Bank Act but some of us hoped that it would be done.

Mr. SPEAKER: Unfortunately, the Bill does not indicate that and I cannot allow the hon. member to get right away from the Bill before the Chair.

Mr. A. THOMPSON: I will not disagree with your ruling, but the fact remains I am giving reasons why the parent Act should be amended.

Mr. SPEAKER: The point is whether the Industries Assistance Act shall be continued. It is only a matter of striking out certain words and inserting others. The hon. member can give reasons why the Act should not be continued, but he is not in order in discussing the whole of the ramifications of the Industries Assistance Board.

Mr. A. THOMSON: I am not doing so. If I were to do that I would keep the House sitting for hours. I have made my protest and I do hope the Government will introduce a Bill to amend the Agricultural Bank Act before the close of the session. As the member for Geraldton has pointed out, we have two departments practically doing the same work.

Mr. Willcock: There are more. There is the soldier settlement scheme in addition.

Mr. A. THOMSON: In the interests of the State, in the interests of economy, and in the interests of the settlers, amending legislation should be introduced.

On motion by the Minister for Agriculture, debate adjourned.

House adjourned at 10.25 p.m.

Legislative Assembly,

Wednesday, 5th September, 1923.

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

PETITION—REDISTRIBUTION OF SEATS.

Mr. J. H. SMITH brought up a petition from the electors of Balingup and Mullalyup, in the Nelson electorate, protesting against those areas being transferred from Nelson to the Collie electorate.

Petition received and read.

QUESTION—EAST PERTH CEMETERY.

Mr. HUGHES asked the Minister for Lands: 1, What is the area covered by the land reserved for a cemetery in East Perth? 2, Has the cemetery been closed against further burials? 3, In whom is the control of this land vested? 4, Approximately what percentage of the reserve is occupied by graves?

The MINISTER FOR AGRICULTURE (for the Minister for Lands) replied: 1, 14 acres 3 roods 12 perches. 2, Yes. 3, 12 acres and 20 perches granted in fee to the various denominations, one-quarter of an acre reserved for the Chinese, 2 acres 1 rood 32 perches is vested in the Crown. 4, Forty per cent.

QUESTION—VETERINARY SURGEONS' BOARD.

Mr. LATHAM asked the Minister for Agriculture: 1, Who are the members of the board appointed under the Veterinary Surgeons Act, 1911? 2, For what term do they hold office? 3, How many meetings were held for the years 1921-22-23? 4, Who deals with the correspondence for the board? 5, What number of new registrations were made in the years 1921, 1922, 1923? 6, What number have been struck off since January, 1921? 7, What are the total number of practitioners registered to date?

The MINISTER FOR AGRICULTURE replied: 1, R. E. Weir, M.R.C.V.S. (chairman); John Robson, M.R.C.V.S.; E. A. LeSouef, B.V.Sc.; Edwin Rose; M. Body. 2, Twelve months. 3, 1921, nil; 1922, one; 1923, one. 4, The chairman. 5, 1921, one; 1922, nil; 1923, nil. 6, Nil. 7, Twenty-two practitioners; and there are also nine qualified surgeons in the State.

QUESTIONS (2)—RAILWAYS.

Jarnadup-Denmark Line.

Mr. MANN asked the Minister for Works: Is it the intention of the Government to call tenders for the construction of the two sections of the Jarnadup-Denmark railway?

The MINISTER FOR WORKS replied: Preparations are in progress with that object in view.

Nyabing-Pingrup Extension.

Mr. A. THOMSON (without notice) asked the Minister for Works: 1, When will the Nyabing-Pingrup extension be completed? 2, In the meantime, can settlers have goods and machinery carried over the line?

The MINISTER FOR WORKS replied: We hope to hand over the line to the Working Railways in about a fortnight or three weeks. For the last four months, at least, the settlers have been able to get any goods they liked conveyed over the line. If they have not availed themselves of the privilege, it has been either from indifference or from ignorance.

Hon. P. Collier: Mostly ignorance.

BILL—STATE TRADING CONCERNS ACT AMENDMENT.

Leave to introduce.

Mr. A. THOMSON (Katanning) [4.40]: I move—

That leave be given to introduce a Bill to amend the State Trading Concerns Act, 1916.

Hon. W. C. ANGWIN (North-East Fremantle) [4.41]: I hope hon. members will refuse leave for the introduction of this Bill by a private member. Almost every section of the Trading Concerns Act deals with finance in one or another form—funds, administrative expenses, banking account, contributions of interest and sinking fund, interest on capital expenditure, charges, temporary investments of money, accounts, depreciation, estimates, and so on. There is also a section providing for the taking over of the deficiency, if any, and making it a charge on the Consolidated Revenue. Section 17 provides that if the revenue receipts of any trading concern are insufficient to meet the working expenses during the financial year, the deficiency should be provided out of working capital shown in the schedule to the Act, or provided by Parliamentary appropriation, as the case may be. All through the Act are to be found provisions respecting finance.

The Minister for Works: What about Section 25?

Hon. W. C. ANGWIN: I will deal with that. For many years past, in respect of all legislation affecting finance, it has been the practice in this Parliament, as in all British Parliaments, to require that it should come through a Minister of the Crown. Section 25 of the Act does not definitely deal with finance. It provides that the Government or the Minister may sell or lease any of the trading concerns for such amount and upon such terms and conditions as may be approved by the Governor-in-Council. Then there is a proviso that such contract of sale or lease cannot be entered into without the approval of Parliament. Suppose the Bill introduced last year had become law and the Government thought of selling some of these concerns, we might not always have a Minister to look so carefully after the finances as does the present Minister for Works. Further, we might not always have a Minister possessing such qualifications to judge of the merits of any offers made. If some of these works were sold at less than their value or cost to the State, the debit would immediately become a charge on Consolidated Revenue. Under the practice of the British Parliament, as well as of this Parliament, before any such measure may be submitted for the consideration of members, it must be accompanied by a message from the Governor. In other words, the Bill must be introduced by a Minister of the Crown. That practice has been followed ever since I have been a member of the House, and I have heard you, Sir, on many occasions point out to members that they could not move in a certain direction because their action would involve a charge upon the finances of the State. Section 67 of the Constitution Act, 1889, reads—

> It shall not be lawful for the Legislative Assembly to adopt or pass any vote, resolution, or Bill for the appropriation of any part of the Consolidated Revenue Fund or of any rate, tax, duty or impost to any purpose which has not been first recommended to the Assembly by message of the Governor during the session in which such vote, resolution or Bill is proposed.

That is the procedure laid down for our guidance. I maintain that the Bill introduced last session, if passed, would have involved a charge or impost on Consolidated Revenue. If any private member could at any time supersede Ministers of the Crown by introducing legislation affecting the finances of the State, a most unsatisfactory state of affairs would arise, and if once tolerated it would be quoted as a precedent for further departures from established practice. We all know, too, that once a precedent has been established, it is exceedingly difficult to get it set aside. The authorities lay down clearly that money Bills must be recommended by the Crown. If members refer to the State Trading Concerns Act, they will find that every section refers to money—how disposed of, how administered and controlled, how balances shall be disposed of and how losses shall be made good from Consolidated Revenue. If, in the interests of the finances, it be necessary to make an alteration to the Act, the Bill embodying the amendment should be introduced by a Minister on a message of the Governor. Let us now examine the procedure adopted elsewhere.

Mr. SPEAKER: Will the hon. member resume his seat for a moment. Our bound volume of Standing Orders contains a reprint of the Constitution Act, 1889, and the Constitution Acts Amendment Act, 1899, but, unfortunately, it does not contain a reprint of the amendment passed in the 1921-22 sessions and assented to on the 30th

December, 1921. That is an Act "to repeal Sections 66 and 67 of the Constitution Act, 1889, and Section 46 of the Constitution Acts Amendment Act, 1899, and to substitute other provisions in lieu thereof." I shall read the provision to the House because it is not quite on all fours with Section 67 quoted by the hon. member—

> 46. (1) Bills appropriating revenue or moneys or imposing taxation shall not originate in the Legislative Council; but a Bill shall not be taken to appropriate revenue or moneys, or to impose taxation by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand of payment or appropriation of fees for licenses, or fees for registration or other services under the Bill.

I have quoted this that members might know the exact position, but the remarks of the member for North-East Fremantle apply equally to this as to the repealed section.

Hon. W. C. ANGWIN: I was pointing out to the Minister for Works, in reply to his interjection, that even the selling or leasing of trading concerns might involve a charge on Consolidated Revenue in order to make up any deficiency. The section you have quoted, Mr. Speaker, does not affect my argument. A Bill of this description should be introduced by a Minister of the Crown.

The Minister for Mines: On the question of leave, you cannot say what the Bill contains.

Hon. P. Collier: It is a Bill to amend a money Bill.

Hon. W. C. ANGWIN: The State Trading Concerns Act deals with finance from beginning to end, and is a money Bill. Sir Thomas Erskine May, in "Parliamentary Practice," twelfth edition, page 456, says—

> The Commons have faithfully maintained the duty and responsibility of the Sovereign and their own regarding the custody of public money and the imposition of charges upon the people, by Standing Orders framed especially for that purpose. Three of these Standing Orders, Nos. 66-68, were the first, and for more than a century were the only Standing Orders made by the Commons for their self-government; and the regulations prescribed by these Standing Orders have been from time to time extended and applied. Under the practice thus established, every motion which in any way creates a charge upon the public revenue or upon the revenues of India must receive the recommendation of the Crown before it can be entertained by the House.

This refers not merely to a motion imposing a direct tax, but embraces a motion that may be the means of involving a charge upon Consolidated Revenue. The quotation I have read shows conclusively that measures for this purpose must emanate from the Crown. *May* continues—

> Examples may be given of matters which need recommendation from the Crown, namely, advances on the security of public works when funds in addition to the funds already available for such purposes must be provided to meet such advances; advances to landlords or tenants beyond the scope and objects of the Public Works Loans Acts; Bills relating to savings banks which create a charge upon the Consolidated Revenue, or other public liability.

I emphasise the words "or other public liability." This shows clearly that the Commons have adopted Standing Orders as wide as possible in their scope to prevent any private member interfering with the right of the Crown, and to ensure that the control of the finances shall rest entirely with Ministers of the Crown. The whole object is to reserve to Ministers of the Crown the duty and responsibility of controlling the finances. They and they alone are the advisers of the Governor; they and they alone can get a message for the purpose of introducing any measure that may prove to be a charge on Consolidated Revenue. To substantiate my argument, let me further quote from *May*, page 460—

> Contingent or prospective charges upon the public revenue and upon the revenues of India come within the purview of these Standing Orders; therefore, before clauses in a Bill can be considered, which apply the Consolidated Fund, money to be voted by Parliament or the revenues of India as a guarantee for sums to be raised, paid or borrowed for any purpose, such clauses must receive the preliminary authority of a committee resolution, founded upon the recommendation of the Crown.

Right through the authority of the Crown is maintained. The Government are free. Why should it be otherwise? The Government are supposed to have the support of the majority elected to Parliament, and should be the mouthpiece of the majority of the people of the State. I am sorry to say this is not always so. They are the executive appointed to carry on the affairs of State. Any matter of policy, or expenditure, or anything that tends to cause expenditure from revenue must and should emanate from members of the Government. This Bill is not an expression of the opinion of this House, no matter how it is amended. If it is passed it becomes an instruction to the Government, and a law upon our statute-book. Whether the Government like it or not, sufficient members may vote for a Bill imposing a charge upon the people of the State, and the Government will be forced to administer it. It is a departure from the practice previously adopted for a private member to introduce a Bill of this description. In England similar instructions, but not conveyed in a Bill, have not been carried into effect. The authority I have here states that on one occasion the Royal recommendation was refused to an instruction, but the refusal showed that the motion for the instruction should not have been proposed from the Chair. In other words, the motion that was moved instructing the Government to take some line of action was put forward in the

wrong manner, and was not in accordance with the principles and procedure of the House of Commons. That being so the Crown refused to obey the instructions, and the decision of Parliament was set aside. The authority goes on to say—

> A petition praying directly or indirectly for an advance of public money; for compounding or relinquishing any debts due to, or other claims of, the Crown; or for remission of duties or other charges payable by any person: or for a charge upon the revenues of India, will only be received if recommended by the Crown, and in case of debts due to the Crown, on proof of the steps taken for the recovery of such debts. Petitions distinctly praying for compensation, or indemnity for losses, out of the public revenue, are refused, unless recommended by the Crown.

In reference to Money Bills, *May* clearly shows that such a Bill must first be submitted on the recommendation of the Crown. Other authorities bear out this contention. I have here a work on the Constitutional Law of England by E. W. Ridges, Barrister-at-Law. This says—

> It is also a constitutional principle that no Bill creating a charge upon the public revenues or altering the incidence of or imposing new taxation upon the people shall be introduced by the Commons except upon the recommendation of the Crown expressed through a member of the Ministry. Such is the present constitutional position of the Crown with regard to the initiation of taxation and to the control of the public revenue.

This also bears out my contention that Bills of this kind, Money Bills, must first have the recommendation of the Crown as expressed by a member of the Ministry. I maintain that the hon. member has exceeded the power granted to him as a member of this House, until such time as he has an opportunity of attaining the rank of a Minister of the Crown. He could then in all probability exercise his wonderful powers for the purpose of inducing the Governor to give him a message in regard to such a Money Bill. This work goes on to say—

> The present position with regard to Money Bills, therefore, is that they are originated in the Commons only on the recommendation of the Crown through its responsible Ministers.

If the Government thought this Bill was necessary, and realised that it was a Money Bill, I am confident that before they introduced it they would first have come down with a message from the Governor. This authority also says that all Bills, whether Finance Acts or Consolidated Fund Acts, are subject to the same procedure. All the authorities on this matter show conclusively that the action of the hon. member in asking for leave to introduce this Bill is entirely contrary to precedent. I have another work entitled "Government in the United Kingdom" by Alfred E. Hogan, University law scholar of London. This makes the matter more clear than any words of mine. It says—

> Another important point with regard to Money Bills is that the proposal for the grant to be made must come from the Crown through its Ministers. This rule is only "a convention of the Constitution" and could at any time be altered, but while it is in existence it prevents irresponsible private members from introducing legislation imposing greater burdens on the taxpayers of the country.

This authority also proves my contention. I admit the hon. member has a certain responsibility as a member of this Chamber, and as the representative of his electors, but the responsibility of the finances rests with the Crown through its Ministers. The word "irresponsible" is not mentioned in a disrespectful manner, but shows that no private member can take the control of the finances out of the hands of Ministers of the Crown. Their position is assured. If it were otherwise the finances would reach a more chaotic state than they are now in.

The Minister for Works: We are all right to-day.

