

interests to see that the hotel is properly conducted, to see that the liquor is good, to see that the establishment under his control is run creditably to himself; and I say the great remedy for the evils which have been referred to in connection with the liquor traffic is supplied by the State hotels. Those hon. members who harp upon maladministration, or want of administration, of the liquor laws under the existing conditions, are unconsciously using one of the strongest arguments in favour of the Bill. I sincerely trust that the Bill will be carried. I say that State hotels have done good, that they have already rendered good service to the State, that they are well conducted and are a credit to the State. Therefore it is desirable that every facility should be given for the extension of the system, and I propose to vote for the second reading of the Bill.

On motion by the Colonial Secretary, debate adjourned.

*House adjourned at 10.40 p.m.*

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

### QUESTION — PUBLIC SERVICE APPOINTMENTS, PREMIER'S STATEMENT.

Hon. FRANK WILSON asked the Premier: 1, Whether he is correctly reported in the *West Australian*, when replying to

the Clerks' Union, as having stated, "He was not going to do what the last Government did—compel the Public Service Commissioner to appoint certain men for political reasons?" 2, If so, what are the names, positions, and dates of appointment of all such persons?

The MINISTER FOR LANDS (for the Premier) replied: 1 and 2, Yes; and I had particularly in mind the case of Dr. Hope at the time when the appointment of Principal Medical Officer was being made; also that of Mr. Dunstan when the position of Superintendent of State Batteries was being filled.

### BILL—RIGHTS IN WATER AND IRRIGATION.

Read a third time and transmitted to the Legislative Council.

### RETURN—PUBLIC SERVICE, TEM- PORARY STAFF.

Mr. DWYER (Perth) moved—

*That a return be laid upon the Table of the House showing:—1, The number of public servants at present in the service who resigned their appointments as permanent officers to take up positions on the temporary staff at higher salary. 2, The number of temporary clerks in the Government service drawing £5 per week and over. 3, The number of temporary men employed in professional work in the Government service in receipt of salary of £10 and over. 4, The number of temporary clerks employed in the Public Works Department during the months of June and July, 1912—(a) the number of hours overtime worked by these officers; (b) the payment made for such overtime, if any.*

The motion introduced the question of temporary employment in the Government service. It was generally agreed on all hands that there were a great deal too many temporary men in the service, and that many of them were really filling permanent appointments and doing permanent work. If such was the case those temporary officers, provided they were suitable in other respects, should be made

permanent, and given all the rights of permanent officers. One object in moving for the return was in order to refute, if possible, the rumour that temporary clerks who were employed on a wage of 10s. or 11s. per day were paid for overtime. If those temporary officers were required to work overtime they ought to be paid for it. The motion scarcely required anything further to be said in support of it, for it was one which should commend itself to the House.

Hon. J. MITCHELL (Northam): It would be well to have the information asked for, particularly as the question of temporary civil servants was being generally discussed at the present time. He would suggest, however, that we should have the names of all the temporary officers in the Government service. The hon. member was asking for the number of officers earning £5 a week or over. It would probably be found that there were very few indeed in receipt of this salary. However, it would be an interesting return for the House to have, and we should have it before we discussed the Estimates. The return would not take long in preparation. The Premier had said the other night that there ought to be a good many new vacancies in the service, presumably to be created by the dismissal of permanent officers; and the Premier had gone on to say that these vacancies ought not to be filled. It was a pity the Premier was not here this afternoon to tell us what was meant by this, and by his remarks to a deputation of temporary officers. In its present form the return would not supply the House with very much information. It was true that there were many temporary appointments which should be made permanent, but it was to be remembered that we had a Public Service Act, and that these appointments could only be filled in accordance with the provisions of that measure. The motion would be considerably improved if it were made to ask for a return of all names of temporary officers in the public service. He moved an amendment—

*That in line 1 of paragraph 2, the word "number" be struck out and "names" inserted in lieu.*

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

Ayes	..	..	..	13
Noes	..	..	..	19

Majority against .. 6

#### AYES.

Mr. Broun	Mr. Moore
Mr. George	Mr. Munsie
Mr. Green	Mr. A. E. Piesse
Mr. Lefroy	Mr. S. Stubbs
Mr. Male	Mr. F. Wilson
Mr. Mitchell	Mr. Layman
Mr. Monger	(Teller).

