Legislative Council,

Tuesday, 2nd November, 1926.

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

PAPERS—STATE INSURANCE.

Road Board Employees.

Hon. W. T. GLASHEEN (South-East) [4.34]: I move—

That there be laid on the Table of the House the file relating to insurance by the Government of employers' liability in connection with road board employees.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.35]: There is no such file in existence. If, however, Mr. Glasheen will call at the office of the Government Actuary and let that officer know exactly what papers he desires to see, he will be permitted to peruse them.

Hon. W. T. GLASHEEN: As there is no special file which can be laid on the Table, I ask leave to withdraw the motion.

Motion by leave withdrawn.

RETURN—HARBOURS, EXPENDITURE AND RECEIPTS.

On motion by Hon. A. Burvill, ordered—"That a return be laid on the Table of the House showing—(a) The gross expenditure on the construction of the harbours of Fremantle, Albany, Geraldton, Bunbury, and Esperance, respectively, since work was first commenced and up to the 30th June, 1926. (b) How much of that gross expenditure stands to the debit of each capital account as on the 30th June, 1926. (c) What sums, respectively, were provided on the Loan Estimates for construction work at each of these ports during the last 10 years. (d) What amounts, respectively, still remained unexpended on the 30th June last. (e) What profit or loss was made in each of the last 10 years at these ports."

BILL—COAL MINES REGULATION ACT AMENDMENT.

Report of Committee adopted.

BILL—JETTIES.

Recommittal.

On motion by Hon. A. Burvill, Bill recommitted for the purpose of further considering Clauses 5 and 9; Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 5—Application of regulations under this Act:

Hon. A. BURVILL: I move an amendment—

That in paragraph (e) the words "Fremantle Harbour Trust Commissioners or Bunbury Harbour Board" be struck out.

If this amendment is carried I propose to move the insertion of "Commissioners of a harbour board or harbour trust." A Bill to establish another harbour board is in the second reading stage, and to save the necessity for future alteration of this measure I move the amendment.

Hon. J. NICHOLSON: Does a harbour board consist of Commissioners? I have the impression that the phrases are "members of a harbour board" and "commissioners of a harbour trust."

Hon. E. ROSE: Bunbury harbour is under a board, while Fremantle harbour is under a trust. Therefore it is advisable to adopt Mr. Nicholson's suggestion.

Amendment, to strike out the words, put and passed.

Hon. A. BURVILL: I move a further amendment—

That the words "Commissioners or members of a harbour trust or harbour board" be inserted in lieu of the words struck out.

The HONORARY MINISTER: I am not satisfied with the words proposed to be inserted, for they will not be strictly in conformity with the Bill creating the Albany

Harbour Board, which the hon. member has in mind. As an amendment on the amendment I move—

That the following words be inserted: "Commissioners of a harbour trust or members of a harbour board."

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

Postponed Clause 9—Regulations regarding buoys:

Hon. A. BURVILL: I propose to move as an amendment that all words after "the" in line 6 be struck out, and that those words we have just agreed to be inserted in lieu.

The CHAIRMAN: I will treat that as a consequential amendment.

Clause, as consequentially amended, agreed to.

Bill again reported with further amendments.

BILL—WEIGHTS AND MEASURES ACT AMENDMENT.

Report of Committee adopted.

BILL—STATE INSURANCE.

Personal Explanation.

Hon. Sir William Lathlain: I desire to make a personal explanation. When speaking on the Bill at the last sitting I said the amount paid in taxation by the insurance companies was £42,261. I fear it left hon. members under the impression that the whole of that money was paid in income tax. That is not so. The insurance companies are debited by the Government with £2 6s. upon every £100 they receive in income, irrespective of whether at the end of the half-year, or other balancing period, they may not show a loss. The amount paid in that way by the insurance companies is about £20,000, and the balance of the £42,261 is paid in various forms of taxation, including taxation on the interest gained by the companies on their investments.

Second Reading.

Debate resumed from 28th October.

HON. J. E. DODD (South) [5.50]: In reviewing the circumstances surrounding the introduction of the Bill, I do not intend to go into the statements and denials, charges and counter charges respecting the negotiations between the Government and insurance companies. However, I should like to refer to the Miners' Phthisis Act, and also to the industrial clauses of the Workers' Compensation Act. Mr. Scaddan's Act of 1923 provided for the complete examination of all miners, and the exclusion and compensation of all tubercular men, whilst men with symptoms of miners' phthisis were to be confidentially warned and advised to leave the mines. I should like to recall the genesis of that Act. It is well known that Mr. Scaddan appointed Mr. Cornell an honorary commissioner while in South Africa to inquire into the South African laws relating to miners' phthisis. Mr. Cornell made his report, and upon that Mr. Scaddan proceeded in regard to the Miners' Phthisis Act. It was not at first intended to pass through Parliament a Bill providing compensation for any industrial disease. The first Bill did not include compensation for such diseases, but owing to the pressure of public opinion and of various members of Parliament it was decided to include compensation in the Bill. I am glad to make this statement, because from an interjection of mine when the Honorary Minister was speaking to the Address-in-reply, it may possibly appear that Mr. Scaddan practically had to be forced to bring down the Bill. The Bill was brought down by Mr. Scaddan quite voluntarily, and it was the first passed to provide compensation for industrial diseases. In 1912 an effort was made by the then Labour Government to deal with industrial diseases. That Bill was lost and, the war intervening, all controversial legislation was dropped by agreement—I say that advisedly—between the Government and the Opposition. So nothing was done until Mr. Scaddan brought down that Miners' Phthisis Bill. In 1924 the present Government went a step further and introduced the Workers' Compensation Act, providing compensation for industrial diseases. Amongst those diseases were those known as miners' phthisis in its various forms, and tuberculosis following on miners' phthisis. That is now part of the law of the land, included in the Workers' Compensation Act. That part of the Act came into force by proclamation, and was proclaimed when the medical examinations were nearing an end. The laboratory established at Kal-

goorlie was established by the Federal Government. There was some little delay in its establishment. All parties agreed to get together and do the best they could in order that something might be done respecting compensation for industrial diseases. When the proclamation was made, the Minister and the insurance companies began to negotiate to see what could be done about taking the risks entailed by the Act. Finally, the companies declined to accept the risk. I am not going into those negotiations; I am merely stating the facts. The Government then extended their scheme, which deals with all Government employees. Recognising the illegality of the position, they are to-day applying for Parliamentary authority. That is the present position as I see it. It is generally agreed amongst all parties that there is a legal and moral obligation in respect of miners' phthisis. Further, it is by all agreed that there can be no repudiation. The next point is that the companies refused to quote. There seems to be no disagreement upon that point. Whatever the companies' reasons may have been is another matter, but we know that they did finally decline to quote any premium for the risk. The only opposition to the Bill seems to me to arise from opposition to the principle of State trading. I ask, as Dr. Saw has asked, what is the alternative to the Bill? The only alternative I can see is that the State should shoulder the liability. But are members prepared to allow the State to do that? Since I represent a goldfields constituency, possibly it would be to my interests to say that the State should shoulder the whole liability for all time. But I ask, are members prepared to throw out the Bill and allow the State for all time to shoulder the whole of the liability? There are other aspects of this question with which I shall deal presently. I have been a believer in State trading concerns, and as a member of a former Government I helped to establish some of them. But I have never been fanatical about them. Three years ago, on the Address-in-reply I asked the Government to go slow in regard to State trading concerns. No one can accuse the Government of having been in any hurry to establish new trading concerns since they came into office. I think we should establish a State trading concern only when its usefulness is assured. If we can prove that a State trading concern is likely to be successful, well and good. But to go and establish State trading concerns such as the Wyndham Meat Works and certain others, would be absolute folly, and I would not be a party to it. Mr. Stephenson made an interesting speech in which, however, there were a few blanks. He spoke particularly of the visualisations in regard to different trading concerns and what they cost the country. He referred to the Fremantle dock. All I can say regarding the Fremantle dock is that it was not a creation of the Scaddan Government. That Government, however, had the doubtful privilege of telling the people that the money was sunk in the Fremantle harbour, and that was the only part they had in it. I can well refer to other concerns some of them not trading concerns, established by various Governments that were equally unsuccessful as those established by the Scaddan Government. There are also one or two trading concerns in connection with which money has been advanced, and which money has been irrevocably lost. I could refer to fully half a dozen or more of these particular concerns in respect of which money has been thrown away. Mr. Stephenson also referred to the potential liability of the companies if they took over the insurance risk of the men on the mines to-day. He dealt particularly with the 566 men who have been warned that they have some symptom of miners' complaint. Mr. Stephenson said "Multiply this number by 770 and you get the liability that the insurance companies would take over if they decided to insure." I would like to examine that statement and to point out how wide of the mark it really is. In the first place the insurance companies have added the £100 allowed for medical expenses. I do not know whether members are aware of the fact that miners pay the whole of their medical expenses and hospital accommodation. Insurance companies take practically no risk in regard to medical expenses on the mines. When once a man has miner's disease in some form, he does not incur a great deal of medical expense, so that if you drop the £100 for 566 men, you delete the liability by £50,000. Then again of the men who have the symptoms of disease, I know of four who have left the mines already, and I suppose a large number of others have also left. At any rate, I know of four with symptoms of the disease. If