Hon. W. C. ANGWIN: I do not know what is in the Bill. A Bill of this nature was introduced here last year from another place. After looking up the authorities I am surprised that another place allowed that Bill to get as far as this House. We remember their action over the Closer Settlement Bill. If they were as anxious to carry out Parliamentary procedure and the practice that has been in force ever since this Parliament came into existence, and in force in the British Parliament for two centuries, they should never have passed last year's State Trading Concerns Bill. I have here another book.

The Minister for Works: I think you have a library.

Hon. W. C. ANGWIN: I want to prove that it is the duty of the Government to protect the practice of this House, and those principles which have been handed down by our forefathers. It is also the duty of the Government to endeavour to prevent any private member from usurping the principles that belong to the Crown.

The Minister for Works: Would it not be better to put all that on the second reading? We do not know what is in the Bill.

Hon. W. C. ANGWIN: No. If I attempted to take this stand on the second reading it would be said, "That is not in the Bill." I am, therefore, taking the point now, for I do not consider this Bill is in conformity with the principles that have guided the British Parliament for generations. The time is not far distant when we shall occupy the benches opposite. I also want to protect the privileges of the Crown and of Ministers so that, when we do occupy those seats, we shall have an opportunity to carry out those principles. I have here Blackmore's "Speakers' Decisions," and that authority says—

> The House will receive no petition for any sum relating to public service or proceed upon any motion for a grant or a charge upon the public revenue, whether payable out of Consolidated Fund or out of moneys to be provided by Parliament, unless recommended from the Crown.

The question has been raised whether it would not be better to take this point on the second reading. As you are aware, Mr. Speaker, had that been done it would have been necessary for me to raise the matter on a point of order, which might be the means of bringing about a motion to disagree with your ruling, whichever way it went. If that were done, it would not attain the object for which I am fighting. I wish to try to put into the minds of Ministers of to-day that they have taken on themselves responsible duties. While some of the present Ministers have been in office for a comparatively short period, others have been in office for as long as seven years, but to this day they have failed to realise the responsibilities placed on their shoulders in this respect. When any private member attempts to usurp the position of a Minister of the Crown it becomes our duty, irrespective of which side of the House we sit on, to uphold the dignity and honour attaching to the position of a Minister of the Crown. That is the reason why I voice my objection at this stage. Now let me come nearer home. The New South Wales "Parliamentary Handbook," 9th edition, says—

> The House will not proceed upon any Bill for granting any money, or for releasing or compounding any sum of money owing to the Crown, until the proposition shall have been first recommended by Message from the Crown and considered in a Committee of the Whole House and agreed to by the House.

Further, we find that the rulings of the Victorian Speakers, compiled by C. Gavan Duffy, LL.B., contain the following—

> An amendment directing the Government to withdraw from the contract for additions to Parliament House and to spend the money on water for the country, and municipal and charitable expenditure, is out of order, as it diverts money already specially appropriated. An amendment to insert the words "and country station requirements" after the words "rolling-stock" in the schedule of a Railway Loan Application Bill cannot be made without a Governor's Message.

I am not allowed to refer to what the Bill will contain. I must therefore ask hon. members to realise what would be the position following upon the passage of a Bill such as that which was introduced last session. Suppose that the Wyndham Meat Works, which cost the State approximately one million sterling, were sold, and that the Government, making a slip, let the works go for £900,000—that is near enough. The £100,000 difference immediately becomes a charge on the Consolidated Revenue for interest and sinking fund. No matter how prosperous the works might become, that amount would remain a charge on the revenue of the State.

The Minister for Works: Do you say that that loss would have to be provided for on the Estimates?

Hon. W. C. ANGWIN: Yes. Every year we would have to provide interest and sinking fund on the Estimates for that £100,000, until it was paid off. That £100,000 would be a loss. Now, the Wyndham Meat Works were started, not for a loss, but in the hope that they would pay their way. I am not going to discuss the merits of the enterprise now, but I say it was hoped that the works would not be a charge on Consolidated Revenue, but that they would earn sufficient to pay for themselves, leaving no debit to be made up out of Consolidated Revenue, in the same way as the State Sawmills have not been the cause of a single penny being charged to Consolidated Revenue. Nor is there any likelihood that the State Sawmills ever will become a charge on Consolidated Revenue. Even with the Bill we had last year, there was the probability of charges on the Consolidated Revenue resulting. That being so, I take the position that Ministers should retain the power placed in their hands and should say, "We cannot allow the control of the finances to go out of our hands."

The Minister for Works: The Government do not intend to.

Hon. W. C. ANGWIN: Ministers should say, "We intend to hand down that control just as we have received it. We intend to protect the privileges of Parliament and the authority of the Crown." If Ministers have no respect for the authority of the Crown, then the course which they are permitting in the case of the member for Katanning is correct. If they believe in throwing the Crown over altogether—and I do not think they do—if they believe in throwing aside the powers of the Governor entirely, then they can sit by and say, "Well, it would not be nice for us to do this ourselves; it would not look well, seeing that we are in daily consultation with the Governor and continually meet him in the Executive Council Chamber; but if any irresponsible private member wishes to do it, then we will not raise any objection, because the responsibility will be entirely off our shoulders." Thus authority would dwindle away. If this line of action is to be followed, let it be followed openly. Let every member realise that the introduction of the proposed Bill, whether it deals with money or not, whether it provides for a charge on Consolidated Revenue or not, means that every member of this Chamber has the right to introduce legislation which will have a tendency to make such a charge.

Mr. A. Thomson: I am glad you are conceding that much.

Hon. W. C. ANGWIN: I am not conceding it. All I say is, if this is to be the policy, let everyone be in the same boat. But that means the alteration of our Constitution,

and of our Standing Orders. It means setting aside the principles which have been handed down for the guidance of Ministers in the British Parliament for centuries. I am sure that the Government of the day would never attempt to introduce a measure of that kind, or attempt to amend the Constitution in that way. We know that sometimes our hands are tied, and that we cannot always move in the direction we have been asked to move in. We know that the restrictions under our Constitution are such that we cannot always introduce legislation in the manner we would like, because immediately we gave notice for leave to introduce a Bill of a certain kind, the Minister would want to know what the measure was about even before leave to introduce was given. Indeed, he could ascertain that from the Crown Law Department, who have to be consulted beforehand, and who therefore know what the business is. If the Bill meant a possible charge on the revenue, which would have to be voted by Parliament at a later date, the Government would immediately object to such a Bill being proceeded with. And in doing so they would be doing their duty. In the present case, however, it appears that the Government are fully satisfied, or else they would have raised last year the objection which I have raised to-day. I hope this House will not give "an irresponsible private member" authority to introduce legislation which in all probability will result in a charge on the Consolidated Revenue.

Hon. T. WALKER (Kanowna) [5.27]: I would like to give place to the Minister for Works, and to speak after him, because the Minister's conduct has been impugned by the speech we have just heard.

The Minister for Works: I have not gathered that from the speech yet.

Mr. SPEAKER: Does the Minister wish to speak first? Mr. Walker will make way for the Minister for Works if the Minister desires it.

The Minister for Works: I prefer that Mr. Walker should speak first.

Hon. T. WALKER: In the circumstances I have only to urge further the points which have been raised by the last speaker. I regard this as a most important step—the opposition to the introduction of a Bill the character of which, when the measure is introduced by a private member, becomes illegal. That is the whole point. The Government can, as they see fit, introduce or refuse to introduce a measure dealing with the State trading concerns. But they cannot sit still and permit a private member to introduce a Bill dealing with State trading concerns. They must object to that, by the rules and procedure not only of this House, but of every House of Parliament that has taken its laws and rules from the pattern of the House of Commons.

Mr. Underwood: Why not take a point of order?

Hon. T. WALKER: We take a point of order to a Bill which is before us. In this case the Bill is not before us, and we do not take a point of order in such a case. Our rules, however, permit us to object to giving leave. That is the point. When we know that leave is asked to introduce a Bill amending what clearly is within the province of the Crown, and of the Crown alone, then it is our duty to object to the introduction of that Bill. Our Standing Orders make provision accordingly. The motion for leave to introduce cannot be proposed from the Chair without giving an opportunity of debate; and if it is open to debate, we are open to object right from the start to the introduction of such a Bill, more particularly if it is introduced as affecting a province that no private member has power to deal with. The point raised by the member for North-East Fremantle (Hon. W. C. Angwin) is that it is the duty of this Chamber to protect its rights. That is the sum total of the hon. member's objection. I am astonished that the Minister has not taken immediate advantage of that action, to declare that the member for Katanning (Mr. A. Thomson) has no right to deal with this question unless he wishes, not only to act illegally, but to pass a vote of censure on the Government.

The Minister for Works: The Government do not take it that way.

Hon. T. WALKER: Surely it is a vote of censure!

The Minister for Works: Not at all. I do not know what his Bill is. Until I know, I cannot offer an opinion.

Hon. T. WALKER: I venture to say that the Minister for Works does know.

The Minister for Works: I do not.

Hon. M. F. Troy: We all know.

Hon. T. WALKER: Every member of Cabinet knows what the Bill aims at.

The Minister for Works: I may think I know what a man aims at, but that may not indicate that I am right.

Hon. T. WALKER: There is more in it than having an opinion concerning what the member for Katanning aims at. Of course, we may say, technically and officially, we do not know what is in the Bill.

The Minister for Works: Neither privately nor officially do I know.

Hon. P. Collier: You are behind the scenes all right!

Hon. T. WALKER: The member for Katanning asked for leave to introduce a Bill for an Act to amend the State Trading Concerns Act, 1916. The Minister for Works is charged with the responsibilities attached to the administration of that Act, and we all recognise that the matter is his concern, as well as the concern of the Government. It is purely a matter of revenue and expenditure, of assets and liabilities. The Minister knows that a Bill to amend that Act must interfere with the validity and the operation of the measure he is administering. While he must know that, the Minister tells hon. members that he has not gone to the trouble to

make inquiries to ascertain what the member for Katanning proposes.

The Minister for Works: I have already told you. You do not accept my word, so why ask again?

Hon. T. WALKER: I did so because I thought the Minister was using the words in a different sense.

The Minister for Works: I have not spoken to the member for Katanning, nor written to him concerning the matter. I have not approached him through any intermediary as to what he is going to do.

Hon. T. WALKER: If the Minister has not written to, or spoken to the hon. member, nor yet received any communication from him as to his intentions, I ask the Minister what he has been doing?

The Minister for Works: I have been doing my work.

Hon. T. WALKER: This notice of motion has appeared on the Notice Paper almost since Parliament opened, waiting to be discussed. The member for Katanning sits on the Government side of the House, and yet the Minister has not even gone to the trouble to ascertain from the hon. member, who is a supporter of the Government, what he proposes. If the hon. member proposes to trench upon the rights of the Crown and upon Ministerial responsibility, it is the Minister's duty rather than that of the member for North-East Fremantle (Hon. W. C. Angwin) to oppose the introduction of the Bill. It is the Minister's bounden duty not to permit the laws and procedure of this House to be violated by a private member. I cannot credit what has happened, for there has been some laxity on the part of the Minister, who is generally strict in his attention to duty.

Mr. Teesdale: Perhaps they are not speaking to each other!

Hon. T. WALKER: If that were so, the Minister should all the more suspect the intentions of the hon. member.

Hon. P. Collier: That would be all the more reason why the Minister should watch the member for Katanning.

Hon. T. WALKER: Why should the Minister allow a private member to steal a march on him?

Mr. A. Thomson: You would not allow me in the House at all.

Hon. T. WALKER: It takes all sorts of people to make a world, and a job lot to make a Parliament.

Mr. Underwood: We have a job lot all right.

Hon. T. WALKER: I certainly do not object to the member for Katanning being here—if the electors of Katanning send him to this Chamber. After hearing the speech by the member for North-East Fremantle, that was the time the Minister should have objected to a private member taking charge of the Bill. I trust the Minister will lose no time in making known his views on that point. It is abundantly clear that any Bill to amend the State Trading Concerns Act must be such as is comprised in the general distinguishing term "money bills." There is nothing else in it.

The Minister for Works: Yes, there is.

Hon. T. WALKER: It deals with the expenditure of money and the receipt of money, and, of course, with the methods of dealing with those receipts and expenditure. The Bill is purely one of that character. Suppose the hon. member had given notice of a Bill to amend the Railways Act in such a way—and everyone knew it—that it meant that Parliament should have no power to prevent the sale of our railways. What would the Minister have done in that case?

The Minister for Works: Ask me something easier.

Hon. T. WALKER: Would the Minister not have ascertained something about the Bill before leave was given to introduce it? Would he not have objected to the privileges of this Chamber being attacked in that way by a private member in his capacity as such, as distinct from the capacity of an hon. member as a Minister of the Crown? Let us be careful what we do in these matters. The only safeguard the people have is that there shall be responsibility for the receiving and expenditure of moneys under Acts of Parliament. The member for Katanning cannot pretend to have any responsibility under that heading.

Mr. A. Thomson: I am responsible to 3,000 electors.

Hon. P. Collier: But you are not responsible for the finances.

Mr. Underwood: Those electors have to pay taxes. They take the responsibility of putting the member for Katanning here, just as your electors took the responsibility of putting you here.

Hon. P. Collier: Look at the awful responsibility your electors took!

Hon. T. WALKER: We must be watchful of the responsibility of Ministers because if we relieve them of any of their responsibilities, there is no safeguard whatever respecting the right conduct of the business of this State, in relation to the public generally. It is a most sacred trust imposed upon Parliament: we must see that Ministers accept their reponsibilities and that they shall not tolerate their powers being assumed by private members. If we are to have a proper form of Government, the House must protect itself from encroachments upon that responsibility. There must be no usurping of the powers of the Crown by individual representatives who have no responsbility attached to them by means of an oath of office.

Mr. Underwood: Do you wish to cut away all powers from the individual representatives?

Hon. T. WALKER: I wish to preserve to the utmost our individual power, but I wish to preserve the responsibility of Ministers from encroachment on the part of private members.

Mr. Underwood: Then we are to be rubber stamps only!

Hon. T. WALKER: I do not consider the hon. member is so lacking in intellect that he cannot understand what I say. There is a difference between the powers and rights of individual members, and that particular quality attached to Ministers which we call "responsibility to the Crown." That is the only phase I am dealing with now. That responsibility must not be whittled away or treated lightly.

Mr. Underwood: The responsibility of private members must not be whittled away.

Hon. T. WALKER: The responsibility of private members must equally be preserved, but the responsibility I am discussing is different from that of private members. The member for North-East Fremantle drew attention to that fact when he pointed out that this responsibility was considered of so much importance, not only in the history of the House of Commons, but in the constituent elements of our own Parliament, that it appears, not in our Standing Orders, which are for the guidance and disciplining of this Chamber——

Mr. Underwood: We want disciplining; we want to be kept in our places!