#### NOES.

Mr. Bath	Mr. Mullany
Mr. Carpenter	Mr. O'Loughlen
Mr. Dwyer	Mr. B. J. Stubbs
Mr. Foley	Mr. Swan
Mr. Gardiner	Mr. Thomas
Mr. Holman	Mr. Turvey
Mr. Lander	Mr. Underwood
Mr. Lewis	Mr. A. A. Wilson
Mr. McDonald	Mr. Heltmann
Mr. McDowall	(Teller).

Amendment thus negatived.

Hon. FRANK WILSON (Sussex) moved an amendment—

*That the words "drawing £5 per week and over" be struck out with a view to inserting other words.*

It was surprising that members opposite voted en bloc to prevent the amendment. His one desire was to get further information, which would be useful. It must be obvious to every member that there could not be more than one or two temporary clerks drawing more than £5 a week. If the member for Perth (Mr. Dwyer) had a special individual in mind about whom he wished to obtain information, he should be able to get it from the Minister, and even if he had to move a motion he should state his reason. If it was for the purpose of general information, the House was entitled to it.

Mr. DWYER: The amendment would be accepted provided the leader of the Opposition made it read "the number of clerks drawing respectively over and under £5 a week." He did not know that it was desirable to have the names. That was

why he had voted against the previous amendment.

Mr. SPEAKER: The hon. member could not discuss that.

Hon. FRANK WILSON: As long as the return showed a certain number in a certain department, he would have no objection, but it would be better to have a complete list.

Mr. Dwyer: Why do you want it?

Hon. FRANK WILSON: The Minister had not indicated that he objected.

The Minister for Lands: What is the use of putting the department to the expense?

Hon. FRANK WILSON: It was all on the pay sheet.

The Minister for Lands: Just for the fun of the thing.

Hon. FRANK WILSON: No. The Minister blindly accepted a motion from one of his party without any information as to the reason for moving it, and because the Opposition asked for fuller information he said it was just for the fun of the thing. The Budget Speech had been delayed week after week and month after month.

Mr. B. J. Stubbs: How many times did you deliver it earlier?

Hon. FRANK WILSON: Every time. The information would be useful on the following day when the Budget was considered.

Mr. GEORGE (Murray-Wellington) seconded the amendment. It was necessary to know who were the clerks and in what departments they were engaged, especially considering the reply of the Premier to a deputation of civil servants in which he said that a lot of men in the service did not commence until noon.

Mr. Lander: He did not tell them that.

Mr. GEORGE: The report stated so. If the Premier's statement was correct, it was up to the head of the department to see that that sort of thing was stopped. He could not understand opposition to the previous amendment unless the member for Perth wished to hide the sweating which was going on in connection with temporary clerks. If men permanently employed did not start until noon, that

probably accounted for the large number of temporary clerks and for the sweating wages. He was surprised at the opposition of the hon. member who belonged to a party that had said that sweating should cease. The Premier's statement was regarded as an insult to the service, and it was up to the Premier to prove it.

Mr. LANDER (East Perth): What the Premier had said was that many civil servants did not commence until 9.15 and that they were not in a hurry to start. If members of the Opposition were so anxious about the temporary clerks why did not they take action years ago? He was pleased that the service was being discussed and would support a royal commission to see that those who were worthy were adequately paid and that the wasters were sent about their business and that those who went down to the golf links at Fremantle—

Hon. Frank Wilson: Have you seen them there?

Mr. LANDER: No.

Mr. George: How do you know?

Mr. LANDER: In the same way as the hon. member had found out that the service had taken offence at the Premier's remarks.

The MINISTER FOR LANDS (Hon. T. H. Bath): The desire of the Opposition for information was remarkable. The excuse for the amendments was that they were burning for information, but half an hour ago they had not thought of it.

Mr. DWYER (Perth): In the public service list of 1911 on page 77 the names of the temporary officers were given.

Hon. Frank Wilson: What more do you want?

Mr. DWYER: The motion was for certain numbers.

Hon. Frank Wilson: That is not 1912.

Mr. DWYER: There was no objection to the amendment if it was worded as he had indicated, but it should be to insert and not to strike out certain words.

Hon. Frank Wilson: That will not give you any details.

Mr. SPEAKER: The leader of the Opposition had moved that the words "drawing £5 a week and over" be struck out; was that so?

Hon. Frank Wilson: That was so.