those symptoms do not become aggravated during the next 12 months, there is no liability on anybody, and those men cease to be a liability on the mining companies. Consequently that potential liability of which Mr. Stephenson spoke, can well be cut down by one-half. I would also like to refer to what the hon. member said in relation to New Zealand and Tasmania. Here, again, we have not had the whole facts. What happened in New Zealand was this: Provision was made there for industrial diseases under the Workers' Compensation Act passed in 1911. There was no provision made for compensation for the excluded men, and consequently when the employers sought to examine the men so that they might take advantage of the industrial disease clauses of the Workers' Compensation Act, the men refused to be examined. The miners could not be blamed for taking that stand, and in the same circumstances they would have acted similarly in Kalgoorlie. The Act in New Zealand was in operation for 12 months and no claim for compensation was made in respect of diseases. The same thing, I believe, has happened in Tasmania, though I am not so sure about it. Further, I would like to ask the Leader of the House, when he is replying, to tell us what rates the Queensland State Insurance Department charges for workers' compensation risk exclusive of industrial diseases. I do not think the rates there are any higher than the rates in Western Australia. Yet attention has been drawn to the enormous amount transferred from the workers' compensation risk in Queensland to the industrial diseases part of the Act, and so far as I can learn, the rates are no higher. The Queensland Government are able to give the same amount of compensation at the same rates as are charged here for workers' compensation risk, and they are also able to make up the deficiency in the industrial diseases section. If the Leader of the House supplies us with that information, it might help us in some way to deal with this Bill. My opinion of this Bill is dictated neither by embarrassment nor a desire to support the Government; it is not one of opposition or a defence of the insurance companies. My attention is defined in accordance with the need of the miners and the mining industry. That is the position I take up. It is the only position that can be taken up—the needs of the miners and the needs of the mining industry. Since 1897, when the first branch of what was then known as the A.W.U. was formed in Coolgardie, many of us tried in every conceivable way to show that miners' disease was going to be a big factor in the mining industry. By articles, by pamphlets, by Labour conferences, by lectures, and also by speeches in Parliament, we endeavoured in every possible way to show what the inevitable harvest of miners' disease would be. The laboratory at Kalgoorlie has shown us what that harvest is, and I would like to say also that I have always urged that the Commonwealth has a liability in this matter. Commonwealth legislation to a large extent has been responsible for the condition of the mining industry as we find it to-day; the mining industry has had nothing out of the Commonwealth up to the present time. I think that the retrospective liability in connection with these diseases is really a Commonwealth liability. I agree with the statement made by the Premier some months ago in regard to tuberculosis on the goldfields that the cost should come from the Disabilities Grant. I for one think that the Commonwealth should lend greater aid in order to meet the retrospective liability in connection with these diseases. The tariff and exportation of gold have robbed the mining industry of millions of pounds, and when we consider that the value of the gold won is 156 millions, and that the companies have paid 30 millions in dividends, we can realise what it would mean if the mines should close down. Unless some satisfactory settlement is arrived at in regard to the liability, there is nothing more certain than that the mines must close down. They cannot possibly carry the burden, expecially the retrospective burden which has been imposed upon them. I consider that the mining industry has a wonderful future ahead of it and the time may come when we may have a different tale to tell. The mines may yet employ thousands of men. I have frequently stated here that under a different tariff and a reduction of costs, there is ample room on the goldfields for thousands of men, and that millions of tons of ore can still be treated if only the industry is given a chance. It has been asked repeatedly what can be done as an alternative to the Bill before us. I am hoping that the House will pass the Bill and perhaps get an assurance from the Government or from any other Government that it will carry on for a time and see how the State insurance scheme will work out in re-

gard to the industrial diseases. Then the Government might agree to reconsider the matter, and appoint some sort of honorary commission of members to go into the whole question. In that way I think some good would result to the State. I know it is difficult to keep within the Standing Orders in dealing with these matters in connection with the Bill we have before us. I suggest that something might be done on the lines of the South African scheme. We might consolidate the Mine Workers' Relief Fund, the Miners' Phthisis Act, and the industrial diseases section of the Workers' Compensation Act. All these funds might be consolidated under a Miners' Phthisis Act. I agree with those hon. members who have suggested that that is the proper Act under which the diseases should be controlled. I have not always been of that opinion, but I have carefully read Mr. Cornell's pamphlet and I have carefully followed the legislation of South Africa, Queensland, and Broken Hill, and it seems to me that the best way we can deal with the matter here is as I have suggested, to consolidate the funds under a Miners' Phthisis Act, and appoint a board of scientific and practical men to deal with the situation as a whole. I believe much good would follow from such a course. I might mention one or two subjects that have been dealt with in the pamphlet published by the secretary of the South African Miners' Union, which is included in Mr. Cornell's report, and it may interest hon. members to know that the secretary of that body graduated in the Miners' Union at Kalgoorlie. Unfortunately for himself he fell a victim to the disease two years ago, but before that he did a great deal to alleviate the sufferings of others. There they have for their object the settling of these miners on the land. They also go in for vocational training and co-operative work. Then they also give assistance to non-silicotic mines. Under the last mentioned scheme men showing early symptoms of miners' diseases may secure work in mines that are known to be non-silicotic. There are hundreds of such mines throughout the goldfields where the unfortunate men could secure employment. They could go into those mines because they are shallower than the deeper mines and there are hundreds of such mines that have not been properly tested. Millions of tons of ore, if working costs could be reduced, remain to be treated in those mines. Of course, those provisions relate to the men in the first stages of the disease. There are three stages there; the ante-primary, the primary, and the secondary stages. As far as the ante-primary sufferers are concerned, they are allowed to go into the mines that are not silicotic. However, I will not enlarge upon that point, for Mr. Cornell knows much more about that phase than I do. Furthermore, the authorities there enter into research work and make recommendations in order that the disease may not be allowed to spread. With that end in view, they make recommendations for combatting the disease. They have medical men on the board and they take charge of inspectors and pay them. In every possible way the board has dealt with miners' complaint in all its stages, with the funds and also with compensation. That compensation is paid not from a workers' compensation fund, but from moneys raised by means of a direct levy upon the mines. Briefly that is the position as it appears to me. If we were to talk for a week I do not know that we could possibly alter the facts as they are. I trust that hon. members in dealing with this Bill will not allow their prejudice against State trading concerns to antagonise their attitude towards the Bill. If the insurance companies will not undertake the insurance of the miners who are suffering from these diseases, that risk must be undertaken by someone else. Under the legislation that we have already passed, the miners have a legal right to have their interests safeguarded in the manner I suggest, and if that risk is not provided for by insurance covers, the mines must close down. I ask for the serious consideration of every hon. member for this important matter. Every statement and every utterance we have made in Parliament during the last 16 years has been confirmed by modern scientific investigations. We cannot get away from the facts. Already we have over a hundred men prohibited from working in the mines because they are suffering from tuberculosis, and to date some 576 men have shown symptoms of miners' disease. I do not think that any statement ever made on this question has been an exaggeration of the present position. On numbers of occasions members, I know, wondered whether we had not exaggerated the prevalence of miners' diseases. The

death rate in Western Australia is the greatest among the Australian States and this is so because of the excessive mortality amongst the miners. That is the record we have today. There is no gainsaying the fact of the nature and prevalence of this disease. I am very glad that recognition of the fact has come at last, and I thank hon. members for that recognition. It has been a long time coming. From the speeches we have heard from Sir William Lathlain, Dr. Saw, and Mr. Stephenson, as well as others, I think we have every reason to the grateful that hon. members, and the community as well, have at last recognised the nature and prevalence of the disease, and in that recognition is included the need for compensating the miners suffering from the disease. Let me ask hon. members this: If they recognise the need and appreciate the fact that the disease is so prevalent, admitting, too, the general desire to afford relief to the men, I ask them not to defeat the only means by which that relief can be effected at the present time. I have pleasure in supporting the second reading of the Bill.

HON. SIR EDWARD WITTENOOM (North) [5.20]: After the several excellent speeches we have listened to with considerable interest, it seems almost superfluous to deal with the subject any further. Even at the risk of being accused of repetition, I feel I must add a few words to the debate in order to justify the action I intend to take in voting against the second reading of the Bill. The discussion to date, and especially the speech just delivered by Mr. Dodd, has tended to shroud the real principle underlying the Bill. The measure is brought forward to justify the Government in establishing the State Insurance Department, and to bear out that statement I will quote Clause 3 of the Bill which reads as follows:—

> For the purposes of this Act, and for the purpose of doing all such things as are incidental or conducive to the carrying on of workers' compensation insurance business, a State Government Insurance Office shall be constituted.