Hon. T. WALKER: If the hon. member kept his place, and did not make himself prominent mostly as an interjector, he would respect the rules of debate. When he does so, I will be able to appreciate better anything coming from his lips. The very founders of our Parliament considered the matter of such vital importance—it is, indeed, vital - that they embodied provisions in the Constitution Act as follow:—

> 67. It should not be lawful for the Legislative Assembly to adopt or pass any Vote, Resolution, or Bill for the appropriation of any part of the Consolidated Revenue Fund, or of any rate, tax, duty, or impost, to any purpose which has not been first recommended to the Assembly by message of the Governor during the session in which such Vote, Resolution, or Bill is proposed.
>
> 68. No part of the public revenue of the Colony arising from any of the sources aforesaid should be issued except in pursuance of warrants under the hand of the Governor directed to the Treasurer.

Although we have amended the Constitution we have left that part of it unimpaired; it is not affected by a subsequent amendment of the Constitution Act: it stands just as it was in the House of Commons, and is confirmed by the authorities that were quoted by the previous speaker. If we are to be guided by our Constitution, we cannot permit a private member to introduce a State trading concerns measure; we cannot permit any member sitting on the cross benches or indeed in any part of the Chamber, to bring in such a Bill; we cannot give him leave to do so. And if we cannot give him leave to bring in such a Bill, we cannot give him leave to deal in any form with that which has already become law. We cannot allow the member for Katanning to deal with this matter because it is peculiarly a matter not of this House, so to speak, but of the Crown; and the Crown, as hon. members know, is the chief executive. The Crown acts through the Ministers, and the Ministers are responsible to the Crown. That is why they are called responsible Ministers. The moment that is broken down, responsible government ceases; we no longer have responsible government.

Mr. Underwood: Parliament is no good at all.

Hon. T. WALKER: The hon. member may mutter or mumble all he pleases; it may be his view that Parliament is no good at all. Parliament is the legislative branch of those three parts that constitute responsible government. The hon. member knows that we have the Crown and Parliament and the executive functions. Those three branches together form what is known throughout the world as responsible government, and all that can be claimed for the rights and privileges of the hon. member I would defend just as much as I would defend now the rights of the Crown in this Chamber. That is to say, it must not be open to any member at any time, who takes no responsibility, to make proposals dealing with the financial conditions of the State.

Mr. Underwood: We take the responsibility of losing our seats.

Hon. T. WALKER: Is there nothing in taking the oath of office, when a man assumes what is known as Ministerial responsibility, a special responsibility as everybody knows? It is that responsibility that we are dealing with in this matter. Here is a Bill that proposes to take away from the Government their responsibility and to vest it in the member for Katanning.

Mr. Underwood: No, in Parliament.

Hon. T. WALKER: I would like to know what the hon. member is aiming at by his interjections. Does he wish to say that there should not be responsibility on the part of Ministers, that responsibility that is referred to in the section of the Constitution that I have read?

Mr. Underwood: They are not everything.

Hon. T. WALKER: No, but does he wish to say that he would take away from Ministers the responsibility which is theirs? If he means that, I can deal with him, but whilst he aimlessly utters interjections, the meaning of which cannot be interpreted by anybody but himself, I cannot step aside to reply to them.

Mr. Underwood: Don't waste any time on them, anyhow.

Hon. T. WALKER: I have no desire to do that. I emphasise that we are getting too much in the habit of casting the Constitution to the winds, and putting this Assembly on the level of an ordinary debating society, not upon the level of a responsible body of people who have to act

as trustees for the whole of the State. Ministers are too apt to say, "Never mind me, do it yourself," and in this way shirk the responsibilities of office. They might also declare, "We would like to deal with the State trading concerns, but it might do us political injury, so you, please, deal with them for us." Then the member for Katanning steps in and takes the responsibility which belongs to the Minister who has control of the trading concerns. That is destroying the very essence of responsible government. It is rendering this Chamber liable to the taunts and sneers and gibes of everybody who has common sense enough to say, "We are not governing, we are playing with government and playing with it like children, not like intelligent and thoughtful men." It is for that reason that I desire that leave shall not be given to the hon. member to introduce the Bill. Let us sweep away the evil at its incipience; let us prevent an innovation of this kind. If we give leave to introduce such a Bill in an apathetic and unwatchful Parliament, other measures may pass and have practically all the formalities of law, which measures, from their inception, will be absolutely illegal. A measure dealing with State concerns cannot be introduced without a Message from the Crown; that is the Crown's function; that is the part the Crown plays in governing. The Governor has a responsible relationship with this Chamber, and one of the acts he must perform where money is concerned is to furnish a Message to Parliament, which you, Mr. Speaker, must read to the House. That is a Message which gives permission for the introduction of a money Bill. A responsible Minister must submit the Message. The member for Katanning cannot claim any of that responsibility. We must be watchful to prevent evils creeping in quietly and unobserved; we must see that the members of the Government watch the interests of the Crown, watch the rights of this Chamber, and watch the rights of members who are acting as trustees for the people. Authorities have been quoted at length by the member for North-East Fremantle (Hon. W. C. Angwin), and the matter is clear. Anything dealing with the State concerns, as managed by the Government, has two qualities about it when it is introduced by a private member. First of all, the act is illegal because the proposal comes to us without a Message, and in the next place it is tantamount to a vote of censure, as it tells the Government they do not know their business. It amounts to telling the Government what they are to do, and that the Government do not possess the confidence of members. My surprise is that Ministers can sit so quietly.

The Minister for Agriculture: But this is private members' day.

Hon. T. WALKER: All the more reason why Ministers should see that on such a day private members do not encroach on what is purely Government business.

The Minister for Agriculture: The member for Katanning is not doing so.

Hon. T. WALKER: Is this not a money Bill? Does not the Minister know that the State Trading Concerns Act was introduced by Message? Is he not aware that the hon. member's Bill must also be accompanied by a Message? As a Minister of the Crown, does he not know his duty? It is the duty of the Minister for Agriculture, as second in command, and as Deputy Premier, with which I am dealing. The hon. gentleman declares that as it is private members' day "we need not worry about it." So much asleep to the welfare of the House, that because a private member does it the Minister thinks it is no business of his, although that business gives a direct blow at what is rightly within the sole control of Ministers. The Minister astonishes me. It all comes from putting inexperienced men into high positions and swelling their heads so that they cannot think; it comes of exalting them to the post of second in command. It shows how a great institution, time-honoured and historical like this of Parliament, may be belittled by Ministers being so callous to the welfare of their own duties and responsibilities. If anything at all should make us careful, it is this expression of opinion from the Minister; because we do not know where we shall drift to. Whilst we have Ministers of that calibre, we may upset entirely every sacred feature of the Constitution Act and of British constitutional law. Here is an inroad, an innovation, a break-in. The Minister is indifferent to it because it is private members' night.

The Minister for Agriculture: You would stop the hon. member from putting it on the Notice Paper.

Hon. T. WALKER: No, not that. How could I have made this speech to-night if he had not put the notice on the paper? But the mover wants to go further than putting it on the Notice Paper—he wants leave to introduce a Bill. Has not the Minister brains enough to see that there is a great deal of difference between putting a notice on the paper and getting consent to introduce a Bill?

Hon. M. F. Troy: That is the Government method.

Hon. T. WALKER: It is this superficial method of reasoning that is destroying government in this State. Ministers do not bring their brains to bear upon proposals submitted to them, and consequently matters are allowed to slide.

The Minister for Agriculture: Do not be personal.

Hon. T. WALKER: I am not personal. I said that Ministers do it. I hope the hon. member will not make the cap fit him. I meant it in a general sense. Ministers are too light in their watchfulness, too careless altogether. It is a protest against this carelessness which has been raised by the member for North-East Fremantle (Hon. W. C. Angwin). Ministers ought to be grateful to

the hon. member for what he has done. I hope members generally will awaken to a sense of their responsibility and not permit this dangerous innovation upon principles so sacred as to be embodied in our Constitution itself.

Mr. UNDERWOOD (Pilbara) [6.4]: I do not desire to discuss the Bill or what is contained therein. I take it the motion is in order. My knowledge of you, Sir, as Speaker, convinces me that you examine all motions brought before the House, to see that they are in order. The member for Kanowna (Hon. T. Walker) has endeavoured to protect the Ministry. I wish to speak on behalf of the other 45 members. If members are not to have opportunity to bring their ideas before the House, we may as well cut out the House and put in an executive council to run the country. The member for Kanowna, an eminent Liberal, has been talking about the great privileges of the people. I am somewhat of a judge of tripe; I have now had a meal of it.

Hon. T. Walker: I suspected you had indigestion.

Mr. UNDERWOOD: When, eventually, the Bill comes before us, in all probability I shall vote against it. However, I still contend that the mover of the motion, or any other member, has a perfect right to bring that Bill before Parliament. That is all we are debating now.

Mr. MONEY (Bunbury) [6.6]: Since I have been a member of the House this is the first time objection to a Bill has been taken at the introduction stage. Because of that, I have looked up the records to see what took place when the State Trading Concerns Bill was brought down. I find it was introduced on the 2nd November, 1916, and read a first time without any message from the Governor. There is nothing either in the original Constitution Act or in the amending Act against such a measure being introduced.

Hon. W. C. Angwin: Two wrongs do not make a right.

Hon. T. Walker: Do you mean to say the Trading Concerns Act was not introduced by Message?

Mr. MONEY: What the Act says is that no such measure shall be passed without a message from the Governor. It is a big difference. This is not the stage, when the House has no knowledge of what is in the Bill, to discuss that legal point. The time to take that point will be when the Bill is before the House. It will then be for the House to say whether or not it is a money Bill. It would be possible to amend the State Trading Concerns Act without touching upon finance.

Hon. W. C. Angwin: Which section would you amend?

Mr. MONEY: One could amend the last section, dealing with disputes between Government departments.

Hon. W. C. Angwin: And expenditure might be brought into the dispute.

Mr. MONEY: What are we here for? government by Parliament, or government by four or five individuals?

Hon. M. F. Troy: That is what it is.

Mr. MONEY: Without the privilege of what power would hon. members have? It is not contemplated in the Constitution Act that such a point should be raised at this stage. We have not read aright Section 46 of the Constitution Act of 1921. That section deals almost exclusively with the powers of the Legislative Council in respect of money Bills. Not until we get down to Subsection 8 does the section touch upon the point raised here this evening. Subsection 8 reads as follows:—

> A vote, resolution, or Bill for the appropriation of revenue or moneys shall not be passed unless the purpose of the appropriation has in the same session been recommended by message of the Governor to the Legislative Assembly.

There is nothing in that to say the Bill shall not be introduced except by Message. It must be introduced before we can decide whether or not it is in order. There is nothing in the Constitution Act limiting the freedom of an hon. member to introduce a Bill. To stop it at this stage would be to gag the hon. member. Why stand in the way of a private member? Those members who to-day are declaring that we must not touch the Constitution, would be prepared tomorrow to advocate the abolition of the Legislative Council. What could be more unconstitutional?

Hon. P. Collier: A nice constitutional authority you are!

Mr. MONEY: I cannot understand this method of working.

Hon. P. Collier: What logic!

Mr. MONEY: There is nothing in the Constitution Act to prevent the introduction of a Bill into Parliament by a private member.

Hon. T. Walker: And that Constitution gives us our right to debate the motion for leave to introduce the Bill.

Mr. MONEY: But you are criticising a shadow. We have not yet seen the Bill. Our time should be better spent than in arguing against shadows. Let us have the substance, and see what is in the Bill.

Capt. CARTER (Leederville) [6.13]: I have listened carefully to the pedantic dissertation of the member for North-East Fremantle (Hon. W. C. Angwin), and with no little astonishment to the hysterical, if not distempered, outburst of the member for Kanowna (Hon. T. Walker), which was nothing more nor less than a repetition of arguments borrowed from the previous speaker. Boiled down, the whole thing is merely an expression of opinions by various members. Although no point of order has been raised, I should be glad if you, Sir, would set the House right and let us know whether we

are justified in objecting to the Bill. If you would give us the truly constitutional aspect, it would save a lot of valuable time. A great deal of time has been wasted this afternoon. A most unusual attitude has been adopted towards this Bill, namely, simply that of wasting time.

Mr. SPEAKER: Before leaving the Chair, and in response to the request by the hon. member, I may say the notice of motion is in order, and therefore the debate upon it is also in order. No point of order has been raised, and consequently there are no reasons for my stepping in. My difficulty is to keep members as close to the discussion as possible.

Sitting suspended from 6.15 to 7.30 p.m.

Capt. CARTER: Following on your remarks, Mr. Speaker, I can only add that the position that has arisen over the application for leave to introduce this Bill is an extraordinary one. The House does not know the contents of the Bill, and the House therefore is not competent to discuss the Bill in relation to any existing statute. The House is ignorant of the real position.

Mr. SPEAKER: The hon. member is not quite in order in saying that, because the question before the Chair is that leave be given to introduce a Bill for an Act to amend the State Trading Concerns Act. This is all that is before the House.

Capt. CARTER: That covers in a general way the purport of the Bill, but while the contents of the measure may be known to you, they are not known to members of the House.

Hon. P. Collier: We are not debating the contents.

Capt. CARTER: The position is certainly extraordinary, savouring, as the member for Bunbury expressed it, of nothing more or less than the application of the gag. Last session when the member for North-East Fremantle (Hon. W. C. Angwin) moved to defer for six months the second reading of a similar Bill, a motion that was carried, his party having voted for it en bloc, I stated that he had been successful in applying the gag most effectually.

Mr. SPEAKER: The hon. member has no right to cast any reflection upon any member of the House.

Capt. CARTER: I made the statement at that time and was not called to order.

Mr. SPEAKER: That was probably my fault.

Capt. CARTER: Perhaps so. The rights and privileges vested in every representative of the people sitting in this House surely cover the ground that the member for Katanning is treading in seeking to introduce his Bill.

Hon. W. C. Angwin: Our privileges are limited.

Capt. CARTER: If, on private members' day, we are not permitted to advance our opinions, clothed in the form of a Bill, we shall be impotent and shall be handing over the whole of the business to the Executive.

Hon. W. C. Angwin: Do you believe in the Constitution?

Capt. CARTER: We shall be placing ourselves in the hands of a set of men who, however honourable they may be, are not deserving of such tremendous powers as would thus be conferred upon them. The objection to the motion is not worthy of the attention of this august Assembly and I trust the House will disregard it.

On motion by Mr. Stubbs, debate adjourned.

BILL—ARCHITECTS ACT AMENDMENT.

Introduced by Mr. Latham and read a first time.

NOTICES OF MOTION.

Mr. SPEAKER: As there remains only ten minutes for the discussion of Notices of Motion, I point out that if motions are proceeded with and any member is speaking at the time, I shall have to interrupt him. Then, if the Minister in charge of the House moves to discontinue motions and proceed with Orders of the Day and his motion is carried, the notice of motion under consideration will be lost and the member responsible for it will have to give fresh notice to get it on the business paper again.

The MINISTER FOR AGRICULTURE: I move—

That the discussion of motions be discontinued and that Orders of the Day be proceeded with.