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

Ayes .. .. . 12

Noes .. .. . 23

Majority against .. 11

# AYES.

Mr. Broun	Mr. Nanson
Mr. George	Mr. A. E. Plesse
Mr. Lefroy	Mr. S. Stubbs
Mr. Male	Mr. F. Wilson
Mr. Mitchell	Mr. Layman
Mr. Monger	(Teller).
Mr. Moore	

# NOES.

Mr. Angwin	Mr. Mullany
Mr. Bath	Mr. Munstie
Mr. Carpenter	Mr. O'Loughlen
Mr. Dwyer	Mr. Scaddan
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Green	Mr. Thomas
Mr. Holman	Mr. Turvey
Mr. Lander	Mr. Underwood
Mr. Lewis	Mr. A. A. Wilson
Mr. McDonald	Mr. Heilmann
Mr. McDowall	(Teller.)

Amendment thus negatived.

Mr. DWYER: There was a clerical error in paragraph 3 of the motion. After "£10" the words "per week" should be inserted.

Mr. SPEAKER: The motion as appearing on the Notice Paper could only be dealt with, but any other member could move an amendment.

Mr. GEORGE: The salary of £10 and over was too large. The information should be given in regard to those drawing £6 per week, for there were temporary professional men getting salaries as low as £6 per week.

The Premier: Who is getting the information, you, or the member for Perth?

Mr. GEORGE: The House required the information.

The Premier: The member for Perth was the best judge as to whether £10 would suit his purpose.

Mr. GEORGE moved an amendment—

*That in paragraph 3 "£10" be struck out and "£6" inserted in lieu.*

Hon. J. MITCHELL seconded the amendment.

Mr. DWYER: It seemed that a number of these amendment were purely frivolous. First of all one member required a list of those in the temporary service, and it was found that this information was contained in the Public Service List, which was supplied to every member of Parliament, and this list would be brought up to date, and in the ordinary course would be available and supplied to every member. He had a certain object in obtaining the information asked for, and that object would be defeated if "£6" was inserted. He desired to know the number of professional men in the temporary service.

Hon. Frank Wilson: Why?

Mr. DWYER: For the purpose of ascertaining how many there were.

Amendment put and negatived.

Mr. B. J. STUBBS moved an amendment—

*That in paragraph 3, after "£10" the words "per week" be inserted.*

Amendment put and passed.

Hon. FRANK WILSON (Sussex). Exception should be taken to the attitude the Premier had taken up since he had entered the Chamber in accusing members on the Opposition side of wanting information out of idle curiosity. After the member for Perth had moved his motion and had accepted certain amendments, he got up and said he wished to obtain the information to know how many persons drawing the salary named were in the service, and the Premier applauded that remark, although it was an absolute admission that the information was required out of idle curiosity. Then the member for Perth produced the Public Service List which contained the names of all the temporary clerks, and if that was so that was the information which he required. But it was last year's list, and that was of no use to the hon. member. Look at the difference in the treatment by the Premier of members on the Opposition side and members supporting the Government. The Premier ridiculed any desire on the part of the Opposition for information which undoubtedly would be of assistance to them when the Estimates were under consideration. It would cost the Govern-

ment nothing to produce this information, because this list should be compiled and in the different departments to-day, if it was not already in the hands of the Government Printer. If we were to have this information it ought to be of a full character. The Premier and his colleagues seemed to think that because a member of the Opposition had the temerity to suggest that we should have fuller information, there was some ulterior motive, a suggestion which was absurd. The Premier was treating the members of the Opposition as he treated the opponents of his pet football team. He sat under the fence with his pipe in his mouth, which he occasionally removed to barrack for his pet side.

The Premier: That is as good as being in the top room of the Shamrock hotel.

Hon. FRANK WILSON: What did the Premier intend to insinuate? He (Mr. Wilson) had never been in the top room of the Shamrock.

Mr. O'Loughlen: Have you ever barracked at a football match?

Hon. FRANK WILSON: Yes, on the Association grounds, of which he was a life member. We had been elected to carry on the business of the country—

Hon. W. C. Angwin (Honorary Minister): What has that to do with a football match?

Hon. FRANK WILSON: Everything, if the Premier treated members in the same way as he treated the opponents of his pet team on the football field. He treated the Opposition with scant courtesy and stated that it was idle curiosity, which should not be granted. Of course hon. members would vote like a flock of sheep.