That is the real object of the Bill. The question before hon. members is this: In the circumstances, does the House agree to the constitution of a State Insurance Department, that being the principle advanced in the Bill.

Hon. E. H. Gray: The country does.

Hon. Sir EDWARD WITTENOOM: I oppose the Bill on two grounds. First, I oppose it because it is a deliberate breach of a section of an Act that was agreed to by both Houses of Parliament and which sets out that no further State trading concerns should be established without the consent of both Houses of Parliament.

Hon. A. Burvill: Is this a State trading concern?

Hon. Sir EDWARD WITTENOOM: Of course it is. The second ground upon which I base my objection is that no Government should embark upon any State trading concern, if it can possibly be avoided. I think it was Dr. Saw who said that it was a good thing for a Government to enter into a State trading concern where it was for the universal good. I am of that opinion, too, but there are so few avenues where such activities would come under that heading, and so many trading concerns have already been established that I cannot quote an instance that would comply with that reservation. To deal with my first objection, which is that the Government have established the State Insurance Department without the consent of Parliament, I need only point out that the section of the Act which has been read to us by one or two speakers, demonstrated that in view of the clearly-expressed intention of Parliament it is wonderful how any Government could have disregarded the section to the extent of establishing a trading concern of this description without consulting Parliament. Apart from the illegality of it, there was no real necessity, in my opinion, for the establishment of the State Insurance Department. I am opposed to all State trading concerns that can possibly be avoided. There are some that cannot be avoided. For instance, there are the railways. I suppose hon. members will agree that the railways represent a public utility. If hon. members desire to see how a Government can mismanage such a public utility, let alone a State trading concern, they have only to consider the position of the State-controlled railways. We have an unfortunate Commissioner of Railways doing his best to make the railways pay, and a Government stepping in and by increasing wages and reducing working hours, making all his efforts futile. Yet we must remember, too, that the railways were built from

money borrowed under the condition that it was to be spent on reproductive work.

Hon. J. Cornell: If that applied to the management of coal mines, they could not possibly pay.

Hon. Sir EDWARD WITTENOOM: I could not hear the hon. member's interjection.

Hon. J. Cornell: The hon. member did not want to hear.

Hon. Sir EDWARD WITTENOOM: Having been concerned with financial matters for some considerable time, I recognise the extremely discouraging effect that follows upon the State investing money in developmental avenues, particularly those usually taken up by private people. Our State trading concerns are practically all carried on at a loss, and the advent of the State prevents capitalists from investing money in developmental works, for fear of competition from the Government. While the State trading concerns are carried on at a loss, unfortunately they do not always give satisfaction to the public. Even this might be overlooked if it did not discourage private enterprise. The second objection I have to State trading concerns is that they become political institutions. I have no doubt that every employee engaged in work connected with State trading concerns will vote for the present Government. He will do so for two reasons. First of all, he will vote for them to show his appreciation of the men who have given him his employment. That is a very proper feeling for such an individual to entertain. The second reason is that such employees will not vote against the Labour Government for fear of the advent of another Government that would do away with State trading concerns and so deprive them of their employment. Thus, from the point of view of the material advantage of the employees, they would look upon State trading concerns with favour. They would vote to keep in office a Government pledged to State trading concerns and, from their point of view, the employees would act very wisely. I take it that the Bill, coming as it does from the Legislative Assembly, may be regarded as having condoned the action of the Government, who established a State Insurance Office without the consent of Parliament. I hope the House will take a different view of the measure. I am of opinion that the laws of the country should be respected. I will not say that they have been flouted but I will say they have been disregarded to the extent that we have had indicated to us during the course of the debate. I have heard the question asked: If the Bill be thrown out, what is to be done regarding the miners who are suffering from these diseases? My reply to that is that they should be looked after by the Government and compensated from the Consolidated Revenue of the State. Everyone agrees that the unfortunate men should be compensated.

Members: Hear, hear!

Hon. Sir Edward, WITTENOOM: There is no question on that point. As Dr. Saw pointed out, the greatest difficulty of the insurance companies was to find out the exact position. There is no doubt that the men should be compensated and it should be done from Consolidated Revenue.

Hon. J. Cornell: You would leave the plums to the insurance companies.

Hon. Sir EDWARD WITTENOOM: I could not catch that interjection. It will be just the same whether the men are compensated direct from Consolidated Revenue or they are compensated through the State Insurance Office. The money will have to come from Consolidated Revenue just the same. The first portion of Clause 8 of the Bill reads as follows:—

> Every policy issued by the Commissioner under this Act shall be issued on behalf of, and is hereby guaranteed by, the Government of the State.

So that if the Government lose £500,000 by paying compensation out of Consolidated Revenue, that would probably represent less than they would have to pay out if they go in for the insurance business and have to accept a whole lot of hazardous risks, such as will necessarily follow. There has been some talk about an alternative scheme. I have heard one that has been presented, much along the lines that I gathered from Mr. Dodd just now. All that is needed is an amendment to the Miners' Phthisis Act. Such a Bill, if introduced, should provide for a definite scheme for the payment of men obliged to leave the mines owing to tuberculosis. It should provide for the employment of men who have other miners' diseases uncomplicated by tuberculosis, on the lines of the South African legislation as recommended by Mr. Cornell, M.L.C., in his report. It should provide for the removal of those men from the scope of the Workers' Compensation Act and for their inclusion

and participation in the benefits under the Miners' Phthisis Act. I should now like to make one or two references to the remarks of Dr. Saw on Thursday last. I am sorry that his speech was not in keeping with his usually happy frame of mind. I take a little exception to his statement that a combine existed amongst the insurance companies. I do not like the word "combine." It infers the gathering together of certain people or officials to do harm to someone else. I can assure Dr. Saw that there is no combine in that sense of the word. The term is generally used in a contemptuous way.

Hon. J. Cornell: Dr. Saw meant an honourable understanding.

Hon. Sir EDWARD WITTENOOM: Whatever he meant, I am satisfied it was honourable. At any rate I do not like the word, though perhaps Dr. Saw did not attach to it the significance that I do. I admit, however, that there is a recognised tariff amongst insurance companies for many risks, but that tariff was not arrived at for the purpose of maintaining premiums at a high level. It was arrived at to enable the companies to fix the premiums that should be charged under certain conditions. For instance, one company might accept a risk and sustain a heavy loss, and they would be tempted to say, "We are not going ta take a risk like that again." When the representatives of the company come to discuss the matter in conference with perhaps 40 or 50 other insurance men, and find that the others, who have also accepted similar risks, have not incurred similar loss, they are able to arrive at a reasonable tariff. It is what might be called collective bargaining, or communal discussion such as is resorted to in almost every trade and calling. We have only to look around the city to realise that the bakers, probably the butchers, certainly the grocers and tobacconists have an honourable understanding that enables them to carry on business in a communal way; otherwise conditions would become chaotic. Especially does this apply to the Labour Party, who settle the wages for which they will work and stick to them. The Labour Party go further than does anyone else because they make their agreements legal and no one dare depart from them. If we can term any section a combine, it is the Labour Party. I do not blame them for endeavouring to improve their conditions, but the fact remains that they resort to collective bargaining. The legal profession have a certain amount of understanding one with the other, and I wonder whether the medical profession likewise have not an understanding.

Hon. J. Cornell: And the banking profession?

Hon. Sir EDWARD WITTENOOM: I do not deny that the banking institutions agree upon the rate of exchange. Still, I do wonder whether the medical profession have not an understanding. There is such a wonderful unanimity about the rates charged in the different bills I have received from medical men!

Hon. A. J. H. Saw: That is when they get hold of a patient that pays.

Hon. Sir EDWARD WITTENOOM: I am not suggesting that it is unreasonable for them to do so. I am merely trying to show that the term "combine" is used in a derogative sense, though almost every trade and profession nowadays has an understanding as to prices. I do not think anyone can blame the insurance companies for fixing a tariff of premiums. The issue of this Bill has been clouded by all kinds of extraneous matters. What we have to decide is whether we shall pass a Bill to authorise the Government to establish another State trading concern, a State insurance office, which will come into competition with private enterprise. The existing State trading concerns are doing a great deal of harm in that they deter capitalists from investing in the different businesses of the country. Capitalists will not invest their money if the Government engage in business that will come into competition with them. Naturally they are out to make a profit. Everybody, of course, makes a profit if he can. Mr. Dodd seemed to be under a misconception when he spoke of £42,000 as a very high profit, but even if the profit reached that amount, what are the companies in business for? Why, too, do shareholders invest their money in a business? They do so to make a profit. People, however, will not invest their money if they are confronted by Government competition, especially as the Government have the whole of the revenue of the State behind them and do not care whether they make a profit or a loss. Under such conditions we cannot expect people to invest their money in business, and that is why I am opposed

to State trading concerns. No concern is able to continue in business at a loss, except a State trading concern; the others have to shut up quickly. Whatever the merits of the Bill might be, I should vote against it because the establishment of a State insurance office displays a flagrant breach of parliamentary law and etiquette and would constitute a most dangerous precedent for any succeeding Government.