Question put and passed.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Mr. McCALLUM (South Fremantle) [7.38] in moving the second reading said: The Bill contains two points of policy regarding factories legislation. It deals mainly with the manufacture of white lead, and the other point referred to is the providing of meal rooms in factories. The main object is to prevent as far as possible the spread of lead poisoning amongst those persons engaged in this noxious trade. A factory for the manufacture of white lead has been started in my district. The industry is in its infancy and it is desirable that legislation be passed forthwith to deal with it so that it cannot later on be claimed that vested interests are an obstacle to our legislation being brought into line with that of other countries. It should not be necessary to have to explain what lead poisoning means to humans. It is one of the worst

industrial diseases, if not the worst, known. I have seen men suffering tremendous agony from lead poisoning. I have occupied the same room as men suffering from this deadly disease and have known them to walk the floor all night in their agony. I have seen men lose every scrap of hair on their bodies, their teeth and fingernails: I have seen their wrists drop until their hands became powerless; I have seen big strapping men go to early graves within a few months of being stricken with the disease. With tuberculosis it can be bracketed as the worst of all the industrial diseases. There are so many ways in which lead poisoning may be contracted and conveyed that particular care must be exercised if employees engaged in the industry are to enjoy any degree of safety. Inhalation of dust is the most common cause of the disease in its most serious form. Anyone acquainted with the process of manufacturing white lead knows it is impossible to avoid contact with the dust. In older countries science has been brought to bear and plants of improved design have been introduced to minimise the dust danger. The factory in my district, however, is a small one and is certainly not free from dust. The dust is much finer than flour and it is exceedingly difficult to avoid the danger of inhaling it. Once the dust is inhaled, poisoning follows. The lead too, finds its way under and collects around the fingernails, and unless the hands are thoroughly cleansed before meals, there is grave danger of the poison being taken into the system with the food and the disease thus contracted. The doctors say that the employees will contract the disease through the dust collecting in their beards and moustaches and the hair of their heads. I was reading recently of the case of a man who was employed in a factory manufacturing white lead. He was in the habit of going home in the same clothes in which he worked, and two of his children contracted the disease. The doctors accounted for it by the fact that the children used to meet their father, that he would lift them up, and that when he did so the dust would pass from his clothes to theirs. The children would then sit down to tea, swallow some of this dust, and thus contract the disease. We have no law giving compensation for this disease. If an employee goes under through lead poisoning, he can receive no compensation under the Workers' Compensation Act. We should stretch every point to protect the lives of those working in this industry, and do our best to see that all precautions are taken for their safety. No amount of monetary consideration could pay for the sacrifice of human life. I do not know whether is it necessary for me to establish a case for the passing of this Bill to deal with lead poisoning.

Mr. Teesdale: Is it specially exempt from the Workers' Compensation Act?

Mr. McCALLUM: That applies only to accidents, not to industrial diseases. There is nothing in the Factories Act giving the Department power to deal with this class of industry in the way it may desire. I do not, however, want to run the risk I ran in connection with the Scaffolding Bill. I thought there would be no opposition to that measure, but during the debate it was thrown across the floor at me that I had not made out a case, because I had not produced a number of maimed men or cripples in this Chamber, and had not given statistics showing what accidents had occurred and established a case that men had been injured or killed before they would agree to that legislation being passed. I do not know whether it can be argued that I should produce here men suffering from lead poisoning, or that a procession of men suffering from that disease should pass through this Chamber before the Bill is allowed to go through. No doubt members opposite will say that this kind of legislation is hindering private enterprise, throwing burdens on the industry, hampering the development of secondary industries and of the State. Right through the ages we have been faced with that kind of opposition whenever any reform has been attempted or any effort has been made to protect human life at the expense of profit-seeking individuals. That sort of thing always occurs when one attempts to interfere with the selfish interests of profit-mongers. It is always hurled at us that we are attacking vested interests, are ruining enterprises, handicapping business, and that we are asking for something that should not be given. This kind of opposition occurred in the 15th or 16th century when an agitation was commenced for this class of legislation. The opposition at that time came from those who maintained that such a law would handicap private enterprise. We now have the voices of the dead past echoing in this Chamber, as was the case last week when the Scaffolding Bill was introduced to protect the lives of those engaged in the building trade. I had thought this class of opposition was buried ages ago. However, no matter what opposition has been fought down in the past, whenever the Labour movement seeks to protect and guard the lives of the workers as against the interests of money, the same fight has to be fought over again.

The Minister for Mines: There was not much fighting over the Scaffolding Bill.

Mr. McCALLUM: Two bitter speeches were made in this Chamber, and we were told that if that Bill was passed it would make the cost of building prohibitive.

Mr. SPEAKER: A discussion on that Bill cannot be allowed.

Mr. McCALLUM: I do not know whether I should anticipate a similar attack upon this Bill, and whether I shall have to meet the same arguments that were brought forward against the Scaffolding Bill.

Mr. SPEAKER: The hon. member will have an opportunity of replying to the arguments.

Mr. McCALLUM: I shall only be able to answer any points that are raised. I do not propose to cite specific cases, for it is not my desire to discredit the efforts of anyone who is starting a secondary industry in this State. I confess, however, I should be far happier to-night if I were introducing a Bill to prohibit the manufacture or use of white lead in Western Australia.

Mr. Stubbs: Are there many employees?

Mr. McCALLUM: There are only six or eight men at present working in the factory, but I am anxious that legislation should be passed while the industry is in its infancy. I do not want to do anything that may be detrimental to those starting the industry, or anything that may do the people concerned a personal injury. In every reform of this kind we have to meet the same objection. I remember having to meet them in every reform I have assisted in agitating for, and I know that those who went before me had to face the same difficulty. All who argue against humane legislation invariably disclaim any financial interest in the matter, and maintain that they are wholeheartedly interested in human life.

Mr. Money: Are you not jumping before you reach the fence?

Mr. McCALLUM: No. I have learned in this Chamber what to expect in opposition to this measure.

The Minister for Mines: Why accuse members of opposing it before you have heard them speak?

Mr. McCALLUM: If I adopted that suggestion I might just as well place the Bill before the House and let it go at that. I am, however, anticipating opposition, not only here, but outside.

Hon. P. Collier: You are entitled to anticipate opposition.

The Minister for Mines: I do not say he is not, but why is he arguing the point?

Mr. McCALLUM: I propose to argue it, because there will be opposition, as I have said. I might just as well meet the situation now. Last week I did not think there would be opposition to the Scaffolding Bill. I did not dream that a proposal which has been adopted in so many countries would be derided here. Some very hard things were said about that measure, and I anticipate equally hard things to be said about this Bill. I want the House to know exactly what has been done in other parts of the world. If it is going to be argued that we in Western Australia are not ready to meet such a case, I want to be in a position to show that we are a long way behind most other countries.

Mr. Latham: Is there legislation in the other States dealing with this?

Mr. McCALLUM: In one or two States. In 1833, when the Poor Law Commission was reporting to the House of Commons, they made a recommendation under the heading of special rules to be made regarding white lead workers. That was 90 years ago. In this State we have no rules governing works where white lead is manufactured. We have made no progress here, and have no law dealing with an industry that creates so much disease as this one. No one can doubt that precautions are necessary. Other countries have taken extensive means to deal with this particular industry. They have gone to a greater extreme than I propose in this Bill. In some countries it is provided that no employee with an empty stomach shall enter upon works where white lead is being made. They prescribe what the employee shall have for breakfast. Milk, eggs and bacon are mentioned as a suitable diet for breakfast for the employees engaged in this industry. That would be difficult to enforce in Western Australia. The Bill sets out that the employer shall keep on the premises a supply of a particular kind of lemonade, that must be made with sulphuric acid and not with tartaric or citric acid. Medical men have stated that lemonade made with sulphuric acid renders the lead insoluble, in which state it is more likely to pass through the system. If it is taken into the mouth with ordinary lemonade, tea or water, it becomes soluble and enters the system, and that is chiefly how the damage is done. Let me remind the House that at the international Labour Conference, held under the terms of the Peace Treaty at Geneva, the question of the manufacture of white lead was discussed. According to the reports, this question raised one of the keenest and bitterest debates yet held at such a conference. The resolution to prohibit the manufacture of white lead in all the countries represented was lost by only one vote; and the one vote which lost the resolution was that of the supposed Labour delegate from Australia. He was the only Labour delegate who voted with Government and employers' interests. Hon. members will, no doubt, recall the astonishment which was created when that gentleman reached London, where he was cartooned, and where leaflets depicting him as a Labour curiosity were scattered about.

Mr. Latham: Why be so hard?

Mr. McCALLUM: If that man had voted in accordance with the principles of working men in all the countries on earth, I would not now be standing up here to advocate this Bill, because the Geneva conference would have laid it down that all countries represented there, and all parties to the covenant of the League of Nations, should pass legislation prohibiting the manufacture of white lead within their boundaries. There was a wealthy company pulling the strings behind the Governments at the conference. The question involved big profits to them. We know that Labour organisations did not have the appointment of delegates to the conference. Those appointments were made by Governments. When it came to considering the interests of human beings against the interests of profit-making companies, ours was the only Labour delegate who voted against the resolution; and it was by his vote that the resolution was lost. Later both sides saw that all countries were determined that something

should be done, and ultimately it was unanimously resolved that the employment in lead works of all women and boys under 18 years of age should be prohibited, and also that in any industry where white lead was used with paints, no woman and no boy under 18 years of age should be employed. The apprenticeship of boys, moreover, is subject to very stringent regulations, which I will read later. I have here the report of the International Labour Conference of the League of Nations held in Geneva during 1922, and under the heading of "Lead Poisoning" it states—

> The attitude adopted by the Washington Conference towards the question of white lead poisoning was very similar to that taken towards anthrax. In order to achieve something practical at once, the Conference voted a recommendation in favour of the protection of women and children against lead poisoning. This recommendation prohibited the employment of women and young persons under the age of 18 years in all industries in which the risk of lead poisoning exists.

I do not go so far as that in this Bill.

Up to the time of the Geneva (1921) conference effect had been given to the recommendation in the legislation of two countries (Great Britain and the Netherlands). During the past year three more countries (India, Japan, Poland) have either passed legislation for this purpose or intimated that their existing legislation already applies the provisions of the recommendation. In India the necessary provisions have been laid down in the Factories Amendment Act which came into force on the 1st July, 1922. In Japan, Section 10 of the Factory Act covers the ground. The situation with regard to the protection of women and young persons against lead poisoning in Poland, though in general conformity with the Washington recommendation, is not uniform over the whole country, for the question is regulated separately by the Russian and German law still in force in the parts ceded by the two countries. Measures are, however, being adopted for the revision of existing legislation, with a view to unifying the two systems, and an order has already been issued by the Ministry of Public Health in conjunction with the Ministry of Labour and Social Welfare concerning the notification of cases of poisoning from lead and other substances. The Government of South Africa considers that adequate provision is made in the Factory Act for securing protection for women and young persons against lead poisoning. In Germany, where the Government has proposed the adoption of the recommendation, existing legislation is considered to be in general conformity. In Brazil Bills have been introduced with a view to giving effect to the recommendation. In Bulgaria approval has been authorised by Parliament, and existing legislation is in conformity with the recommendation except insofar as the question of the possible substitution of by-products of white lead by other non-poisonous substances remains to be dealt with when the Health and Safety of Workers Act is amended in the near future. In Spain the Royal Order of the 25th January, 1908, prohibits the employment of young persons under 16 and of female workers of minor age in industries in which there exists a danger of lead poisoning. The Government of Hungary has under preparation a Bill for giving effect to the recommendation. In Italy protection is afforded against the danger of lead poisoning in the case of young persons under 15 and female workers under 21. In Switzerland, Section 7 of the Federal Act of the 31st March, 1922, concerning the improvement of women and young persons in workshops will enable effect to be given to the recommendations by means of an order issued in pursuance of the Act by the Federal Council. In Denmark and Sweden the question of protection against lead poisoning has been made the subject of inquiry. Mention was made in the 1921 report of Bills introduced in Chili and Portugal.

The Washington conference did not stop merely at the protection of women and children, but set itself to frame protection also for the men engaged in the industry—

> Although the Commission was not empowered under the terms of reference to make definite proposals for this purpose to the Conference, it gave sympathetic hearing to a motion by Mr. Bidegaray, the French Workers' Delegate, asking that the question of the use of white lead in house-painting should be raised. Unable to go further, the Commission expressed the opinion that the subject should be placed on the agenda of the next session of the Conference. Hence a question which had given rise to violent controversy came to be placed on the agenda of the 1921 Conference.

On the question of white lead in paints the Washington conference of 1921 came to the following decision:—

> (a) For the prohibition of the use of white lead and sulphate of lead and of all products containing these pigments in the internal painting of buildings, except where the use thereof is considered necessary for railway stations or industrial establishments by the competent authority after consultation with the employers' and workers' organisations concerned. (b) For the prohibition of the employment of males under 18 years of age and of all females in any painting work of an industrial character involving the use of white lead, etc. (c) For the regulation of the use of white lead, sulphate of lead and of all products containing these pigments, in operations for which their use is not prohibited. The prohibitions are subject to the following exceptions:—(1) White pigments con-

taining a maximum of 2 per cent. of lead expressed in terms of metallic lead may be used. (2) White lead may be used in artistic painting or fine lining, subject to definition and regulation by the Governments. (3) Painters' apprentices may be excepted from the prohibition contained in Article 3, summarised under (b) above. (4) Prohibitions do not come into force until six years after the closing of the 1921 Conference, i.e., 20th November, 1927.

Article 5, which was agreed to after the deadlock, reads as follows:—

Each member of the International Labour Organisation ratifying the present convention undertakes to regulate the use of white lead, sulphate of lead, and of all products containing these pigments, in operations for which their use is not prohibited, on the following principles:—1 (a) White lead, sulphate of lead or products containing these pigments, shall not be used in painting operations except in the form of paste or of paint ready for use. (b) Measures shall be taken in order to prevent danger arising from the application of paint in the form of spray. (c) Measures shall be taken, wherever practicable, to prevent danger arising from dust caused by dry rubbing down and scraping. 2 (a) Adequate facilities shall be provided to enable working painters to wash during and on cessation of work. (b) Overalls shall be worn by working painters during the whole of the working period. (c) Suitable arrangements shall be made to prevent clothing put off during working hours being soiled by painting material. 3 (a) Cases of lead poisoning and of suspected lead poisoning shall be notified, and shall be subsequently verified by a medical man appointed by the competent authority. (b) The competent authority may require, when necessary, a medical examination of workers. 4, Instructions with regard to the special hygienic precautions to be taken in the painting trade shall be distributed to working painters.