Hon. W. C. Angwin (Honorary Minister): The opposing team are always treated with every courtesy.

Hon. FRANK WILSON: What was the Honorary Minister barking at now? Did he mean that the Opposition were treated with courtesy? If the hon. member meant that, he (Mr. Wilson) declared they had not been treated with courtesy that afternoon.

Mr. O'Loughlen: We have had a sample of your discourtesy.

Hon. FRANK WILSON: The hon. member had no cause for complaint.

Mr. O'Loughlen: I wonder that you can say that with a straight face.

Hon. FRANK WILSON: If he could not look the hon. member in the face he would be very sorry indeed. The information which had been asked for was simply that if we were to have the information given at all we should have the names and the salaries paid to the temporary officers, and if that information was necessary for the member for Perth to the limited degree in which he had moved for it, it was ten thousand times more necessary to hon. members of the Opposition, in order that they might intelligently discuss the Estimates when they came along. There should not be the slightest objection to the motion. There would not be any cost entailed, and it had always been customary, no matter what Government was in power, that a request for information, providing there was no valid objection, should be readily granted. He took exception to the attitude adopted by the Government. Of course, he took no notice of the foolish jokes which the members on the Ministerial side were making among themselves, and which they were evidently enjoying to the fullest extent. As time went on, and as they grew older, they would acquire a more comprehensive idea of their duty to the State.

Mr. NANSON (Greenough): It was clear from the debate that hon. members on the other side could obtain information which was denied to members of the Opposition. During the time the leader of the Opposition was speaking and even now the Premier was treating the matter with a very considerable degree of levity. Of course, hon. members had a perfect right to regard matters of this kind in the light that best appealed to their own peculiar characteristics, but although members on the Government side, or a considerable proportion of them, might regard this difference meted out by the Government to the members who supported them and to members who sat in opposition, as a difference meted out purely on party grounds; yet when the knowledge of the debate went outside the House it would be recognised that the

Premier drew a strong line of demarcation, and that he was prepared to give information to hon. members who sat behind him, but that when information of a precisely similar character, differing only in degree, was asked for by members of the Opposition, that information was denied. For what reason? Simply for the reason that that information was asked for by members who happened to sit in opposition to the Government. He had sat in this House for a considerable number of years—

The Premier: All round the House.

Mr. NANSON: On both sides of the House, and he had had experience of various Governments, but he never knew any Government to deny perfectly legitimate information that would cost the country no expenditure in order to make it public, but denied simply on party grounds and simply to show that the Government had a big majority behind them, and that they would endeavour to humiliate their opponents and treat with gross favouritism those who happened to vote with them. If that was the method by which the Premier was going to lead the Chamber, if he was going to become the originator of a new parliamentary tradition—

Mr. B. J. Stubbs: You started it.

Mr. NANSON: That was not so, and he challenged hon. members to produce a single instance where the late Government ever refused to give information without supplying adequate reasons why in the public interests it should not be given. What possible reason was there for refusing to give the information desired by the Opposition? The Premier could only be actuated by one of two motives, either by the desire to ride rough-shod over the Opposition to show by his majority the power he possessed and to endeavour to humiliate those in Opposition, or he was actuated by childish pettiness. There was no reason for refusing information which would cost the country nothing to give, and which it was the undoubted right of members, no matter on which side they sat, to demand.

The PREMIER (Hon. J. Scaddan): What were the motives which prompted the members of the Opposition at the eleventh hour to desire the information which they were endeavouring to get? He was satisfied they were not quite clear themselves. The member for Murray-Wellington had been asked what object he had in moving his amendment.

Mr. George: I told you.

The PREMIER: The hon. member did not explain his reason for the amendment more than to say that there was a number of professional men receiving salaries down to £6. If the hon. member knew that, why did he ask for the information?

Mr. George: I wanted someone else to know.

The PREMIER: The hon. member for Perth must have had a specific object in view when he submitted his motion.

Hon. Frank Wilson: Why?

The PREMIER: If any hon. member opposite had submitted a similar motion at any stage during the session and had stipulated the salary at £6, £5, or even £2, the Government would not have refused to supply the information. The member for Perth ought to be best judge of what information he required, and he ought to know why he stipulated the particular figure of £10, and the hon. member had added that if the amendment was accepted it would defeat the object he had in view. That being the case, the House decided to adhere to the motion, in order to supply the information in the direction desired by the member for Perth. Why did not the leader of the Opposition ask for this information in the first instance? Hon. members opposite waited until the member for Perth submitted the motion, and, as a matter of fact, it never occurred to them before that they required such information. Now they discovered that in the public interests it was essential that this information should be obtained.