HON. J. M. MACFARLANE (Metropolitan) [5.39]: Much has been said for and against the Bill, but it is not my purpose to traverse the arguments. I oppose the second reading for two special reasons. The Minister told us it was necessary for the Government to take the action they have taken because there was something in the nature of a crisis created by reason of the fact that the insurance companies would not quote for the business. Parliament, when it passed the Miners' Phthisis Act, decided that the mines should be cleaned up by the State, which owed so much of its development to the stimulus given by the goldfields. It is the gold-mining industry that has made possible the tremendous development in the agricultural districts. The State, in compensating the afflicted miners, would merely be repaying the mines for what they have done for the State. I regret that the action now contemplated was not taken in the early days of the industry, so that the mines could have been kept clean and the insurance companies could have quoted for the insurance of the men. However, we must face the position as we find it. It is the duty of the State to see that the mines are cleaned, and when that has been done the companies will be able to quote for this form of insurance. The Government have already established a State insurance office, and this House is now asked to endorse their action. If there was a crisis consequent upon the companies having refused to quote for the business, Parliament should have been summoned at the time to consider the matter. The Government, however, refrained from calling Parliament together, but are now asking us to ratify their action on that occasion. My second objection to the Bill is that, no matter how much it may be sugar-coated, it means the establishment of another State trading concern. It is not the function of Government to embark upon trading of this description. It is their duty to construct public works and attend to the administration of the country, but they have no right to interfere with individual liberty. It is unfair of the Government to tax individuals or companies and then to compete with them in business. I do not agree with Dr. Saw that the corollary to recognising the claims of the miners is the establishment of State insurance. Let the State clean up the mines, and let the companies then quote for the business. The laboratory examinations will enable the Government to ensure that afflicted miners do not work underground, so that the risk to be covered, once the mines are cleaned up, will be considerably less.

Hon. E. H. Harris: What do you mean by cleaning up the mines?

Hon. J. M. MACFARLANE: Removing the diseased men.

Hon. E. H. Harris: Would you take 600 men out of the mines?

Hon. J. M. MACFARLANE: Mr. Dodd put the position clearly when he said it was not necessary to provide for the whole of the afflicted miners, because a good many of them would be able to earn a living in other occupations.

Hon. E. H. Harris: The point is, what do you mean by cleaning up the mines?

Hon. J. M. MACFARLANE: I mean giving the men direct monetary compensation, or providing work for them in other occupations.

On motion by Hon. J. Nicholson, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT.

Assembly's further Message.

Message from the Assembly received and read notifying that it had agreed to the recommendations of the Conference managers.

BILLS (2)—FIRST READING.

1, Special Lease (Esperance Pine Plantation).

2, Industries Assistance Act Continuance. Received from the Assembly.

BILL—METROPOLITAN MARKET.

Second Reading.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central) [5.48] in moving the second reading said: As a result of a long period of agitation for the erection of metro-

politan markets, a bulky and important file has been built up. There have been agitations in the Press and representations have been made to the Government through deputations. It is interesting to read the reports and correspondence dealing with this subject. After doing so, one can come to no other conclusion than that all concerned are in favour of the establishment of these markets. I have carefully perused the correspondence, and the reports of deputations to different Premiers and Ministers for Agriculture and for Lands. As the outcome of this agitation the Government have brought down this Bill. Overtures were made by producers and consumers, by housewives' organisations, and by the representatives of various societies interested in this question. Some people have advocated City Council control, and some Government control, while others have no personal feeling in the matter so long as the markets are established. Having regard to all the opinions expressed, I feel sure that this Bill will prove highly satisfactory. Some objection has been raised to the City Council having any control under this Bill. It must be borne in mind that this body has played an important and prominent part in the matter. It is entitled, seeing that it controls the city by-laws, its health arrangements and its roads, and is in a position to exercise a good deal of influence, to have representation on the trust that will control these markets. The City Council are also playing an important part in respect to the progress of the State. The Bill will apply to the metropolitan area, that is the municipal district of Perth, with the exception of the Victoria Park ward and the endowment lands. If necessary the boundaries may be extended. If it is thought wise to do this, it may be done on the application of any municipality or road board, outside the jurisdiction of the trust, to be brought within the scope of the Bill. The purpose of this measure is to provide markets for the metropolitan area. It is proposed to appoint a trust, the members of which will be five in number. One will represent the producers, another the consumers, one will be nominated by the City Council, and two will be appointed by the Government, one of whom shall be chairman.

Hon. J. M. Macfarlane: Who will elect the representative of the consumers?

The HONORARY MINISTER: Seeing that the Government have to provide the money in this case it is necessary that they should be represented on the trust by two members, and that one of these gentlemen should be the chairman. The chairman of the trust will be able to hold the scales of justice evenly balanced. He will be able to attend to matters in a way that possibly the representatives of the consumers and producers may not be able to do. The members of the trust will hold office for three years, and be eligible for reappointment. They will receive such remuneration by way of salary or fees as may fixed by the Government, and such remuneration shall be a charge on the revenue of the trust. The trust will be established to maintain markets in the metropolitan area for the storage of fruit, vegetables, meat, fish, poultry, etc. This is not the first occasion on which the question has been submitted to Parliament, but in the opinion of the Government this is the most workable proposal that has yet been brought forward. A Bill which was introduced by the member for Perth (Mr. Mann), provided that the entire control of the markets should be in the hands of the City Council. Parliament was, however, opposed to the idea, and the Bill failed to become law. Later on a motion dealing with the same question was defeated. The present proposal seems best to meet the views of the consumers, producers, the City Council and the Government. The trust will have power to acquire land, machinery, plant, goods, etc., and to erect, maintain, and repair buildings, make roads, and approaches to the market. If land is required by the trust such land may be acquired in accordance with the Public Works Act, 1902. It is very necessary that the trust should have the powers conferred by that Act. One of the principal reasons for giving the City Council representation on the trust is that this Bill will take from them certain powers that are contained in the Municipal Corporations Act, 1906. By this means they will to a certain extent be compensated for the loss of these powers. Subject to these provisions, the management and control of the markets will be regulated by the by-laws of the trust. The trust will have power to make by-laws for the general conduct and control of its business and the regulation of the markets. The Bill provides for all dues, tolls and moneys collected by the trust being paid to the credit of an account in the name of the trust, at a bank approved by the Government; and all salaries, remuneration and other expenditure lawfully incurred by the trust, shall be a charge upon its revenue. With the approval of the Government it will

be able to borrow money for the purposes set out in the Bill. It may issue debentures and establish a sinking fund such as may be required in connection with loans. The trust will have a big responsibility, but, constituted as it will be, it should be in a position to carry out that responsibility. The Treasurer may make advances to the trust out of moneys appropriated by Parliament to enable it to defray expenses prior to the establishment of the markets. The trust shall cause a fund to be provided and true and regular accounts to be kept thereunder. The books will be open for the inspection of the Auditor General, or any person authorised by him to inspect them. There are several machinery clauses in the Bill. Once in every year, the trust will be called upon to furnish to the Government a true copy of the audited account and a report, to be presented to both Houses of Parliament. As I stated in opening, many considerations have brought about the introduction of the Bill. Chief among them is the periodic agitation by consumers, by producers, and by the Perth City Council, these movements culminating in the measure brought down by the member for Perth (Mr. Mann), which was rejected. We have to remember, however, that every section of the community concerned in the matter has been and is keenly desirous of the establishment of markets, though opinions have conflicted as to the personnel of control. The Government have framed this measure with a view to safeguarding all interests. It may be said that the consumers, or the producers, or the Perth City Council, should have another representative on the trust, or possibly that the council should have sole control of the markets. Still, another place has had an opportunity of expressing its opinion, which is that the markets should be under Government control. Even since the Bill was finalised elsewhere, the Government have received a mass of correspondence backing up, in the main, the principles of the measure as it now stands. The Bill is the outcome of the many opinions expressed by the various organisations and interests affected. Having gone through all the correspondence and files dealing with the subject, I have no hesitation in recommending this legislation to the House. By virtue of the representation granted to the Perth City Council, that body will play an important part in conserving the interests of all parties. I move—

That the Bill be now read a second time.