If all those precautions are necessary to deal with the lead used in paints, how much more is it necessary to have stringent regulations when it comes to working in a factory where white lead is made, where the worker is right amongst the raw material, where the dust is spread, and where a man is called upon to handle freely the raw product itself! I ask those members of the Ministry who are present how it comes about that this State, which was represented at the Convention by the Commonwealth Government, which is part of the League of Nations, has taken no steps to give effect to those resolutions? Shortly after I entered this House I asked a question as to whether the Government had any knowledge of the decisions arrived at in Geneva and Washington, and whether any action was to be taken by this Government to give effect to those decisions. It appears to me that the delegates from Australia to the League of Nations merely went to the other side of the world, sat at the conference, returned to Australia, and presented their reports, and that was the end of it. Here I have the printed report of the Australian delegate, Mr. Merry, presented to both Houses of the Federal Parliament, and it sets out the precautions to be taken, and also sets out prohibitions for certain employees. There has been nothing in the shape of an attempt in this State to give effect to those decisions. Australia is one of the countries which so far have not come into line by passing the industrial legislation agreed to at the Conference.

Mr. Money: Have those recommendations been given effect to by any Australian State?

Mr. McCALLUM: I do not think so. All I know is that this is the report which was presented by Mr. Merry, supposed to represent the Australian workers, and the Government representative, Mr. Robinson. I could not find a copy of that report in this State, and had to send to Melbourne for it. I do not know whether there is another copy in Western Australia. I do not know whether the Ministers present can tell me whether the Western Australian Government have seen the report, or whether this legislation comes within the domain of the State or within the domain of the Federation. Surely it was for the Commonwealth Government to advise the State Governments to move if it was the duty of the State Governments to give legislative effect to the decisions of the Conference. It should not be said of us that all these nations have passed the necessary legislation and that we in Australia have taken no steps to deal with the problem. The report proceeds—

In spite of the increasing difficulties of the national Governments and Parliaments in dealing with the pressure of work occasioned by the present troubled political and economic conditions and of the fact that the period of 12 months within which the Governments undertake to present the conference decisions to the competent authorities has not yet expired, a certain amount of progress towards the application of the Convention has already been made. The first ratification, that of Esthonia, was registered by the Secretary-General on 8th September, 1922. A ratifying Bill has been adopted by the National Assembly of Greece. In Belgium, a new Commission was appointed by decree of 2nd June, 1922, for the purpose of considering the modification of existing regulations which may be necessary in order to conform to the draft Convention. The Government of Canada has examined the draft Convention from the point of view of the respective competence of the Dominion and Provincial authorities and has decided that the matter of the Convention is within the competence of the Provincial legislatures. Preparations for applying the Convention have been begun in Great Britain by a consultation between the Home Office and

the Painters' and Decorators' Industrial Joint Council, a body upon which are represented the principal employers' and workers' organisations concerned. As a result of these conferences draft regulations have been drawn up and approved by the Industrial Joint Council which, at the same time, adopted a resolution urging the Government to give effect to the regulation without delay. An order of the Bey of Tunis of 10th April, 1922, prohibits, after the expiry of one year from the date of promulgation, the use of white lead, plumbiferous oils, and all specialised products containing white lead both in the internal and external painting of buildings.

That is what has happened in other countries, but in Australia we have not even passed legislation to prohibit white lead being used in painting the internal work of buildings. These other nations are standing up to their responsibilities and are giving effect to the decisions of the conference held under the auspices of the League of Nations. We are lagging behind altogether. These are the decisions that were arrived at by the Convention. I want to show what has been done in Great Britain and how the position is viewed there. Although the British workshops and factories are much more extensive than ours and perhaps require more strict attention, hon. members will see as I proceed that my Bill does not propose to go anything like as far as the legislation enacted in Great Britain. I wish to quote from a book which has only recently been published, entitled "Industrial Hygiene and Medicine" by Hope, Hanna and Stallybrass. This is a magnificent work written by eminent men in collaboration. It gives particulars of the law in Great Britain and details of what has been done there to deal with these objectionable industrial diseases as they affect the workers, what experiments have been carried out and the effect in different factories. Under the heading of "Industrial poisons and their effect," these authorities state:—

> Compulsory adoption of general measures to prevent industrial poisoning by lead has been in force for many years. The general measures provide for (1) The removal of fumes and the reduction of dust by special exhaust ventilation mechanism, wet cleansing of floors, etc.

Dr. T. M. Legge, the Chief Inspector of Factories in Great Britain, in his annual report for 1919 states—

> As right notions of the causation of lead poisoning are of first importance, I emphasise again my belief, after perusal of some 25,000 reports on cases which have occurred in the past, that locally applied exhaust ventilation is the sheet anchor in the protection of the workers from lead dust and fumes, and that these alone are the causative agents.

The factory in my district has no pretence at ventilation at all. It is situated on the beach, it is true, but there is no effort to provide ventilation. All the authorities lay down that the first attention should be given to ventilation and unless there is a proper system of ventilation installed, there is no chance of coping with the poison or protecting the workers from its effects. The authorities proceed—

> (2) The abolition of manual labour as much as possible, the use of automatic machinery, and the introduction of wet processes, e.g. watering of white lead chambers and smelting mixtures, and the grinding of white lead with oil, etc. (3) The use of respirators and overalls where much dust is produced: The latter should fit closely round the wrists and neck, and be frequently washed. Hours of labour in dusty processes should be shortened, and alternation of work arranged for. (4) Washing and bathing facilities (standardised requirements in regard to lavatory accommodation) have now been inserted in almost all recent regulations for dangerous trades. (5) Special rooms for meals. (6) Frequent and regular medical supervision and inspection of the employees, with suspension of work in case of sickness. Of all the individual precautions to be adopted, those relating to personal hygiene are by far the most important. Very little trouble is required, and the dangers to health and life can be easily avoided. Oliver's view is that lead poisoning may be easily caused, and may be almost as easily prevented, especially by personal cleanliness. The hair, beard, and nails should be kept short, so that there may be no harbourage for dust. A suitable cap should be worn. At the end of work, and before meals, the mouth should be rinsed out and the face and hands and nails thoroughly washed with soap and hot water, a nail brush being used to cleanse the nails, and some hypochlorite of soda or turpentine added to the water; baths should be taken frequently.

Then they go on to provide for certain drinks that should be available for the use of workmen, the object being to make the lead insoluble with the least danger to the human system. Reference to the law passed by Great Britain in 1920, which is known as the Women and Young Persons (Employment in Lead Processes) Act 1920, shows that women and young persons under 18 years of age are now excluded from employment in certain processes connected with lead manufacture. The prohibition includes the following—

> Provision must be made to carry away the fume or dust by means of exhaust draught operating on the dust or fume as nearly as may be to its point of origin. The persons employed must undergo the prescribed medical examination at the prescribed intervals, and records kept. No food, drink, or tobacco shall be brought into or consumed in any room in which the process is carried on, and no person

shall be allowed to remain in such room during meal times. Adequate protective clothing in a clean condition shall be provided by the employers and worn by persons employed. Suitable cloak room, mess-room and washing accommodation as may be prescribed shall be provided for use of the persons employed. The rooms in which the persons are employed, and all tools and apparatus used by them shall be kept in a clean condition.

Hon. members will see that I do not go nearly so far in the Bill I am placing before them. I have taken into consideration that we are, to a great extent, in a different situation from that of Great Britain. That being so, I am hopeful Parliament will accept the Bill as it stands. I have not asked for a lot with the idea of seeing it whittled down so that I shall get a little; I have asked for what I think is a fair thing for this class of industry.

Mr. Heron: The provisions are absolutely essential.

Mr. McCALLUM: Under the Factory and Workshop Act passed by Great Britain in 1901, regulations were provided to give effect to the legislation. Regulation 79 provides among other things, for messrooms, and it is laid down that the occupier shall provide and maintain a suitable messroom. I am leaving it to the factory inspectors to say what class of room shall be provided. In the British regulations, however, all necessary details are set out. In view of the objections raised to the Scaffolding Bill the other night, I do not know what members would have said had I brought forward a proposal along the lines of the English law. Some hon. members would have regarded me as an extremist altogether. The regulation sets out—

The occupier shall provide and maintain a suitable mess-room, adequate for the number of persons employed and remaining on the premises during the meal intervals, which shall be furnished with (1) Sufficient tables and chairs, or benches with back rests; (2) Adequate means for warming food or boiling water; (3) Suitable facilities for washing, comprising a sufficient supply of clean towels, soap, and warm water where not otherwise provided. The mess-room shall be (1) Separate from cloak-room; (2) Be placed under the charge of a responsible person and kept clean; (3) Be sufficiently warmed for use during meal intervals.

Then provision is made for baths being compulsorily supplied for both sexes. It is also provided that—

Every person employed in a lead process shall be examined once a week (or at such other intervals as may be approved) by the surgeon, who shall have power to order suspension from employment in any place or process.

I am not laying it down that those engaged in the industry shall be examined once a week. I do provide that the Health Department shall have the right to inquire into the health of those engaged in the industry. It is right that the officials of the Government department concerned, and that Parliament too, should know the effect the industry is having on the health of those engaged in that occupation. It is only right that there shall be a periodical examination of the workers. While that is essential I have not gone as far as the British law. The regulations also provide—

No person after such suspension shall be employed in a lead process without the written sanction of the surgeon.

The doctor has power to order the suspension of an individual from his employment if he considers that the worker is not in sufficiently robust health to continue in the industry. If a man is suspended, he is debarred from further employment there. The regulation also provides that a health register shall be kept in an approved form and shall contain a list of all persons in lead processes. It also provides—

The occupier shall provide and maintain sufficient and suitable overalls and head coverings and clean respirators, and shall cause them to be worn as directed in Regulation 25. At the end of every day's work they shall be collected and kept in proper custody in a suitable place set apart for the purpose. They shall be thoroughly washed and renewed every week.

I am not providing that these things shall be renewed every week, but I do propose that the clothing shall be washed thoroughly weekly. The British law further provides—

Sufficient and suitable bath accommodation (douche or other) with hot water laid on, unless the water supply provided is so arranged that a warm douche for the face, neck and arms can be taken.

Hon. members will see the extent to which they have gone in Great Britain and how they provide in detail for strict cleanliness. It is also provided—

There shall be facilities, to the satisfaction of the inspector in charge of the district, for the workers to wash out their mouths. Before each meal, and before the end of the day's work, at least 10 minutes in addition to the regular meal times, shall be allowed to each worker for washing.

In the Bill I have gone as far as I consider essential, but no further. I have gone to an extent which will give protection to those engaged in the industry. Although eight men only are employed in the industry here now, the life of one man, let alone eight, is of more importance to me than all the white lead ever manufactured. I should much prefer to see the manufacture of white lead prohibited than that we should have to pass legislation such as this. Still, I know we cannot expect to get our own way exclusively. I have brought down the Bill in the hope that it will give protection to those engaged in the industry.

Mr. Pickering: Who will see to it that these things are carried out.

Mr. McCALLUM: It will come under the Factories Act, and so the inspectors will attend to that.

Mr. Pickering: But they cannot see to it that the employees wash out their mouths.

Mr. McCALLUM: The facilities will have to be provided, and if the danger be pointed out to the men, as it will be, they will not hesitate to make use of those facilities. On the day on which I visited this factory, I was talking it over with some medical men in my electorate, when one of them asked, "Why do these workers accept employment there, when they know they will almost certainly contract the disease?" It is all very well to talk that way, but no working man is free to contract; he is forced to contract because he must earn his living. He is not free to choose his own job; he must take the work offering in order to earn his living. When the Minister for Mines was moving the second reading of the Miners Phthisis Bill he said he was very sorry no effort had been made in the early stages of the mining industry to deal with that dread disease. He pointed out what it had meant to the manhood of the goldfields, and expressed the belief that if measures had been taken in the early days many men now in Wooroloo would be in good health, and so many families would not be deprived of their bread-winners. That speech touched me, for every time I visit the Wooroloo Sanatorium I come away a saddened man. I have there seen men whom I knew when they were big strapping fellows working in the gold mines. To-day I know they are not long for this world. They contracted miners phthisis in following their occupations, in exercising their right to earn a living, knowing that if at the end of the week they had earned sufficient to meet their domestic requirements it was as much as they could expect; a week out of work and they were right down on the bread line. One visiting the sanatorium sees there a monument erected by the State at a cost of something over £100,000.

The Premier: It cost £170,000.

Mr. McCALLUM: And we have that as a monument to the folly that has resulted in the making of innumerable human wrecks. Then if we visit the goldfields and meet the families of those wrecks, we see the poverty and want imposed upon them in consequence of their husbands and fathers having contracted the disease. Lead poisoning is just as bad as, if not worse, than miners' phthisis. Let us, as the Minister for Mines recommended in the other instance, tackle this disease while the industry is in its infancy. We have here some of the richest lead mines in the world, and it may easily happen that the manufacture of white lead in this State will grow to something big. If that should occur, it will then be very difficult to cope with the disease. I feel certain that members will give earnest consideration to the Bill and so help us do something to protect the lives of those engaged in the industry, thus avoiding in the manufacture of white lead what has happened in the gold-mining industry.

On motion by the Premier, debate adjourned.

BILL—WOMEN'S LEGAL STATUS.

Second Reading.

Mrs. COWAN (West Perth) [8.36] in moving the second reading said: I am bringing forward this Bill at the instance of the women of the community through their various organisations. We are desirous of having women put on a reasonably fair footing in point of holding offices and positions now closed to them. The Bill amends the law in respect of women's disqualifications. Probably I shall be told that the Interpretation Act would meet all our difficulties. But so far from its doing that, every time women desire admittance to any further professions or posts, some special Bill has to be brought in to amend the Interpretation Act. If the Bill before us is passed, we shall not have to be continually coming to Parliament in order that women may be admitted to various functions and offices from which they are now debarred. Similar legislation has been passed in Great Britain and in New South Wales. In other parts of the world also women are admitted to many professions and avenues of employment not open to them in this State. For instance, everybody thought our Interpretation Act covered equal citizenship, but we found a special Act had to be passed to give us the so-called equal citizenship, really a matter enabling women to sit in Parliament. It was thought the Interpretation Act would have sufficed, because it is there prescribed that the masculine gender includes the feminine gender. Yet to enable women to sit in this Parliament you had to amend the Act, making it clear that the word "person" included female as well as male. For instance, we feel it is desirable that women should be admitted as barristers. There is nothing in the Barristers' Act to prevent it, but when application was made to admit a woman the judges held that the Act did not originally intend that women should be admitted. We were told by Judge Parker that if the Legislature desired that a woman should be capable of being admitted as a practitioner of the court, or indeed if the Legislature intended to make women eligible for admission to the court, they should have said so in express language as, he believed, had been done in New Zealand.

Mr. Davies: In what year was that?

Mrs. COWAN: In 1904. We have passed a further amendment of the Interpretation Act since then. It is practically in exactly the same words as those of the original Act in point of whether the phrase "masculine gender" includes "feminine gender." On the same occasion Judge McMillan said—

> If a change is to be made, and if for the future women are to be eligible for admission to the Bench as well as to the Bar

—because it seems to me if they are entitled to become members of the Bar they are eligible to sit on this Bench—the change is of such importance that it should be made, and in fact can only be made, by the Legislature.