Mr. George: The member for Perth was willing to accept the amendment.

The PREMIER: The member for Perth declared that the amendment would defeat his object.

Mr. Dwyer: That is so. If I ask for a return showing the number in receipt of a salary of £10 and over, I do not want a return of those receiving £6.

The PREMIER: The leader of the Opposition did not know why he wanted this information.

Hon. Frank Wilson: I do.

The PREMIER: It was merely an opportunity that presented itself of appearing before the public as the only people who were ever prepared to supply information.

Mr. George: Nothing of the kind.

The PREMIER: There had been two lectures delivered, one by the leader of the Opposition and the other by his deputy, because the Government refused to give information, the reason for demanding which they were not able to give. The Government had never at any time refused to give information which it was considered it was right that the public should have, but he would always refuse to supply information unless it could be shown that it was in the interests of the State to supply it, and when the Government were negotiating and those negotiations were not concluded he would always adopt that attitude. It was part of the tactics of the leader of the Opposition, when head of the Government, to supply jumbled information and not what hon. members desired.

Hon. Frank Wilson: Never.

The PREMIER: The records of the House would show that to almost every motion submitted by the previous leader of the Opposition there was an amendment moved by a member sitting behind the Government, and sometimes by Ministers themselves, so that the information would be supplied as Ministers wanted it supplied, while times out of number motions were defeated. Now in righteous indignation we had the leader of the Opposition attempting to lecture the present Government for having done something which was declared to be wrong, but which hon. members opposite before regarded as correct. The only reason why he rose was to explain to new members that he was unfortunate in following too closely in the footsteps of the

leader of the Opposition when head of the Government. He had asked the Opposition why they required the information and hon. members opposite had not been able to tell him.

Mr. George: We know.

The PREMIER: Why did not they state it then? The only statement made by the member for Murray-Wellington was that there were some officers getting £6 a week and that there were some getting £10 a week.

Hon. Frank Wilson: What was his object?

The PREMIER: The hon. member for Perth must answer for his object. He could only answer for the attitude adopted by the Government in refusing to accept an amendment tendered by members opposite with a desire to make themselves appear to the public willing and anxious to get information in the interests of the public generally. In those circumstances, he still submitted that there was no justification for the severe attack of the leader of the Opposition and his deputy against the Government. The member for Greenough (Mr. Nanson) had been quite wrathful and it was remarkable that he had not moved the adjournment of the House in order to test the feelings of members. He did not know that he had ever seen the hon. member in such a state of mind; in fact the hon. gentleman had fairly roared at the Chamber. The matter at issue was a simple one, the difference between £10 and £5, and the hon. member must have had a bad night, otherwise there was nothing so serious in the motion as to make him so wrathful. In any case the member for Perth (Mr. Dwyer) was the member seeking the information and he ought to get it in the manner in which he asked for it, and not as the leader of the Opposition wished it to be given.

Mr. GEORGE (Murray-Wellington): In moving the amendment to substitute £6 for £10 he knew perfectly what he desired. He had a right to move the amendment, and it would not have affected the motion at all.

Mr. SPEAKER: The hon. member is discussing an amendment which has been defeated.

Mr. GEORGE: The Premier had said that he (Mr. George) did not know what he was speaking about. Members had a perfect right to ask for any information, and in this instance they had asked that the scope of the motion might be extended, and although the mover was willing to make an alteration in his motion, members of the Opposition were told by the Premier that they were asking for information out of mere curiosity and did not know what they were after. It was perfectly competent for any member to ask for information, but judging from the way which this matter had been discussed, it was hardly necessary for the motion to be brought forward by the mover because evidently it had been threshed out in caucus, and the Premier knew that he had to support those who placed him in office; he durst not go against them. There was the illustration before him of a member of the Arbitration Court—

Mr. Swan: On a point of order, is the hon. member discussing the question before the House?

Mr. SPEAKER: The hon. member must not discuss matters affecting the Arbitration Court or questions before it, but he would be restrained from the Chair if he went too far.