On motion by Hon. J. M. Macfarlane, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.4] in moving the second reading said: In most respects this Bill is similar to one which I introduced to the Chamber last year. That measure reached the Legislative Council late in the session, and there was not time to give it ample consideration. The Bill in question was the result of road board conferences held in 1920, 1922 and 1924, and comprised in a large degree the principles of resolutions passed at these gatherings, which are representative of the various local authorities of the State. Among the amendments of great importance included in the Bill of 1925 were these: First, the changing of the name of "road board" to "district council." Second, provision for a general election of members to be held triennially. Third, provision for the alteration of the present system of voting so that one ratepayer should have only one vote. The conferences were in favour of the alteration of name and the triennial general election. The various road boards were supplied with copies of the 1925 measure, and at the conference held this year those points were re-submitted and endorsed, with one exception. Conference did not favour the principle of one ratepayer, one vote, and consequently the Minister sought information as to the practice obtaining in other parts of the Commonwealth. It was ascertained that the one ratepayer, one vote system is in vogue in the majority of the States. At the conference held this year, as I have mentioned, the proposal was turned down. The Minister thereupon informed the conference that although the boards did not agree with the proposal, the question was one entirely for Parliament to decide, and that he intended to insert it in the Bill which would be submitted during the then forthcoming session of the Legislature. The same conference reaffirmed its previous resolutions of 1922 and 1924, subject to the exception I have stated,

and it also submitted fresh matters. All of the new proposals have been thoroughly considered, and wherever found practicable have been included in the Bill. Hence it can be stated that, generally speaking, the road boards agree to all the provisions of the measure with these exceptions: First, that there shall be no appeal in cases where the Minister insists upon taxation values being compulsory. Second, the taking away of the road boards' discretion to adopt the annual values for townsites and prescribed areas in districts other than goldfields. Third, the Lands Department's suggestion, embodied in Clause 33, for greater protection as regards fencing to owners of land through which roads are declared. I have referred to the alteration of the term "road board" to one more fitting in the circumstances. The reason for the change is that in many instances the local authorities in question administer laws relating to roads, health, and vermin, and also have powers under various Acts, such as the Noxious Weeds, Cemeteries, and so forth. The existing powers of road boards embrace much wider activities than the present name would imply. Therefore it is desired to rectify this misnomer by calling them "district councils," which more adequately expresses their powers than any other term. This matter received a good deal of consideration. The various names in vogue in the other States and elsewhere, such as "shire," "county," "borough," and others, were all examined closely with a view to deciding upon the most suitable designation for use in our own State. The conclusion arrived at was that the origin and significance of the terms mentioned are not applicable to our circumstances, and that in adopting "district council" we were giving an all-embracing title similar to that already applied to the council of a municipality. It is also considered advisable to alter the existing practice which designates the chairman as such, and to change the title to "president" as more fitting to the many duties and powers which in a growing country are placed upon and vested in the leading representative of a district. I would remind hon. members that the existing Act empowers the Minister to adopt a fresh valuation. It was found, however, that he would have to make the fresh valuation himself or through his officers. The Bill seeks to put the matter on a proper footing. The departmental officers have had brought before them many cases in which the values adopted by a road board have been based on the original prices for which the land was sold by the Crown. In other cases boards sought to raise the valuations and adopt those of the Commissioner of Taxation, and then, on the plea of allowing appeals, altered some of the Commissioner's values before adopting them. Thereupon the boards allowed so many appeals that the values were brought back almost to the original level. It is considered necessary to amend the existing legislation so as to combat that position. The Bill includes provision for making the Minister's valuation the compulsory valuation, and he may be guided by the Commissioner of Taxation, and any appeal against such valuation must be made to the local court—it cannot be made to the local authority.

Hon. A. Burvill: Is there not an appeal to the local authority first?

The CHIEF SECRETARY: Not in that case The original Act also provides power to differentiate in the method of valuation for towns and prescribed areas. The object is to meet the difficulty existing on the goldfields, where, practically speaking, there is no unimproved value. Though it was never intended, the power in question has been extended to so many towns and prescribed areas in agricultural centres as to modify considerably the intention of Parliament, by making the unimproved value a general value. The amendment which Clause 27 proposes to make in Section 129 of the principal Act is one that is highly necessary. It will do away with the payment of gratuities to secretaries and other officers who have only been in the employ of a local authority for a comparatively brief period. This will make the gratuity a reward for long and faithful service. The amendment has been inserted in the Bill at the request of the 1926 conference.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: Before tea I said there was a number of instances in which local authorities had granted gratuities to officers after very short periods of service, and that there was in the Bill an amendment making provision that only where there had been service for at least ten years can a gratuity be paid, except in cases of physical or mental incapacity or death. The addition to Section 136, giving

power to the local authority to appoint an advisory committee, will supply a long-felt want. The advisory committee will function only on strictly local matters. Powers are given in the Bill—they were included in the 1925 Bill—to improve recreation and other lands; for the erection of buildings on these grounds, and the conducting of agricultural and other shows; to acquire, establish and carry on ferries and other transport services on land or water; to acquire, establish and maintain hospitals; to acquire and carry on cinematograph entertainments; to provide and maintain saleyards for the sale of stock, etc.; to provide power to borrow money to build workers' homes for employees of the local authority with the approval of the Minister; to unite with adjoining districts in carrying out drains, whether along the boundary or through each other's territories in their joint interest, with the Minister's approval; for restricting the use of hoardings, similar to the powers already existing for municipalities; to impose a lighting rate similar to that existing for municipalities, and which is found necessary owing to the fact that many of the towns previously existing as municipalities are now managed by road boards; such a rate to be chargeable only to those within the area lighted. The rating powers are altered and increased as follows:—

——	Under existing Act.	Proposed under new Bill.
Minimum rate for one Block	General 2/6 Loan 1/-	General 5/- Loan 2/6
General— Unimproved Value	Not less than 1d. in £ Not exceeding 3d. in £. With consent 6d.	Not less than 1d. in £ Not exceeding 4d. in £. With consent 6d. in rural districts and 9d. in metropolitan district.
Annual Value ...	Not less than 9d. in £ Not exceeding 2/- in £	Not less than 9d. in £. Not exceeding 2/- in £.
Lighting	*Nil*	Not to exceed ½d. in £ on unimproved value or 3d. in £ on Annual value.

Provision is also made for power for the board to prevent buildings and structures being removed from lands prior to the payment of rates owing on same, to meet the altered conditions on the goldfields where, in some cases, houses are sold and removed before the rates are paid. To provide that when municipalities are converted into road boards their continuity shall not be affected in regard to their borrowing powers, as owing to the provisions of the existing Act when the South Perth Municipality was converted into a road district it had to be treated as a new board and adopt the two-years' basis, instead of the seven times the average ordinary revenue. The existing power to borrow on the basis of seven times the average income for the last two years is increased to ten times. This puts it on the same footing as the Municipalities Act. The Bill seeks to alter the method of taking a loan poll, in order that a majority of the resident owners voting for a poll shall decide the question, instead of the existing method, which is that a majority of the resident owners as a whole must be attained. Extended powers are given to boards to enable them to define special areas within their districts for residences and for factories, and the materials of which same shall be built, namely, brick, stone, wood, etc. Amongst the amendments that have been included in the Bill since the 1925 measure was submitted are these:—Power for secretaries to be appointed to witness absentee votes at all elections—at present they are empowered only to record absentee votes at extraordinary elections; provisions to declare a building line in a town or other area as may be approved; provision that where land has been exempted for two years it shall not be subject to the same privileges, unless a certificate is produced to show that such are warranted; that when approval is given upon the recommendation of the local authority to write off rates, it shall include all rates owing under any Act; provision to enable boards to allow bowsers and petrol tanks to be erected on roads or footpaths when it is considered essential; approval to allow weighbridges to be erected in a similar manner; provision for making a special rate on properties drained by drains constructed by the board. The time is extended from one month to two months in which to hold extraordinary elections; provision enabling ratepayers to demand public meetings is amplified, necessitating the stating of the business; provision in regard to local authorities expending their income on recreation grounds is supplemented by amending the interpretation of "reserves." Then there is additional power enabling road boards to borrow

money for the consolidation of their loans. I move—

That the Bill be now read a second time.

On motion by Hon. J. Cornell, debate adjourned.

BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [7.40] in moving the second reading said: The Bill proposes to amend and bring up to date the Shearers' Accommodation Act, 1912, which was assented to on the 24th December, 1912, and has not since been subjected to amendment. In order to afford pastoralists a reasonable time within which to comply with its requirements, it was not brought into operation until January, 1914. It was not a Government measure, but was introduced and sponsored in the Assembly by Mr. McDonald, then member for Gascoyne. The Act had not been in operation long when it was ascertained that, owing to the weakness of some of its important sections, it was almost impossible to enforce its general provisions. The officer responsible for its administration has brought under the notice of successive Ministers controlling his department the ineffectiveness of the legislation, and has urged its amendment if it was desired to give effect to its provisions. It was not until the advent of the present Government that any action was taken in the direction sought. It must be admitted, however, that many of the pastoralists evinced a desire to comply with the spirit of the Act, and not only provided suitable accommodation voluntarily, but readily complied with requisitions served on them by inspectors, although it would have been almost impossible to enforce compliance with those requisitions. Sections 12 and 13 of the Act are referred to as being particularly weak, making it so difficult to enforce as to render its provisions almost nugatory. Examinations of these sections disclose the extraordinary fact that before an inspector can secure compliance with the requirements of the Act, it may be necessary to make three visits of inspection to a station, covering great distances at an unwarranted expense.