Judge Burnside said—

> That is a negative statute. It says it shall not be lawful for any person to act as agent or practitioner in the court without first having obtained the certificate of the Commissioner of the Court.

Again the Judge said—

> There is nothing there conferring a right on women to be admitted as solicitors.

He went on to say he had been unable to find any instances under the common law of the United States, which is based on the common law of England, or any instance in England or any British speaking colony, where the right of women to be admitted to the Bar had ever been suggested. The learned judge added—

> It is not a common law right. It is a privilege which has been conferred by the courts originally, and then been regulated subsequently by statute almost from time immemorial, and which has been confined to the male sex. I agree with what has been said by my learned brothers, and I am not prepared to start making law. When the Legislature in its wisdom confers the right on women, then we shall be pleased to admit them.

I have noted these opinions merely to show the necessity for the Bill. In South Australia a little while ago it was found necessary to bring in a special Bill to interpret their law. They admitted women to be barristers in 1911, yet had to amend that Act to allow of women being made public notaries. That only shows what a difficult thing law is, and how necessary it is to have some definite provision giving women the proper legal status.

Hon. W. C. Angwin: You want a Bill that people can understand.

Mrs. COWAN: Yes, if possible.

Mr. Marshall: You will be cutting all the solicitors and barristers out of their jobs.

Mrs. COWAN: In answer to that, it is another case of letting "justice be done though the heavens fall." Women will never get these positions while men wish to keep them out.

Mr. Latham: Surely you do not want generally to bring women down to the level of men?

Mrs. COWAN: No, I want to raise men to the level of women. That may be possible. I am not asking for anything that has not been done in other countries. Women in other countries have been treated with the greatest consideration and admitted to all these different professions without any great difficulty, and it is somewhat surprising to note the countries that have done justice to women in many ways.

Mr. Davies: Do you think it fair that a married woman should hold an hotel license?

Mrs. COWAN: Yes, even that, should she so wish, if her husband is not able to keep her. There are plenty of women whose husbands have not been able to keep them, and it may be well if women can enter the higher professions and earn a good living when their husbands have been unable to earn it for them. America has women judges in the children's court, and why not have them here? Why not have them to deal with women's avocations when they apply to the Arbitration Court? I fail to see any anomaly in permitting women to hold these positions, or even in making them Ministers of the Crown. It is not long since we had the curious and amusing anomaly, in New South Wales, I think, of a man being appointed Minister for Motherhood. I do not know what he could possibly know about motherhood, or what sort of a judge on those questions he was expected to be. I think it would be better to have women in the Parliament and, if there was to be a post to deal with mothers, it should be given to a woman, preferably to one who was a mother. This goes to show how necessary it is to have some sort of equality in the matter.

Hon. W. C. Angwin: Generally those women who possess the greatest qualifications have never been mothers.

Mrs. COWAN: Not necessarily. I do not want Western Australia to lag behind the other countries. Women are admitted to the bar in almost every State of Australia, namely, Victoria, Queensland, New South Wales and South Australia, and I am asking the House amongst other things, to make it possible for them to be admitted here. In America, Great Britain, Germany, Belgium, Austria, Spain, Portugal, Argentine and India also, women are admitted to the bar. I do not wish my country to be behind those countries; nor do I wish our men to be considered less chivalrous or less ready to look up to their sisters, mothers and aunts than men anywhere else. It should be necessary only to bring this matter under the notice of members to make them realise the absolute justice of my request. In Denmark women are magistrates, jurors, barristers, judges and police; in Canada they are notaries and barristers. In the Crimea and Czecho-Slovakia a woman is vice-president of the Diet, and women may be members. In Czecho-Slovakia there are 13 women in the House of Representatives, and three in the Senate. Dr. Ella C. Potter, of Philadelphia, is Commissioner of Public Welfare and a member of the Cabinet of the Governor of Pennsylvania. Mrs. C. Bennett Smith, of Buffalo, is President of the Civil Service Commission. I wonder what would be said if it were suggested that a woman be Civil Service Commissioner. Everyone would get a shock, but I do not know that the

result would be less satisfactory than when the office is filled by a man.

Hon. W. C. Angwin: A lot of young women are employed in the civil service.

Mrs. COWAN: And the service is none the worse for that. Dame Anderson, M.A., is the principal inspector of factories in Great Britain and has held that position for 30 years. The Minister for Education in British Columbia is a woman. In Munich there are women jurors, and women are admitted to practice in courts Nos. 1 and 2, and also in the High Court. Then we have doctors honoris causa, a high academical degree, allowed to women in the University of Berlin. The first lady to get this degree received it on her 70th birthday. I do not know that I could succeed in getting such a degree on my 70th birthday, but it is nice to know that it is possible. Of course, one does not know what can be done until one tries. Women are magistrates and jurors in Dresden. In Ohio, Miss F. E. Allen donned the black robes of high judicial office and ascended the bench of the Ohio Supreme Court. She is the first woman to be elected a common pleas judge in the United States and the first to be elected to a court of last resort. I have quoted a very fair list that should make members realise they owe something to the women here who might very well be given the privilege, or rather the right, and the common justice of competing and standing side by side with their brothers wherever it is possible to do so. We must have wider avenues of employment for our women because the men are not marrying.

Hon. W. C. Angwin: Some of them say that is due to women taking their jobs.

Mrs. COWAN: I know there are members of this House who, if Perth were a Mormon city, would be only too pleased to help us remedy that position. But we do not all desire that. What we do want is the possibility of standing side by side with our men and getting admission to all these different professions, entrance to which will carry further admission to the higher professions. We are ready to face the responsibilities, but we cannot expect to attain our goal unless the whole community are willing to see us there. I see no reason why it should not be possible to win the approval of the community.

The Minister for Works: Do not rush in where angels fear to tread.

Mrs. COWAN: In the first place I asked the Solicitor General to frame a Bill that would make it possible for women to be admitted as barristers, but on going into the matter more thoroughly, I concluded it would be better to ask for the wider privileges set out in my Bill. He advised me that the inclusion of part of the English Act would clear away any ambiguity for the future, and therefore I thought it only right to bring this Bill forward. I hope members will regard this request seriously. The women are very desirous, as also are many married men, of their being placed on absolutely equal terms with the men, leaving it to be a matter of the survival of the fittest. We ask for neither more nor less than that, and I hope members will favourably consider the Bill and pass it. I move—

That the Bill be now read a second time.

On motion by the Minister for Agriculture, debate adjourned.

BILL—LOCAL AUTHORITIES (ADDITIONAL POWERS).

Second Reading.

Mr. STUBBS (Wagin) [8.56] in moving the second reading said: This is a simple measure and should not evoke any opposition. It is on all fours with a Bill passed by the Parliament of New South Wales some years ago giving local authorities power to control and manage places of amusement for the sake of gain. When I use the word "gain," I do not mean it to apply in the ordinary sense of the word. It is gain for municipal purposes. Twelve or 18 months ago a local governing body in my electorate desired to borrow money to erect a hall. They called for designs and found that, under the Act, they could not borrow sufficient money to erect a building in accordance with the accepted design. They were empowered to borrow not more than £1,500, whereas the building they desired would have cost considerably over £2,000. A number of citizens guaranteed the difference between the amount the local authority could borrow and the cost of the building. The Act did not empower the board to manage and control places of amusement, but a committee took the matter in hand. The town contained only a handful of houses, but the results of the enterprise have been really amazing. The Minister for Works honoured the district by opening the hall—a very fine structure, built by the member for Katanning. The place is a credit to him, to the architect and to everyone concerned. No less than £649 was taken at the door during the first 12 months after the erection of the building. The expenses on the hire of picture films, freights, music, etc., were pretty heavy, but the net profit for that period was £432.

Hon. T. Walker: Where was this?

Mr. STUBBS: At Woodanilling. The Wagin municipality have called for designs for a new town hall, which it is expected will cost £7,000. The Minister for Works, who has always been as generous as possible in giving subsidies to municipalities and road boards for the erection of public buildings, has been compelled, owing to the financial stringency, practically to cease giving grants to public bodies for this purpose. If the power I desire to give local governing bodies is conveyed under this Bill, I am convinced the people of Wagin will not ask for or expect one penny of Government assistance. They will be able to run

picture shows or any other form of public entertainment, and pay the interest and sinking fund. There will be no need, therefore, to strike a rate to pay back the money borrowed from the bank.

Hon. W. C. Angwin: They will be compelled by law to strike a rate.

Mr. STUBBS: They need not spend the money in providing interest and sinking fund if they can make sufficient profit out of picture shows. The rate can be devoted to improving the town.

Hon. W. C. Angwin: No. The Bill does not give them power to do that.

Mr. STUBBS: I think the local governing bodies will find a way out.

Hon. T. Walker: Can you not amend the Bill in Committee?

Hon. W. C. Angwin: You can use the money raised under this Bill for other purposes.

The Minister for Works: They will get through somehow.

Mr. STUBBS: There may be some opposition to the Bill, because in one or two districts returned soldiers have leased the halls for the purpose of running public entertainments for gain. I think I am justified in ignoring the complaints received against this Bill from that source. If there are two or three or more returned soldiers who are gaining a living by this means in any other part of the State, and a majority of the people in the towns in which they are operating are opposed to municipal picture shows or municipal entertainments, the returned soldiers will not be injured. The power that is sought is a useful one. It is in the New South Wales Act, one section of which reads:

> The council may control and regulate the premises and appliances used for (1) skating rinks, (2) public amusements and games such as merry-go-rounds, shooting galleries and Aunt Sallies. The council may control and regulate the places of public amusement or resorts and may control and regulate the conduct of people therein in the interests of public convenience, safety and order.

This is also the law in England. Volume 20, page 397, of the Laws of England, shows that the London County Council possess the same power which I desire should be possessed by local governing bodies in this State. I move—

That the Bill be now read a second time.

The MINISTER FOR WORKS: I move—

That the debate be adjourned.

Motion put and a division taken with the following result—

Ayes	21
Noes	16
Majority for	5

AYES.	
Mr. Angelo	Mr. Mann
Mr. Broun	Sir James Mitchell
Mr. Carter	Mr. Money
Mrs. Cowan	Mr. Pickering
Mr. Davies	Mr. Scaddan
Mr. Durack	Mr. J. H. Smith
Mr. George	Mr. Teesdale
Mr. Hickmott	Mr. A. Thomson
Mr. Latham	Mr. Underwood
Mr. C. C. Maley	Mr. Mullany
Mr. H. K. Maley	*(Teller.)*

NOES.	
Mr. Angwin	Mr. McCallum
Mr. Chesson	Mr. Stubbs
Mr. Collier	Mr. J. Thomson
Mr. Corboy	Mr. Troy
Mr. Cunningham	Mr. Walker
Mr. Heron	Mr. Willcock
Mr. Lutey	Mr. Wilson
Mr. Marshall	Mr. Munsie
	(Teller.)

Motion thus passed.

BILL—VETERINARY SURGEONS ACT AMENDMENT.

Order discharged.

Mr. LATHAM (York) [9.9]: In view of the fact that the Minister for Works has asked for leave to introduce a Bill of this nature, I move—

That this Order of the Day be discharged from the Notice Paper.

Motion put and passed.

BILL—LUNACY ACT AMENDMENT.

Second Reading.

Mr. McCALLUM (South Fremantle) [9.11] in moving the second reading said: This short measure should not require much discussion. I should be glad if the Minister would agree to go into Committee and pass it right through. The Government are au fait with the defect in the law that has been discovered as the result of a recent decision in the courts. This question has already been considered by the Government, and if the Bill could be passed through at once it would confer a great benefit upon, at all events, one man who is now suffering considerable injury and wrong. A patient came before the Criminal Court charged with a certain offence. On the ground of insanity he was found not guilty, and was committed to the asylum during the Governor's pleasure. He was not committed for any offence, for he had not been found guilty, neither was he sent to the asylum as an ordinary criminal lunatic. After the lapse of some years, it appeared to his friends that he had regained his sanity, and doctors accordingly examined him. Several doctors have certified that he is no longer insane. They stake their repu-

tation upon his sanity. Under Section 107 of the Act he then applies to the judge.

Mr. Mann: Are you putting up a hypothetical case?

Mr. McCALLUM: No. I am stating a definite case that was recently before the courts, on which occasion the defect in the law was discovered. The unfortunate individual is now suffering because of this defect, and will continue to do so unless the law is amended. Six doctors have certified to the man's sanity. Under Section 107 he applies to a judge for the right to prove his sanity. The judge hears the case, and then comes to the conclusion that he cannot order the patient's release under Section 107 because the patient is confined in the asylum at the Governor's pleasure. The result is that although six doctors certify the man to be of sound mind, he is at this very moment unable to regain his liberty or obtain redress. Sections 69 to 84 deal with criminal lunatics, and Section 81 lays down that—

> The Governor may permit any person confined in any hospital for the criminal insane, not being a person under conviction and sentence, to be liberated from custody or confinement, upon such terms and conditions as he may think fit. On the breach of any such conditions, such person may be retaken and dealt with as hereinafter enacted in case of an escape.

Section 107 seems to indicate clearly that Parliament intended that all patients should come within its purview. The section reads—

> If a judge receives information upon oath, or has reason to suspect, that any person of sound mind is confined in any hospital for the insane or licensed house, the judge may order the superintendent of such hospital or licensed house to bring the confined person before him for examination at a time to be specified in the order.

Section 107 makes no distinction, but says that this right is to be given to "any person." The section does not say, "all persons except those who have been sent to an asylum during the Governor's pleasure." That, however, is what the court has ruled. "Any person" should include everyone. Certainly no patient should be debarred from proving his sanity if he has regained his sanity. Section 107 further provides—

> If upon the examination of the confined person, and of the superintendent, and of any medical or other witnesses, it is made to appear to the satisfaction of the judge that the confined person is of sound mind, the judge may direct that the confined person be immediately discharged from the custody of the superintendent of such hospital or licensed house, unless he is detained therein for some other cause by due process of law.

It is those last words that the judge hangs his argument upon, "unless he is detained therein for some other cause by due process of law." The judge has held that by reason of those words the section does not give him the right to order the release of a patient held under the circumstances I have stated. If an ordinary patient came before the judge with a certificate from six doctors, the judge would have no difficulty whatever in ordering his release. But, the judge says, this man being held during the Governor's pleasure, he is detained there for some other cause by due process of law. The custom has been to release a man if he presented certificates of sanity from two doctors, and further if the judge, upon examination of the patient, was satisfied. In such circumstances it has been the custom to order the patient's immediate release. My suggestion, by this Bill, is to add to Section 107, after the words "unless he is detained therein for some other cause by due process of law" the following:—

> in which case the judge shall furnish a report of his examination to the Governor.

Mr. Mann: Are you influenced by anything that the judge said on this case.

Mr. McCALLUM: The judge said the section was incomplete.