Mr. GEORGE: Seeing that other speakers had been allowed to refer to football matches and barrackers, it could not be out of order for him to refer to the Arbitration Court.

Mr. SPEAKER: References had been made to football matches, but those references were in the course of remarks, and if he were to control every such reference he would prevent all discussion. At the same time, there was a limit to the scope of discussion, and he was doing his best to determine when that limit was reached. References had always been allowed in debate which were not strictly relevant to the subject matter of the debate, but that was in order to give members greater scope of discussion.

Mr. GEORGE: Surely without impugning the authority of the Chair, he was in order in referring to the case of Mr. Somerville as an instance, if other members

were in order in referring to other matters. He was pointing out the fact that members on the Opposition side had been refused information that they had a right to get. Only the other evening a question had been asked in his behalf in regard to the powellising of sleepers, and yet the information had been refused.

Mr. Underwood: Can the hon. member refer to a discussion that took place in the House previously, and having no bearing on this particular question?

Mr. SPEAKER: The hon. member could not make use of words used in any previous debate.

Mr. GEORGE: If that was so, how was any hon. member to speak? In the instance to which he had referred information was asked for and there was no debate at all. It related to a matter of public interest, and he referred to it because the Premier had refused to give information that was required in the interests of the State.

The Premier: I did not.

Mr. GEORGE: The Premier refused to lay the papers on the Table.

The Premier: If you had asked for the information in the proper way you would have got it.

Mr. GEORGE: There had been no disrespect in the question that had been asked.

The Premier: No, but you should have moved for the papers. The member for Perth wanted the information in answer to a question and he, too, was told to move a motion.

Mr. GEORGE: The Premier might have laid these papers on the Table because they contained matters of interest to the public. If the Premier and his creators intended that the Opposition should have no information they should let the country know that at once. If the Premier was going to shelter himself behind his majority, which he apparently intended to do, and refuse to give members information—

The Premier: Oh no.

Mr. GEORGE: The Premier had refused to follow the time honoured traditions of the House, and had refused to give the Opposition what he had claimed



for himself when he sat on that side in years gone by, and what he would claim again when he got back there in the very near future. If he was going to continue in that way, members might just as well retire to their homes and tell their constituents that it was no use wasting time in the House because they could not get information from Ministers while the latter had power to refuse it. The Premier must not think that he and his satellites represented the whole of the country; they only represented a portion.

Mr. Underwood: Is the hon. member in order in dealing with the Premier's satellites?

Mr. SPEAKER: The hon. member was not in order in referring to any hon. member as a satellite of the Premier. If the hon. member had done that he must withdraw the remark.

Mr. GEORGE: There was nothing disrespectful in the remark. A satellite was only a star of lesser magnitude, and the Premier of course was a star of the highest magnitude.

Mr. SPEAKER: I asked the hon. member to withdraw and he must do so. I want no explanation as to what the word means.

Mr. GEORGE withdrew the remark. It was not for the Premier, even when backed up by the whole of his supporters, to refuse information which the House was entitled to have. This was the first time in the history of responsible government in Western Australia that information of this sort had been refused.

Mr. SPEAKER: The hon. member is out of order.

Mr. GEORGE: Then all one could do was to enter his protest against the action of the Government; the people would judge for themselves.

Mr. SPEAKER: Order! The discussion as to the Premier's action must be closed down because the debate was getting further away from the motion as it proceeded.

Mr. GEORGE: Then one might just as well leave the House. He had no desire to be constantly called to order. Whilst he was not disputing the Speaker's right

to call him to order, he could not see how it was possible for him or any other member to speak on the question. He was not impugning the Speaker's impartiality when he said that the same liberty had been taken by the Premier and others as he was now taking in a lesser degree. Unfortunately he was at the tail end of the debate; had he got in earlier he would have been all right.

Mr. SPEAKER: The hon. member could discuss the motion as amended, but he must not continually discuss the tactics of the Premier or other members of the House.

Mr. GEORGE: Nothing like this had been experienced before in the many years he had been in the House. Before passing the motion which had taken up so much time of the House—

Mr. O'Loghlen: Well, do not take up any more.

Mr. GEORGE: Oh, dry up! The mover of the motion should give his reasons for desiring it to be passed. No reason had been given by the Premier, and the only reason given by the member for Perth was that he wanted to know.

Mr. Dwyer: If you had been here earlier you would have heard.