Hon. H. Stewart: Are any inspectors administering the Act?

The CHIEF SECRETARY: Yes. From its inception they started to administer it, but found it almost impossible.

Hon. Sir Edward Wittenoom: Have there been many breaches of the Act?

The CHIEF SECRETARY: For a number of years there has been no attempt made to administer the law. Even during the regime of the previous Labour Government it was found impossible to administer it.

Hon. H. Stewart: Are the inspectors still acting?

The CHIEF SECRETARY: Nominally the Act is administered by the Chief Inspector of Factories, but so far as I can understand, there is nothing doing.

Hon. G. W. Miles: What is the proposed alteration in the clause?

The CHIEF SECRETARY: Section 12 of the existing Act empowers the inspector to notify the owner when he has reason to believe that the requirements of the Act have not been complied with and to direct that the requirements be complied with, within a given time.

Hon. V. Hamersley: Under that clause he has to inspect?

The CHIEF SECRETARY: The inspector has to notify the owner that the Act has not been complied with. Then he has to make a second inspection, and probably will have to travel a couple of hundred miles to do it. The second inspection upon the expiration of the period of the notice is necessary in order to ascertain whether the terms of the notice have been complied with. In the event of non-compliance, the inspector may require the owner to appear before two justices of the peace, who, under the provisions of Section 13 are not empowered to impose a penalty for non-compliance with the notice, but may order the owner to comply with the requirements of the inspector's notice, or may specify what things shall be done by the employer, and the time within which this order shall be carried out, or may dismiss the complaint. A third inspection is then necessary to ascertain whether the order of the justices has been complied with, and, under the provisions of Subsection 2 of Section 13, if it has not been given effect to, the justices may impose a penalty not exceeding £10, and a continuing daily penalty not exceeding £1. Under Subsection 3 of this section, no order for costs can be given against an employer unless he has failed for an unreasonable time to comply with a notice given by the inspector. The term "unreason-

able time" is not defined. It will be seen therefore that with such a cumbersome and costly method of procedure, the enforcement of the provisions of the Act is well nigh impossible.

Hon. J. Nicholson: Reasonable time would be such time as the magistrate might order.

The CHIEF SECRETARY: Yes, two justices might order six months; two other justices might order 12 months. Another important weakness is that contained in paragraph 1 of Section 2, which provides that the Act shall not apply to buildings provided for the accommodation of shearers in cases where the total number of shearers employed in the shearing shed is less than eight. Thus, before an inspector can require an owner to provide the necessary accommodation he must make his inspection when shearing is actually in progress, and when eight or more shearers are being employed. This, of course, is practically impossible in a State of such vast areas as Western Australia, with pastoral holdings such great distances apart. The Bill proposes to remedy the defects contained in the existing Act as indicated, and to so improve it and bring it up to date and in line with similar legislation operating in other States of the Commonwealth, as to make of it a reasonable and workable measure. Clause 2 provides for the amendment of Section 2, paragraph 1, of the principal Act, by substituting six for eight shearers as the number necessary to be employed at a shearing shed before the provisions of the Act will be enforceable. Since the advent and extension of machine shearing which is now general on large holdings, it is possible to shear much larger flocks with the assistance of fewer employees than was the case formerly, when blade shearing was in general operation. It is considered that no hardship will be imposed on the owners of stations whose flocks are sufficiently large to necessitate the employment of six shearers, by requiring them to provide suitable accommodation for their employees, whilst the proposed amendment will exclude from its operations of the Act the small pastoralist and farmer whose flock of sheep is limited in number.

Hon. V. Hamersley: This is going to apply to all small men?

The CHIEF SECRETARY: It used to apply to every station where more than eight shearers were employed. Under the amendment it will apply to stations where more than six shearers are employed. Clause 3 amends the existing definition of the term "employer," by substituting "owner" for "master," and by bringing the contractor within the definition. The proposal brings the definition into conformity with that contained in similar legislation operating in other States, that is, Queensland and New South Wales. It is customary for a contractor to contract to do shearing for a number of stations, either simultaneously or in rotation, and to employ one or more teams of shearers for the purpose, and although he may be the actual "employer" of the shearers, he may not have control of the shearing shed, or superintend the shearing at such shed.

Hon. V. Hamersley: The employer lost that right long ago.

The CHIEF SECRETARY: Clause 4, paragraph 1, requires that in accommodation erected after the commencement of this Act, compartments to accommodate not more than two persons shall be provided. Section 6, Subsection 2, paragraph (ii.) of the existing Act required compartments to accommodate not more than four persons. It is proposed that those conditions shall remain operative in respect of accommodation already provided, and that the new conditions shall apply only to accommodation to be erected in the future. The proposed conditions operate in Queensland under the Workers' Accommodation Act, 1915, of that State, and in New South Wales under the Rural Workers' Accommodation Act, 1926. Clause 4 requires provision for not less than 480 cubic feet of air space to be allowed for each person in each sleeping compartment in buildings to be erected in future. This provision operates in Queensland and New South Wales.

Hon. J. M. Macfarlane: Is that the same space as is provided in New South Wales?

The CHIEF SECRETARY: I cannot say, but I shall make inquiries. The dimensions of a sleeping room or compartment to accommodate two persons would therefore require to be 12ft. x 8ft. x 10ft., which it is considered is not too large for the purpose. Section 6, Subsection 2, of the principal Act provides for 360 cubic feet of air space for each person, and two men could be accommodated in a room 10ft. x 8ft. x 9ft. which, excepting in height, is the size of an ordinary tent only, and in a tropical climate such as we have in the North-West of this State, is considered to be inadequate. The proposal will not operate, however, in respect

of accommodation already provided in conformity with the requirements of the existing Act. Clause 4, Subclause 3, prohibits the storage of food in rooms used for sleeping purposes, and unless permitted by regulations, in any particular class of cases, requires the kitchen to be separate and apart from the sleeping rooms. Section 6, Subsection 2, of the Act prohibits the cooking or serving of meals in the sleeping rooms, but does not prohibit the storage of food therein. These proposals are contained in the Queensland Act, and also in the New South Wales Rural Workers' Accommodation Act, 1926, and the desirability of their inclusion in the principal Act is, I think, obvious. Subclause 4 requires the provision of sufficient light, including artificial illumination, and sufficient ventilation in each sleeping, dining room and kitchen, and requires the cleaning, fumigation, or disinfection of these rooms at least once annually. Section 6, Subsection 2, of the Act provides for the lighting and ventilation of the sleeping and dining rooms, but excludes the kitchen, and does not provide for the annual cleansing or disinfection. These provisions are contained in both the New South Wales and Queensland Acts. Clause 4, Subclause 5, provides that the kitchen shall be suitably floored. Section 6, Subsection 2, paragraph (x) of the principal Act requires that the sleeping and dining rooms shall be floored, but not the kitchen. That is rectified in the Bill. Clause 4 provides for the addition of several paragraphs to Subsection 2 of Section 6 of the Act. It requires the provision of fly-proof safes in the dining room and kitchen, proper drainage, and temporary accommodation where buildings erected for that purpose have been rendered unfit for habitation by reason of fire, the outbreak of disease or any similar cause.

Hon. G. W. Miles: Is there no provision for deep drainage and sewerage?

The CHIEF SECRETARY: It also makes that provision to meet circumstances where premises have been newly established, and there has not been sufficient time to erect new buildings. These provisions are not contained in the original Act and are considered desirable. Clause 5 amends Section 9 of the Act by requiring one week's notice, in lieu of three days, being given of intention to commence shearing. Clause 6 amends Section 10 of the Act by the addition of the words "or intended for use," after the word "used." This will enable an inspector to enforce the requirements of the Act at a shearing shed, although shearers may not be actually employed at the time of the inspection. As stated previously, the requirements of the Act are not now enforceable unless, and until, eight or more shearers are actually employed. It is impracticable to so arrange an inspector's itinerary that he shall visit each station whilst shearing is in progress. Of course it could be done by the appointment of a large number of inspectors, but that would necessitate a considerably increased expenditure. By this means an inspector will be able to inspect a station at any time of the year. Clause 7 repeals Section 12 of the existing Act, that I previously referred to as being weak. A new section is to be substituted empowering an inspector to serve on the owner a notice requiring compliance with the provisions of the Act and regulations, and permitting a penalty not exceeding £25 to be imposed for non-compliance with an order of an inspector, or for other specified offences. Under the existing law a penalty may not be imposed in the first instance for non-compliance with an inspector's notice, but, as I stated earlier, three inspections are necessary before the Act can be enforced and a penalty imposed. Clause 8 repeals Section 13 of the existing Act and empowers a police or resident magistrate, in cases where an owner refuses or neglects to comply with an order or any part of an order of an inspector, to direct the inspector to carry out the work at the expense of the owner. This provision is contained in Section 12 of the Queensland Act. Clause 9 provides for a penalty not exceeding £50, in lieu of one of £5, for an offence for which no other penalty is provided.