Mr. Mann: Do you think you are going far enough?

Mr. McCALLUM: The Governor has power to act under Section 81, which I have read. I hope hon. members will agree that the right to have his mental condition tested should not be denied to any patient. I am not asking that every person of unsound mind should on any flimsy excuse have the right to go before a judge. I am not interfering with the requirements as to two certificates on oath. Moreover, the Governor has power to order release under any conditions he thinks fit. In one case a condition laid down was that the patient must not visit certain districts. In the event of breach of the conditions, the released patient is liable to be treated as an escapee. I am asking for a very reasonable amendment. I think hon. members will agree with me that a defect in the law, once discovered, should not be permitted to exist an hour longer than necessary. It is sad to think that to-night, as we are discussing the matter here this man, whom six doctors have certified to be absolutely sane, is confined within an asylum, and is denied his liberty. He is kept in the asylum with patients of unsound mind, and with all the objectionable surroundings that an asylum creates, surroundings certainly not conducive to improvement in health. We should lose no time in endeavouring to remedy the defect in the law pointed out by the judge, so that the man can regain his liberty. The department have had this matter under consideration and are fully apprised of the case I have in mind.

Mr. Mann: Your amendment still leaves the matter to the will of the Governor?

Mr. McCALLUM: Yes. I am not asking that in such a case as this the judge should have full power, but merely that he should report to the Governor in Council. It would be for the Governor in Council to act, and, if thought desirable, to prescribe the conditions under which release is to be granted. I move—

That the Bill be now read a second time.

On motion by the Minister for Agriculture debate adjourned.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Second Reading.

Mr. WILSON (Collie) [9.30] in moving the second reading said: In bringing forward this Bill I am complying with a promise I made to the maimed and limbless men. Last year I introduced a short amending Bill but it was hustled out at the close of the session. The present Bill is also a short one and relates mainly to lifts. We have in Perth almost a battalion of men who lost either a leg or an arm, or both arms and both legs, as the result of military service during the war. Unfortunately, some of them are beyond work nowadays. Others who have lost one limb are fit to do some kind of work. The most suitable avenue for them is work as lift attendants. The Bill does not aim at doing harm to those already engaged in operating lifts. Provision is made that people now under 21 years of age may be retained in their employment, and that any industrial agreement or award in operation now shall have the full currency set out in it. Speaking from memory there are about 70 lifts installed in Perth. Of these, 63 are operated by attendants and seven are automatic. One would have thought that people who spoke so well of the soldiers during the war would have been only too ready to assist those who are suffering as I have suggested. Some of them, however, have so forgotten themselves as to engage mere boys and girls to operate their lifts. It is to obviate that difficulty that the Bill is introduced. The parent Act states that no person under 18 years of age can be employed as an attendant in control of a lift. I propose to substitute 21 years of age in lieu of 18, and also to provide that people engaged as lift attendants who are now under 21 shall not be interfered with. The Bill must commend itself to the right thinking sections of the House, and without further ado I move—

That the Bill be now read a second time.

On motion by the Minister for Mines, debate adjourned.

MOTION—SOLDIER SETTLEMENT.

Royal Commissions's Recommendations.

Debate resumed from 29th August on the following motion by Mr. Wilson:—

That in the opinion of this House immediate effect should be given by the Government to the recommendations of the Royal Commission on Repatriated soldiers of the A.I.F. under "The Discharged Soldier Settlement Act, 1918."

The PREMIER (Hon. Sir James Mitchell—Northam) [9.36]: I listened with great interest to the remarks of the member for Collie (Mr. Wilson) who was Chairman of the select committee appointed to inquire into the work of the soldier settlement scheme. The recommendations of the select committee, who were subsequently appointed a Royal Commission, are brief, although the report is a long one. The recommendations are generous. Hon. members engaged in the work travelled over a large area, and our thanks are due to the Chairman and the other members for the work they did. The investigations occupied them for over nine months. They examined 266 returned soldier settlers—there are 4,910 of them—and listened to their grievances. The inquiry was not a general one concerning the operations of the scheme. The intention was that the Royal Commission should deal with those soldiers who had complaints to make. Had the inquiry been more general, we would have been told something about the men who had been more successful. However, the Commission only dealt with dissatisfied men. There were very few serious complaints. We bought a great many properties at very low rates. The walk-in-walk-out purchases were particularly cheap ones. In some cases the farms were fully improved and stocked, and in some cases there were growing crops when the properties were taken over by the soldiers. There can be no shadow of doubt but that such purchases were made at very low rates, because at that time the land was available. In most cases soldiers could sell out now and gain a considerable advantage over the prices originally given. We charge half price to the soldiers for conditional purchase land, and we also give an interest concession on all moneys borrowed up to £625. I will tell the House how much that is costing the State. When we were asked to make the concession, it was thought that the Federal Government would make good the losses incurred by the State. We charged 3½ per cent. interest for the first year on advances up to £625; for the second year 4 per cent.; for the third year 4½ per cent., and so on until the interest reached the ordinary rate. We are paying £6 7s. 10d. per cent. to the Federal Government for this money, and the Federal authorities give us a rebate of 2½ per cent. for five years. That means that for the first year we get 3½ per cent. and the Commonwealth get 2½ per cent. Thus we have to pay £6 7s. 10d. and carry the whole burden of control. The utmost consideration has been shown to the soldiers and that consideration will be continued. The department is very sympathetic; perhaps in some cases the department has been a little too sympathetic, but certainly it has not erred on the other side. The member for Collie dealt with various matters during his speech, and also in the report. I need not say much regarding many of the matters referred to. I will deal with some of the cases brought under the notice of the Commission. In one instance, referred to on page 17 of the report of the evidence, a man at Cooker-

nup said that £2,750 was a high price to pay for the property held by himself and his son. That man applied for an advance of £2,800 to purchase the property, the vendor's price being £3,000. The department considered the figure a high one, but the man repeatedly asked for reconsideration, and eventually the advance was made. I am afraid it was not made available too readily. The man considered the property was worth the money and it was bought under pressure from him. Now he has decided that the property is not worth anything like that. On page 19 of the report reference is made to another man who had 120 acres at Wokalup, which was purchased for £1,000. He considers the value of the place when he took it was about £600. The files show that the property was taken over for a total of £1,125. In that case the soldier, who said that the property was worth only £600, actually asked for £1,000 to cover the purchase price of the property. He regarded the farm as worth it. He had inspected the property and was satisfied, and the money was advanced to him. On page 45 of the report there is mentioned the case of another man who has 160 acres and who is located about eight miles from Jarnadup. He informed the Commission that £700 was the purchase price of his block and claimed he had made a mistake in his estimate. He had decided to take the property at that figure because the inspector told him it was worth that price. That particular soldier applied for £850. The inspector said the property was good buying at £800, but the soldier settler said he would be successful if he paid £850. In all these cases the properties were bought at the request of the soldier settlers after careful inspection by competent officials. In nearly every case it will be found that the soldier secured his property at less than he was willing to pay for it originally. Another settler, mentioned on page 47 of the report, said that he held a block of 260 acres at Balbarrup. He told the committee that he considered £400 was a fair price for the land, yet he applied for an advance of £1,100. He told the department he had inspected the property and had arrived at the conclusion that it was worth the larger amount. Eventually £1,000 was paid for it and the inspector's report showed that it was a splendid property. Yet the man says now it is worth only £400. On page 48 of the report we find that another soldier settler told the committee that his 160 acres had cost him £550 and that he considered he had been charged £200 too much. He complained that he had been billed with interest which the previous occupant should have paid, and also for cows that had died on the place previously. This quite misrepresents his case. He was released from group settlement owing to differences with other settlers in the group. He was most persistent about taking over his present holding with all liabilities. There were also private assets valued at £175. He took them over, and they more than covered the loss in cows which he said he had suffered. So it is with most of these cases. A witness whose evidence appears on page 63 has 131 acres of repurchased freehold estate that cost £1,000. He wants the price reduced to £526. He applied for £1,000 for the purchase of the property, but it was bought for him at £900. At the time he considered he could easily pay his way at the price. He says he has spent £1,000 privately on machinery and other things, having paid £350 for one machine alone. When this applicant came before the board he said he had no money. So if he did spend £1,000 of his own money, he must have made it out of the place. It is the same in a number of instances. Naturally some men will take advantage of any opportunity to ask for a reduction in the price of land.

Mr. Wilson: More than soldiers do that.

The PREMIER: Quite so. The case was mentioned of a man at Balingup. The hon. member made a mistake in saying that that man bought his block as part of a subdivision made by the Government.

Mr. Wilson: Shenton was his name.

The PREMIER: Yes. He bought part of the Ferndale estate, and put in a considerable amount of his own money. The area of the block was 144½ acres, and he applied for £1,334. I believe he gave £1,400 for the property. It was a private purchase.

Mr. Wilson: With Government money.

The PREMIER: Government money was loaned to him. The inspector says the applicant applied for £2,000. Of that amount £1,334 was the suggested purchase price. The board regarded this price as excessive, and offered to provide £6 per acre or a total of £864, to obtain the property. Shenton undertook to find the balance of the purchase price.

Mr. Wilson: Why did the board approve when they knew it was too much?

The PREMIER: He was putting in his own money.

Mr. Wilson: One would have thought the board would safeguard his interests.

The PREMIER: They did, so far as they could. The board provided £864 of the purchase money, and the applicant found the balance. The board were quite satisfied, because the property was worth £1,400. In many cases, of course, the board refused to pay the price the soldier was willing to pay, and secured the property for him at a very much lower price That occurred in hundreds of instances. The Commission were quite wrong in saying the Doolette estate was bought as a place to be irrigated. There was an irrigation plant on the estate, but the property was not bought as one to be irrigated. Then the Commission refer to Mr. Ives' property in the hills. This, too, was bought by a private purchaser, who was so satisfied with the proposition that he agreed to pay £100 in excess of the department's valuation.

Capt. Carter: The vendor in that case does not show up too well.

The PREMIER: It does not matter. The purchaser was not only satisfied with the property, but was satisfied that the board was offering £100 too little.

Capt. Carter: Because he thought it was a good proposition. It was afterwards proved that the place had been doctored up. There were there ineradicable weeds and some bad diseases.

The PREMIER: Disease subsequently made its appearance in the orchard, and in view of that the price was too high. But the disease was not apparent when the orchard was purchased.

Capt. Carter: No, it afterwards appeared for the first time in this State.

The PREMIER: Well, let us accept the facts as they are.

Mr. Wilson: Anyhow, the vendor was selling and buying his own property for the third time.

The PREMIER: We are dealing with the soldiers, not the vendors. The Noombling Estate is reported on by Mr. McLarty as a difficult proposition not as suitable as it might have been for the purpose. The position will have to be rectified. Some of the men have been compensated, while others have not. The property is worth the money as a going concern. We accept that position quite frankly. Indeed, we are glad to have got through with so little trouble. The Commission said that a flat rate of 3s. 2d. per yard was charged the soldiers on Yandanooka for the sinking of dams. That is not so. In only four cases did the cost exceed 3s. per yard. This case of the Yandanooka dams has become famous.

Mr. Wilson: I should say infamous.

The PREMIER: We all make mistakes. Even the Commission made a mistake in saying the soldiers were charged a flat rate of 3s. 2d. None of us is infallible, and in a great work involving 4,900 soldiers and the expenditure of 5½ millions of money it would be strange indeed if errors did not creep in. Just as that 3s. 2d. per cubic yard might seem a bit high for sinking a dam, so the report of the Commission is wrong when it says 3s. 2d. was a flat rate charged to all the soldiers. As a matter of fact, in only four cases did the charge exceed 3s. However, that is not a very big matter, and I have mentioned it merely to show that even a Scotchman can err. As to the recommended writing down of properties, some writing down there will have to be in connection with clearing, but not very much. For the most part the properties have been so well purchased that, if placed on the market to-day, they would bring a great deal more than the price paid for them. It is well known that a number of the soldiers at Yandanooka have been offered large amounts for their holdings. Mr. McLarty says that practically every block on the estate, if placed on the market to-day, would realise more than the price charged to the soldier. It will be found that the land has been purchased at reasonable prices, although sometimes advances made for clearing or for stocking have not resulted in the creation of really good assets. Still, very little trouble is expected. Now, I come to the cost of clearing, which has provoked a good deal of controversy. Very largely was the clearing done by the soldiers themselves. A great number of them were out of work, many more were coming back, something had to be done for them, and so they were put on to clearing. It cost too much. I have on my table a file containing a recommendation made by Mr. McLarty last year that the cost of clearing be written down. I then said I would await the report of the Commission. It is as well we did wait for that report. The total cost of the clearing has been £39,152. This, out of a total expenditure of 5½ millions!

Mr. Wilson: Some of the land cleared was not worth clearing—I do not say all of it.

The PREMIER: You would be quite wrong if you did. Something was said about Piesse's Brook. As a matter of fact, the settlers at Piesse's Brook are amongst the most satisfactory we have. The land there is good, and the men are paying their full interest charges, although they cannot yet be getting a full crop. It is one of the most satisfactory settlements we have handled. We do not say the price was not too high; it was too high in many cases. We employed soldiers on the work, soldiers just returned and probably not too fit to undertake the hard work of clearing just at that stage.

Mr. Wilson: That is what the Commission said.

The PREMIER: I do not deny the Commission said it; I am repeating it. They were not fit for the work, but they had to be provided with work of some sort. They were waiting about in idleness; 1,100 of them were out of work and a good many thousands of others were on their way back. Some of them were put on to this work and the total cost of it was £39,152, so that the reductions necessary will not amount to any very serious sum. A reduction of course must be made; there is no doubt about that, but the original cost is due to the fact that we had to do the work at the time. Soldiers had just returned; there was very little work for them and we had to find something. We get from the Federal Government 2½ per cent. on the total outlay for five years. Of that allowance we have already received £247,294. We have made good the rebate of interest and other small losses out of this amount, and we shall have £104,000 remaining now to meet losses such as the loss on this clearing. Mr. McLarty recommended the writing down of this clearing work by £15,000. That, of course, would come out of the £104,000. The Federal Government charge a very high rate for the money and we shall have to make good this rebate of interest, which will absorb a very considerable portion of the 12½ per cent. we get on the money we spend. Twelve and a-half per cent. on £5,500,000 comes to something like £750,000, but we shall have a considerable sum with which to meet losses. I

hope it will be in the neighbourhood of £200,000. Some small amounts have been written off, and we propose to use some of the money to make good the losses the soldiers suffered by reason of the overcharge on this work. As the total expenditure on clearing was £39,000, this cannot be a very serious matter. I admit it would be serious if the debit were allowed to stand against the soldier purchasers, but it will not mean any very great sum to the State. I want to make it clear to the public that the total expenditure on clearing was less than £40,000, and that we have a fund from which we can recoup ourselves for any losses in this direction. Of course there ought not to have been losses but, as I have pointed out, the circumstances were exceptional. We had to find work for men who had just returned and that was in some measure—I do not say altogether—responsible for the position.