Mr. GEORGE: The hon. member had a justifiable curiosity, but the reason why he wanted to know he distinctly kept to himself. Members of the Opposition also wanted to know, but because they wanted to know a little more than the hon. member for Perth they were overwhelmed by the power which numbers temporarily gave to the Government. The object of members of the Opposition in wishing to go a little further was not to block the praiseworthy desire of the member for Perth but in order to have a little curiosity quite as legitimate as that of the hon. members satisfied. But it could not be satisfied. According to the Premier certain things had been done by previous Governments, but that had nothing to do with the present.

Mr. SPEAKER: The hon. member was continually discussing an amendment already disposed of. The question of refusing the information desired was disposed of when the amendment was disposed of.

Mr. GEORGE: The member for Perth appeared to be a reasonable young man, and was blessed with youth; would that hon. member give a little information as to why this return was required? So far, the hon. member had not given that information to which the House was entitled. The hon. member was generous in private life; let him carry some of that generosity into his political life, and let hon. members know what he wanted in the return. Members would be obliged to him for supplying the information.

Mr. McDOWALL (Coolgardie): Now that the member for Murray-Wellington was completely finished, one must most emphatically resent his statement that members on the Government side were led by the Premier to refuse information.

Hon. Frank Wilson: It is nothing else but that.

Mr. McDOWALL: Members on the Government side thought fit to defeat certain amendments, and it was perfectly within their province to do so.

Hon. Frank Wilson: Not at all; the Minister asked them to defeat them.

Mr. McDOWALL: The wild and rabid statements emanating from the members of the Opposition on this occasion were astonishing.

Mr. George: I object to the term "wild and rabid." There is no man on the Opposition side who is mad.

Mr. SPEAKER: No hon. member was allowed to rise and interrupt another hon. member unless he rose on a question of privilege, or on a matter of personal explanation, or on a point of order. The hon. member had done neither of these, and must not follow the same course again.

Mr. George: On a point of order, was the member for Coolgardie justified in using the word "rabid"?

Mr. SPEAKER: There was no point of order involved.

Mr. McDOWALL: It would be necessary to get a "meek and mild" dictionary in order to pick out some words to please the member for Murray-Wellington. The language objected to was much more polite than that the member for Murray-Wellington was using a few min-

utes previously. There was no objection to granting information to any members of the House; the objection was to members of the Opposition endeavouring to obtain information by means of amendments that were not justified. To show there was no question of refusal of information, the Premier had intimated very plainly indeed that if members of the Opposition chose to put motions on the Notice Paper as the member for Perth had done they would obtain information as readily as the member for Perth. The object of the discussion was more to waste time than anything else.

Mr. Taylor: Then why follow?

Mr. McDOWALL: The hon. member should be reminded that he (Mr. McDowall) sat very patiently, night after night, listening to a lot of—, if he used the word the Speaker would call him to order.

Mr. SPEAKER: The hon. member must discuss the motion.

Mr. McDOWALL: A similar motion would not be opposed if brought forward by members on the other side of the House. The member for Perth asked for information which he desired, and not for information which the Opposition desired. The member for Perth knew what he required his information for, and had a perfect right to move for it. The member for Mount Margaret (Mr. Taylor) had interjected "Why take up more time?" and simply in reply to that he desired to say he did not take up a lot of the time of the House unnecessarily, because he usually rose when he wished to say a few words.

Mr. George: So do we all.

Mr. McDOWALL: The motion should be carried without further alteration.

Mr. DWYER (in reply): The motion formed part of a series of questions submitted some time previously, but the Premier had refused to reply to them by way of answers to questions, and had said notice would have to be given in the usual way. So the Premier had not treated him (Mr. Dwyer) with any great consideration in the matter, and he had been compelled to take the usual roundabout course of moving a motion for a return

to get the information. Neither the Premier nor any member of the House was aware of the reason that prompted the questions being asked. With the object of saving the time of the House he had made as short an explanation as possible of the reasons for moving the motion, and when the leader of the Opposition had suggested an amendment to the second return asked for he (Mr. Dwyer) had been agreeable, provided the information he asked for was being supplied, to have the supplementary information the leader of the Opposition required, namely, the number of those receiving under £5 a week; but, as it turned out, the leader of the Opposition required something very different.

Mr. SPEAKER: The hon. member must not discuss an amendment already disposed of.