Members: That is pretty stiff.

The CHIEF SECRETARY: Section 14 of the Rural Workers' Accommodation Act, 1926, of New South Wales provides for a penalty not exceeding £100, and it is thought that a maximum penalty of £5 for refusing to provide accommodation is inadequate.

Hon. V. Hamersley: Has any worker paid a fine like that?

Hon. J. Nicholson: Is the offence so serious as all that?

The CHIEF SECRETARY: It entails a great deal of work and may involve much cost to the department administering the Act.

Hon. V. Hamersley: What about the employer?

The CHIEF SECRETARY: Clause 10 repeals Section 16 of the Act, which is necessary in consequence of the provision of Clause 12, Subclause 2, of the Bill, and provides for the hearing of all cases for offences against the Act by a police or resident magistrate. The measure is such an important one and its provisions such as require some experience in the interpretation of legal measures, that it is considered advisable that the hearing of cases should take place before a police or resident magistrate.

Hon. J. Cornell: Is that the experience after 14 years of practice?

The CHIEF SECRETARY: The Act can scarcely be said to have been in operation for 14 years, because it has not been operative for many years past.

Hon. J. Cornell: Why?

The CHIEF SECRETARY: Because it is defective.

Hon. Sir Edward Wittenoom: Perhaps there has been no reason to enforce its provisions.

The CHIEF SECRETARY: There have been instances necessitating the enforcement of the measure.

Hon. J. Cornell: Are there any cases on record of two justices of the peace siding with the employers?

The CHIEF SECRETARY: I do not wish to cite instances, but I can give information in that direction, showing the necessity for these cases being dealt with by magistrates. I can supply abundant information along those lines.

Hon. J. Cornell: I shall want it before I shall vote for the Bill.

The CHIEF SECRETARY: I do not say I have abundant information in regard to this legislation specifically, but I can give information as I have indicated. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Edward Wittenoom, debate adjourned.

RESOLUTION—RAILWAY GAUGE UNIFICATION.

Debate resumed from 14th October of the following motion moved by Hon. G. Potter:—

That the Council concurs in the following resolution transmitted by the Assembly:—"That in the opinion of this House the time has arrived when the Federal policy of extending the standard railway gauge should be consummated in Western Australia."

HON. G. W. MILES (North) [8.8]: I intend to support the motion and I congratulate the member for Claremont (Mr. North) in the Legislative Assembly upon bringing forward the matter. The time has long been overdue when the unification of the railways became advisable not only regarding the section from Perth to Kalgoorlie, but regarding the railways throughout the whole of Australia. When introducing the motion, Mr. Potter went into the history of the unification question. In 1910 the Commonwealth Government asked the late Lord Kitchener to visit Australia to advise upon the defence of the Commonwealth. In paragraphs 10, 11 and 13 of his report, it will be found that he said our railways of to-day were a menace rather than a means of defence, and that they would be of assistance to an enemy in temporary command of the seas. He recommended the standardisation of our railways and the construction of inland communications. When we secure the services of experts we should take notice of their recommendations. On the other hand, Lord Kitchener's report was pigeon-holed and it remained in the pigeon-hole until 1920 when it was resurrected in Melbourne, and it has been quoted extensively since. In 1922 a Royal Commission was appointed to go into the question of the standardisation of our railways. Mr. Potter quoted their report. The commission estimated that it would cost £57,000,000 to standardise the whole of the railways then, and £21,000,000 to standardise the railways to the capital cities. I claim that the whole scheme should be gone on with and that every year we leave it undone, it will prove more expensive. At the time of the report I refer to, it was estimated that each year's delay meant that the scheme would cost a million pounds extra to complete. Some people claim that we cannot find the money for such a work, and also for the developmental work that is so essential in Western Australia. For my part I claim that the money can be obtained and could be expended with great advantage. If that were done, instead of bringing 40,000 migrants into Australia each year, we could absorb 200,000 migrants. The unification of our railways alone would find work for a large number

of newcomers. Mr. Cornell said that we should not go on with the scheme at present, but rather with the construction of agricultural railways. No one is more anxious than am I to see our agricultural railways extended, but I claim that that could be done and the unification of the railways of Australia could proceed at the same time.

Hon. A. Burvill: Where would you get the money?

Hon. G. W. MILES: The money is available for this work. I believe that even now the Old Country has offered up to £37,000,000, and, as the Minister for Lands has stated on numerous occasions in public, Western Australia has to go on building railways and opening up the land. I say that money can be provided. There is no doubt about it, if Parliament will only provide the necessary powers. In fact I think that has been done, for two years ago we had a special session of Parliament in order to authorise the construction of the Pemberton-Denmark railway. I hope the construction of that line will be gone on with at once. That will not interfere with the unification of the railway from Kalgoorlie to Perth. Some people ask who will benefit as the result of the unification of the railways. Anyone who has travelled from Perth to the Eastern States will have noticed that the mails have to be tallied on to the train at Perth, again at Kalgoorlie when the change of trains is made, again at Port Augusta, at Terowie and again at Adelaide. There are six or seven changes between Perth and Adelaide. From the standpoint of defence, it would take six months to shift an army corps by rail from one side of Australia to the other. Then as to the cost of the work, the apportionment of the cost of the section from Kalgoorlie to Perth, estimated at £5,000,000, would result in Western Australia being responsible for under £1,500,000. That is the parochial point of view, but, from the national point of view, the work should be undertaken and the sooner it is done the better and cheaper it will be for Australia as a whole. I maintain that respecting every new line built in Western Australia, provision should be made for the standardisation of the line by laying down sleepers long enough and constructing cuttings wide enough to allow of that being done in the future. In other countries that is being done. In South America a standard railway is being constructed, although the population is less than that of Australia. In Canada a standard gauge line has been constructed and I understand that a truck can be loaded in the northern part of Canada and railed straight through to the southern part of the United States without transhipment, a distance of 2,000 miles.

Hon. J. Cornell: It can be sent anywhere through Canada, United States and Mexico.

Hon. G. W. MILES: This work should be gone on with in Australia at once. I hope the House will support the motion. It can do no harm but it may strengthen the hands of the Government if they wish to negotiate with the Commonwealth Government regarding the early construction of a standard line between Perth and Kalgoorlie.

HON. H. STEWART (South-East) [8.15]: I support the motion. In a way it should be hardly necessary to bring such a motion before any body of thinking people. The unifying of railway gauges is not a matter for to-day. Anyone with engineering knowledge knows it is a problem that has been crying out for remedial measures ever since Federation was consummated. The diverse gauges sprang up in pre-Federal days and they mean a great economic waste. Every year that we defer the bringing into operation of a comprehensive scheme for a uniform gauge means increased expenditure in the end. The earliest opportunity should be taken to carry out all future railway works with a view to facilitating the modification of any gauge that varies from the standard, so that unification may be obtained with the least possible expense. There are various instances where small gauges down to 2ft. with steep grades and short curves have been installed in difficult mountainous country. One of these is to be found on the west coast of Tasmania and there is one in Victoria, but they are exceptional instances of short mileages to meet special conditions, and they should not influence a comprehensive system. The sooner the people administering the country realise the gravity of deferring the introduction of a uniform gauge, especially between the various State capitals, the better it will be for all.

HON. SIR EDWARD WITTENOOM (North) [8.18]: I have read the Assembly's resolution carefully, but I cannot quite understand it. I therefore appeal to authori-

ties on the English language to make it clear. It reads—

That in the opinion of this House the time has arrived when the Federal policy of extending the standard railway gauge should be consummated in Western Australia.

I take it "consummated" means carried to completion. Does the Assembly's resolution mean that the Federal Government should undertake this work, or is it intended that Western Australia should do it? The wording is rather vague. If it is intended that Western Australia should do it, I cannot support the motion. I am largely of the opinion of Mr. Cornell, that we have not the money to do it, desirable though it may be that the whole of our railways should be of the 4ft. 8½in. gauge. There are three ways of considering the matter: Firstly, is it expedient; secondly, would it be practicable or profitable; thirdly, should Western Australia contribute? To take the third point, I have already said that I do not think the credit of Western Australia at present is such that we could contribute enough money to convert the Kalgoorlie-Fremantle section to the 4ft. 8½in. gauge. Nor do I think the railway so converted would bring in a corresponding return to justify the expenditure. In the circumstances I am afraid that if the resolution means that Western Australia is to undertake the work, I cannot support it. From the aspect of expediency, I am sure it is a policy that the Federal Government should carry out at the earliest opportunity. I am in accord with the remarks of Mr. Stewart and Mr. Miles that every year we delay this work, the ultimate expense of conversion must be greater. My view is that the Federal Government should construct a line of 4ft. 8½in. gauge from Brisbane to Fremantle for two purposes, mainly for commerce and indirectly for defence. I am not very keen about the defence aspect, because in the event of invasion, I do not think the Federal Government would spare a man from the other side to come to Western Australia.