Mr. Wilson: The Federal Government should have done that.

The PREMIER: It would have been perfectly reasonable to expect the Federal Government to find work for the soldiers on their return, but this duty was left to the States. Each case will be considered on its merits and the soldiers will be treated fairly. I am not complaining about the report. The Royal Commission have done their work very well indeed.

Mr. Wilson: Then you will appoint an independent Commission to go into this matter?

The PREMIER: I shall deal with that presently. The Commission listened to the dissatisfied soldiers. These men had nine months in which to bring their complaints before the Commission, and during the nine months, 266 men out of 5,000 lodged complaints.

Mr. Wilson: That is hardly fair because we took only a certain number in each district.

Mr. Corboy: In a number of instances a great many soldiers attended to give evidence but we selected perhaps half a dozen representative ones from 20 or 30. Many attended to give evidence and we did not take it because other cases were typical of theirs.

The PREMIER: I do not see how we can have any regard to that. The Commission examined 266 dissatisfied soldiers.

Mr. Corboy: But to say 266 were all we could get out of 5,000 is not strictly fair.

The PREMIER: Then I shall say that all the Commisssion reported on out of 5,000 soldier settlers and after an inquiry extending over nine months was 266. I dare say more could have attended.

Mr. Wilson: More did attend.

The PREMIER: At Merredin the member for Collie (Mr. Wilson) became an Irishman. He said only one soldier appeared before the Commission and he was from Doodlakine——

Mr. Corboy: As a matter of fact he was from Burracoppin.

The PREMIER: And that man did not have any land at all!

Mr. Corboy: I would not give the Merredin men two minutes' consideration, because they thought more of the Bruce Rock races, being held that day, than of their grievances.

The PREMIER: Then their grievances could not have been either serious or substantial. So far as we know, 266 soldiers gave evidence, but I am not concerned whether they appeared before the Commission or not. All of them will be treated fairly. They have been treated with greater consideration probably than even the hon. member would think was justified. We have treated them with the utmost consideration. To settle these men was rather a rush job. When the present Government came into office, 360 soldiers had been settled over a period of about 21 months. The men were here; we had to establish the organisation and arrange to settle them. At one period we were settling on the land up to 100 soldiers a week. This was a tremendous job—one of the biggest jobs that ever confronted the department. But it had to be done. No preparation of land had been made, such as I wished should be done—the preparation of virgin conditional purchase land for the soldiers. These men, however, had been to the war and had done their fighting. Their occupation was gone; everything was depressed because of the loss of the work of 40,000 men during the years of war and because of other losses due to the war. We had to get these men settled; only 360 had been settled over a period of nearly two years; and within a few weeks we were settling up to 100 a week. In these circumstances it would have been strange indeed if we had succeeded in settling 5,000 soldiers without some trouble.

Mr. Wilson: Hear, hear!

The PREMIER: It must be remembered that each farm stands alone. It is impossible to get any general average. Either a farm is good to the soldier or it is not good. So it would have been very strange if some mistakes had not been made. We endeavoured to send these men to the districts from which they had enlisted. Often a man wanted to settle near his father or brother, for the reason that he could expect some help. On that plea, we were asked to buy certain properties. Mr. McLarty pointed out that certain properties we were asked to buy were not altogether suitable, but some of the soldiers insisted, "My father has a good place, together with machinery and horses, and if I can only get there, he will help me." Consequently, men were settled under these conditions. So some mistakes were bound to be made, but how little has been the trouble after all! Unfortunately, the men who sold their properties sold them at less than their worth, very often.

Mr. Corboy: Not always.

The PREMIER: Almost every man in the back country had been there just a few years and had experienced the trying time of war and was willing to sell. The result was the soldiers got a very good deal indeed. If the whole scheme of soldier settlement had been

inquired into, I am sure the Commission would have reported in the strain I have spoken to-night. The first recommendation of the Commission was—

> That the cost of clearing be written down to approximate the amount it has cost private individuals to clear similar land in each respective locality.

It is impossible to ascertain what that is, but the total amount spent on our clearing, the work subject to this recommendation, was £39,000 out of £5,500,000 spent on soldier settlement. The cost will be written down, because we know it was too great and we have the money to cover the writing-down. I do not quite know how far recommendation No. 2 is intended to go. It reads—

> That interest be deferred where it is found that the settler has a likelihood of succeeding and where the deferment of his interest would be of material assistance to him. Also that special consideration be given to settlers who have selected virgin land and planted new orchards or vineyards.

I believe the great majority will succeed; I believe the land is all right and if the settler works well, he will succeed. Does this recommendation mean that we are to defer the interest of all the settlers who are likely to succeed or of only those who are unsuccessful? I think the Commission meant that where a man is in trouble, but likely to succeed, we should show him some consideration.

Mr. Wilson: That is the intention. The man who can pay his interest has no right to get it deferred.

The PREMIER: I am glad of that interjection; it is what we are doing now.

Mr. Wilson: We had evidence that the soldiers were being pushed.

The PREMIER: No; the Commission had evidence that the soldiers had been asked to pay, but I do not think there is a single case where a man with a legitimate excuse for not paying has not received consideration.

Mr. Chesson: Perhaps they are like Dad and his notices; they have been disregarded.

The PREMIER: Yes, people are apt to do that. For the most part they are paying fairly well, and we are giving them the consideration this House would wish us to give.

Mr. Wilson: Then you agree with recommendations Nos. 1 and 2?

The PREMIER: I have not yet finished with No. 2. The answer to it is that consideration is being shown. I agree with recommendation No. 2 according to the interpretation I have placed upon it, but if it means more than I have indicated, I cannot agree with it. We cannot defer the interest to all settlers. When they can pay they ought to pay. They have gone into properties in full profit, and if they cannot pay in cases like that they cannot pay at all. The third recommendation is a good one—

> As the finding of holdings for soldiers was a matter of repatriation as well as the settlement of the returned men on the land, the Federal Government should be asked to bear its share of the loss involved in any writing down that may have to be brought about.

I agree with that. The fourth recommendation is—

> That a Commission or board of three be appointed to consider each case on its relative merits.

I do not know about relative merits. The hon. member forgot that there is a statutory board already appointed to deal with the work. We passed an Act providing for the appointment of a board to manage the soldier settlement scheme. On that board there is a returned soldier. This work would naturally come under them.

Mr. Wilson: Will you say that this board has got to do this work?

The PREMIER: Of course they have to do it.

Mr. Wilson: Is that the board of which Mr. Throssell is a member?

The PREMIER: Yes.

Mr. Wilson: And they have the right to revalue?

The PREMIER: They have the right to manage the soldier settlement scheme.

Mr. Wilson: But have they the right to revalue?

The PREMIER: Of course not. No other board would have that right either, but they have the right to recommend. No board could be given fuller powers than that. They could not be allowed to deal with a sum of 5½ millions without consulting Ministers or Parliament.

Mr. Wilson: Can you say whether they recommended any reduction?

The PREMIER: I cannot. Why does the hon. member want them to recommend reductions?

Mr. Wilson: We have been told so many pitiful tales.

The PREMIER: But you have made your recommendation.

Mr. Wilson: If the same gentlemen can carry out the recommendation, there is no need for it.

The PREMIER: Men have asked for a reduction after having endeavoured to get the board to buy a property at a higher price.

Mr. Wilson: You referred to only four cases out of the 266.

The PREMIER: I took the typical cases prepared by the department.

Mr. Wilson: They were typical to suit yourself.

The PREMIER: There is no need for another board. Each case will be dealt with on its merits, and I hope the House will not appoint another board. The fifth recommendation says—

> That efforts be made to secure the co-operation of the Federal Government in reducing the high rate of interest charged to soldier settlers, so as to bring them as near as practicable within the scope of the benefits received by pre-war settlers, and, failing

a satisfactory solution of the above, that the State Act be amended in order to meet the requirements provided by the latter part of this recommendation.

To the reference to the Federal Government I agree. I have already asked the Federal Government to reduce the rate. Mr. Bruce said he wanted to reduce that to five per cent. as from the 1st January, but that was made conditional. We cannot run this scheme without cost, and the Federal Government are charging £6 7s. 10d. interest. I shall at all events send this recommendation to Mr. Bruce, and I hope it will have some effect. The rate is far too high.

Hon. M. F. Troy: You are paying this rate to the Federal Government?

The PREMIER: Yes.

Mr. Wilson: The soldiers are paying it.

Hon. M. F. Troy: We should have given them the land and allowed them to do the work.

Mr. Wilson: If the Federal Government fail to do it, how will these people carry the burden?

The PREMIER: Many of them are making money, and some have paid back a good deal of it.

Mr. Wilson: What about the unfortunates who will not make money?

The PREMIER: There is the case of the soldier who bought a property for £1,200. He paid off his indebtedness out of the first crop and had £1,200 to the good and his stock besides. Is he to get something?

Mr. Wilson: Most of the complaints——

Mr. SPEAKER: The hon. member will have the right of reply.

Mr. Wilson: The Premier had a fair shot at me when I was speaking.

Mr. Willcock: He put in two barrels.

The PREMIER: The Federal Government are charging too much, but I believe they will yet reduce the rates. I cannot agree to the latter portion of the fifth recommendation.

Mr. Wilson: Suppose these men had to go off their holdings when a reduction of the rate of interest would help them, what would you do?

The PREMIER: What does the hon. member think we ought to do? Every case must be dealt with on its merits. Out of 5,000 cases there are 266 complaints. The people, therefore, are not very badly off. We will help the soldier in every way, but we cannot take money from the Treasury in order to write down the rate of interest. That is not our job. For more than one-half of the average advance the soldiers are paying a low rate of interest, but that will cease in a year or two.

Mr. Wilson: The rate has been reduced in other States.

The PREMIER: The cost of carrying out the work is considerable. We are doing it for 2s. 2d. per cent. The cost to the Soldier Settlement Department is roughly one per cent., and the State is bearing the amount of the difference. The last recommendation is—

> That the attention of the Agricultural Department be drawn to the necessity of taking immediate steps to eradicate the pest known as Spanish radish, which is especially prevalent on the Brunswick estate.

It is not much trouble to eradicate the Spanish radish on small holdings. It is not bad cattle feed. On some of the poor land in the north it is sown for feed. I do not say this ought to be grown for feed, but cattle do eat it.

Mr. Money: It is a noxious weed.

The PREMIER: I think not. It cannot be got rid of altogether.

Mr. Corboy: If it were a noxious weed you would have to outlaw Brunswick Junction.

The PREMIER: No. The settler can deal with this matter himself. There is a note in the report which says—

> As each case coming within these recommendations must be dealt with on its merits,

I agree with that.

> the personal equation of the soldier settler must be considered, as—in the matter of clearing the conditions are so varied that some properties will require to be written down considerably more than others—a flat rate will not meet the case.

I agree with that.

> This would also apply to the deferment of rent and interest. The Commission is of opinion that, with a little careful and judicious nursing, a very large percentage of these soldiers will become successful and prosperous settlers.

I agree with that. The rate of interest will be high when they come to pay the full rate. I hope in the meantime the Federal Government will reduce the rate to five per cent. We shall then be able to charge a lower rate ourselves. The Commission may congratulate itself on finding so little to complain about. The report certainly discloses that some part of £39,000, not £5,000,000 odd as is suggested, will have to be written off. The fund that has been created to meet losses will be used to write down the costs to whatever is reasonable. The costs were high for the reason I have stated. Everything that could be done has been done for the soldiers. They have been treated sympathetically. The Commission must feel that there cannot be many dissatisfied men or they would have had many more complaints.

Mr. Corboy: We have grown tired of correcting that statement.

The PREMIER: But I have the Bible here—the written word. I do not know anything beyond this Book. I hope the motion will not be agreed to. It goes too far. When this or any other Government fail to do their duty by the soldier that will be the time for the House to move. When our management is not sympathetic, right or sound, or what it ought to be, let members

come to the House and say, "These people are not treating the soldiers properly." They should not anticipate things, or want to write down the interest generally. It ought not to be done. Let the men be given a chance to make good. Let them have holdings on which they can make a decent living and on which they can pay the interest charged. It is no good saying to a settler, "I will not ask anything of you for the next 10 years. Here is a house and land; you can live rent free." That would be no good. Give him a holding on which he can live in comfort and pay his way, as we have striven to do, and, I think, have succeeded in doing. No doubt there are some few exceptions. They will be dealt with. Still, I hope hon. members will agree with me that the board dealing with soldier settlement are doing all that ought to be done, and that the House should not be asked to lay down hard and fast rules in this matter—rules which could be made to apply to many soldier settlers who are not in need of the assistance which would be given to them if the recommendations of the Royal Commission were adopted. For my part I should like to say to the soldier settlers, "It is all for you, and you need never pay a penny back." But we know that that cannot be done. We know that tens of thousands of our men enlisted; and those of them who upon their return settled on the land are getting an advantage. They are getting something most valuable at less than the worth of the property, and they ought to be prepared, as indeed they are prepared to pay what they can. I sincerely trust that the House will not agree to the motion. I have endeavoured to make clear that everything that ought to be done in this matter is being done; and I know that when the time comes for action, this House will see to it that the present Government, or any future Government, do their duty by the soldier settlers.

On motion by Mr. Corboy, debate adjourned.

House adjourned at 10.33 p.m.

Legislative Assembly,

Thursday, 6th September, 1923.

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

QUESTION—TAXATION, ASSESSMENTS AND COLLECTIONS.

Mr. HUGHES asked the Premier: 1, Have all income tax and dividend duties assessments for the year ended 30th June, 1923, been made? 2, If not, how many are outstanding? 3, If so, what was the amount of tax not collected at 30th June last in respect of (a) incomes, (b) dividend duties, under the assessments for the financial year 1922-1923?

The PREMIER replied: 1 (a) Income tax, No. (b) Dividend duties: Returns are not furnished in respect to a given financial year. Companies' books are balanced at different periods. Assessments are made as returns are received, and are up to date. 2 (a), Income tax, about 900; (b) dividend duty, nil. (3) (a), Income tax, £147,500; (b) dividend duty, £12,821.

QUESTION—DRUNKENNESS, METROPOLITAN CONVICTIONS.

Mr. MANN asked the Premier: 1, What was the total number of convictions for drunkenness within the metropolitan police district for six months ended 30th June, 1922? 2, What was the total number of convictions for drunkenness within the metropolitan police district for six months ended 30th June, 1923?

The PREMIER replied: 1, 892. 2, 608.

QUESTION—BRICKS SHORTAGE.

Mr. LUTEY asked the Minister for Works: 1, Is he aware that there is a number of bricklayers out of work through shortage of bricks in the State? 2, Have the Government erected at the State brick works an additional Hoffman kiln which will turn out 40,000 or 50,000 more bricks per week? 3, If not, is it the intention of the Government to do so to relieve the present unemployment amongst bricklayers?