the good sense of the House and the justice of all, irrespective of what avocation members are engaged in, will assist me to carry the motion, and it will then be for the Government to introduce legislation such as I have described.

On motion by the Premier, debate adjourned.

*House adjourned at 10.7 p.m.*

## Legislative Council,

*Thursday, 2nd September, 1920.*

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

### LEAVE OF ABSENCE.

On motion by Hon. G. J. G. W. Miles, leave of absence for six consecutive sittings granted to Hon. J. J. Holmes (North) on the ground of ill-health.