Hon. Sir William Lathlain: They might take some men over there from Western Australia.

Hon. Sir EDWARD WITTENOOM: Being a patriotic people we would no doubt be of assistance to them, but I question whether any men would be sent to help us. That, however, is by the way. I wish to consider the matter from a commercial point of view. This was brought home to me forcibly by a proposal made to me and my brother four or five years ago by a wealthy firm of English ship owners. I am not referring now to Sir James Connolly's scheme or to the scheme proposed for the North-West. That, while good in its way, will take years to mature. The proposal I refer to, made by a wealthy firm of shipowners, was that if there was a railway of uniform gauge from Brisbane to Fremantle, meat could be brought in cold storage, put on to 25-knot boats having their terminus at Fremantle and conveyed to England, chilled instead of frozen. It was of no use considering the proposition from a practical point of view because we had not the uniform railway, but it would make a great difference to the export to London of perishable products, such as meat and fruit, if we had a uniform railway from Brisbane to Fremantle, so that supplies could be obtained from each of the States, shipped at Fremantle and conveyed to the Old Country in fast boats. I believe the Argentine have under order five ships of 15,000 tons, fully insulated and very fast.

Hon. E. H. Gray: State ships?

Hon. Sir William Lathlain: No one else has State ships.

Hon. Sir EDWARD WITTENOOM: State ships! The Argentine wants them to pay. The five ships are to carry chilled meat to London. Quite recently I read that it will be only a question of time before the Argentine is stocked up. When it is completed, that will be the time for Australia. If we then have a railway of uniform gauge from Brisbane to Fremantle and a fast line of ships, there will be an opportunity for us to compete with any other part of the world in supplying perishable produce, including chilled, not frozen meat. To make it successful we shall have to get a really good grade of cattle so that our beef will be of the highest quality. The same applies to sheep; otherwise we shall be unable to compete with New Zealand in the export of lambs. These two conditions will have to be fulfilled before we can successfully undertake such an enterprise. It would be good policy for the Federal Government to embark upon this work. It might be asked "Why don't we send Western Australian meat from Fremantle?" The simple reason is that we have not got the meat, and it will be a great many years before we have meat

to export. I have been meat-raising for 50 years and I have never known a single winter from March to June when we could not get 4½d. per lb. for meat on the hoof, and we cannot export it at that price. The periodical droughts that visit all portions of the North above Geraldton keep the number of sheep down, so much so that I can say from the most reliable information that numbers of pastoralists are worse off to-day than they have been for years. Many of them who had overcome their preliminary financial difficulties have been knocked back owing to the loss of sheep and lambs. Even yet they have not felt the worst, because they have nothing with which to pay their income tax this year. With droughts recurring every 10 or 15 years—I have experienced three of them—the stock in the country above Geraldton will not be increased sufficiently to permit of export. Where a substantial increase will take place is on the farms and with the development of the grazing areas from Geraldton to the South-West, but in my opinion that increase will be sufficient to maintain only the additional population that we may rightly expect to have in future. The extra people will have to be fed, and they will have to be fed from the country south of Geraldton. What is the price of meat to-day? Nearly 6d. per lb. on the hoof. We cannot export sheep. Look at the Fremantle freezing works; they have never exported a sheep, but on two occasions they have exported lambs. Take the works at Carnarvon; there has never been a sheep inside them. I did not encourage those works because, after 50 years' experience, I could not see where supplies of stock were to come from. If the scheme I have outlined is to be successful, we must arrange to draw supplies from every State from Queensland to Western Australia. I intend to support the motion, because I interpret it to mean that the work should be done by the Federal Government. The suggestion to build up a herd of 100,000 head of cattle in the North-West will take time to bring to fruition, but I hope it will be undertaken, and the sooner it is the better.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [8.28]: My remarks will be brief. I desire to corroborate what Mr. Miles and Mr. Stewart have said. During my return trip from Melbourne recently I had a long chat with the Federal Minister for Railways, who was travelling to Perth, and I feel sure that when Western Australia is in a position to submit a definite proposition to the Federal Government, we will receive very kindly consideration. The Federal authorities are anxious to do all in their power to carry out the object we have in view. I take it that the proposal would not necessitate an alteration of the eastern goldfields line for a considerable time. When the experts get to work it might be found advisable to run a 4ft. 8½in. line by another route in order to give direct communication with Fremantle, instead of bringing the Trans-Australian line into the city. I support the motion.

On motion by Hon. H. Seddon, debate adjourned.

BILL—RESERVES (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [8.31] in moving the second reading said: I will explain the clauses of the Bill, for these will explain the Bill itself. Under Clause 2 the Victoria District Turf Club desire to sub-lease the Geraldton Racecourse, shown in red on the litho. laid on the Table of the House. They desire to give this lease to the Geraldton Golf Club for a term of 21 years at a peppercorn rental, subject to the following conditions: (1) The sub-lessee to clear fit for the plough the land surrounded by the race-track within 15 months from the date of the sub-lease; (2) The sub-lessee to be entitled to clear such other parts of the said land as may be required for the purpose of constructing golf-links; (3) The sub-lessee to be solely entitled to the cropping and grazing rights of the property during the term; (4) The sub-lessee to be entitled to use the land for the purposes of golf on any day during the term except on such days as the sub-lessors shall require same for a race meeting. (5) The sub-lessee shall not damage or interfere with the race-track or any buildings or other improvements of the sub-lessor, but shall be entitled to lay out a golf-course on the said land and to lay out putting and teeing greens and effect any other improvements that may be required. As the racecourse is held by the trustees of the Victoria District Turf Club in trust for the purpose of a racecourse, with the specific power to sub-lease, it will be necessary to get Parlia-

mentary sanction for this. As the granting of the lease will probably have the effect of improving the race-course, and due provision will be made in the lease for its use as such, there is no departmental objection to the said lease being granted. With regard to Clause 3, the Newcastle racecourse, which comprises Avon Location 449 shown in red on litho 2, is held by Messrs. B. D. Clarkson, B. Connor, and J. H. Phillips for the purposes of the Newcastle racecourse for 99 years from the 1st October, 1901. Owing to the northern portion of this land being severed by a public road, the trustees desire to surrender that portion of the land situate north of the road in order that it may be granted to Mr. C. J. Lloyd (who is the Chairman of the Toodyay Race Club) in exchange for about 2 acres of his block, Location 897, which is fenced in, in connection with the racecourse and on which (with his permission) has been erected the grandstand. With regard to Clause 4, the Marble Bar Road Board has spent a considerable amount of money in fencing in the common reserve, No. 2906, and desires permission to lease such reserve for pastoral purposes, in order that the board may recoup itself for this expenditure. As the board proposes to safeguard all the rights of the public when granting the proposed lease, the Mines Department has raised no objection. I do not propose to take this and the following Bill through the Committee stage until members representing the various districts concerned have had an opportunity of examining the clauses contained therein, and conferring with the people in their districts who are in a position to advise them as to the merits or demerits of the particular cases. I move—

That the Bill be now read a second time

Question put and passed.

Bill read a second time.

BILL—ROADS CLOSURE.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [8.36] in moving the second reading said: Under Clause 2 of this Bill, the Albany municipality desires the closure of those portions of streets shown in blue on litho. (1), in order that these areas may be created Class "A" reserves for parks and gardens, and thus kept as open spaces for all time. The council has anticipated approval by fencing and improving some of the areas as gardens. The necessary surveys have been carried out and there is no departmental objection to the closures. With regard to Clause 3, the Perth City Council has purchased the land coloured green on litho. (2) at Victoria Park for recreation purposes. As the area is divided by portion of Willis Street, coloured blue, it is desired that this portion of the street be closed and included in the recreation ground. The council has assured the Department that there is not likely to be any objection as the land is to be used for recreation purposes, and if in future, any additional road access is necessary, it could be provided along the north boundary of the reserve. With regard to Clause 4, the City Council owns the land coloured green on litho. (3) at East Perth, and proposes to develop it for recreation purposes (at present part of it is used as a rubbish depot). In order economically to lay out the ground, it will be necessary to close portion of Swan road, coloured blue, also thus saving fencing. An inspection has been made by the district surveyor, and this road is not considered necessary. Therefore, there is no departmental objection to the closure. As to Clause 5, there is every probability of North Fremantle lots 264 to 273, adjoining this right-of-way on the south being sold as one lot for industrial purposes, and the intending purchaser, if successful in securing it at auction, will negotiate for the purchase of P. 105 on the north of the right-of-way in question. It is, therefore, desired to close this right-of-way, so as to make one block of the whole area. If the proposal to purchase is not proceeded with, there will be no difficulty in re-opening the right-of-way under the Municipalities Act if desired at any time. I move—

That the Bill be now read a second time.

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

House adjourned at 8.40 p.m.