Mr. DWYER: A return of the number of those getting £10 a week was quite a different proposition from a return of the number of those receiving over £6 a week. The number of those professionally engaged in the Government service receiving £10 a week was the specific information he required. He was informed there was a great number of them, and he did not approve of the temporary staff in the Government service being so large, or of most important offices in the Government service being filled by temporary men. The member for Greenough (Mr. Nanson) in his well-assumed indignation, was doing violence to his sense of the logical in saying that anyone was attempting to burk inquiry or to have information refused. The hon. member must know that in asking for a return of those receiving a higher salary than £10 he had no wish to have information regarding those receiving a higher salary than £6. If any other member wished that information, let him move for a return. The trouble, however, was that hon. members opposite seemed to think that there was something underlying the motion, though the object of moving had been made perfectly clear. It was an illustration of the old adage "guilty persons are ever suspicious." The leader of the Opposition in his day as Premier pro-

bably found it convenient at times to have questions asked by his own followers, probably at his own suggestion, and thought something of the kind was now obtaining, but the hon. member could be assured that it was not the case in this instance, although all might seem orange to his jaundiced eyes.

Question as amended put, and a division taken with the following result:—

Ayes	..	..	..	19
Noes	..	..	..	12
Majority for				7

## AYES.

Mr. Angwin	Mr. Munsie
Mr. Bath	Mr. O'Loghlen
Mr. Carpenter	Mr. B. J. Stubbs
Mr. Dwyer	Mr. Swan
Mr. Foley	Mr. Taylor
Mr. Green	Mr. Thomas
Mr. Holman	Mr. Turvey
Mr. Lander	Mr. A. A. Wilson
Mr. McDonald	Mr. Heltmann
Mr. McDowall	(Teller).

## NOES.

Mr. Broun	Mr. Nanson
Mr. George	Mr. A. E. Plesse
Mr. Lefroy	Mr. S. Stubbs
Mr. Male	Mr. F. Wilson
Mr. Mitchell	Mr. Layman
Mr. Monger	(Teller).
Mr. Moore	

Question as amended thus passed.

## RETURN—KARRI TIMBER LEASES.

Mr. O'LOGHLEN (Forrest) moved—

*That a return be laid upon the Table of the House, showing:—1, The total area of Karri country applied for during the past three years as concession, lease, or permit. 2, The names of the applicants. 3, The area granted. 4, To whom granted.*

He said: In moving the motion I desire to make only a few remarks, because I believe an opportunity will be given at a later date to thoroughly discuss this proposal. The object of my motion can be explained, not only to the satisfaction of the leader of the Opposition but to the satisfaction of every member of the House. My object is to make available to the public the names of those applicants who have applied for karri country with

the intention of exploiting it, the number of applications approved, and the number declined. The information will at least indicate to the public whether there are *bona fide* objections in the speeches made by members of Parliament in another place, as well as by some members of the general public who write to the Press. In dealing with this subject I wish to say I have not yet heard one word of disparagement of the timber from members of this Chamber. I have read a good many disparaging remarks as to the merits of this particular timber, remarks made in another place, but up to the present no serious objection has been taken. Before going any further I may mention that in the Federal Parliament at the present time considerable objection is being raised to the proposal of the Government to utilise karri in the trans-Australian railway and for other purposes. I am not to-night going to express my opinion as to the relative merits of this timber, but I may be pardoned if, speaking as a man who has had practical experience of this industry, I say I am guided by the advice of experts who claim that after minute investigations this timber has stood the test in the various treatments to which it has been subjected.

Mr. George: We have never had a full report of those tests.

Mr. O'LOGHLEN: You will get it if you move for a return, as I am now doing. It is all very well for the member for Murray-Wellington to squeal about his treatment, but if he moves in the proper way he will get the information he desires. The Government have secured a certain contract which means bringing into the State nearly a quarter of a million of money, and I believe they are on the point of securing a similar contract of the same magnitude. If the New South Wales Government are negotiating with this Government for the supply of a million karri sleepers, that Government are not acting without due consideration. They must have given earnest consideration to the reports put in as to the efficacy of this treatment of the timber. If this is the case, the Government of Western Australia should be supported in their

desire to utilise that timber and give it a commercial value, which it has not to-day. It is absolutely valueless——

Mr. George: No, no.

Mr. O'LOGHLEN: Where does any demand exist for it to-day? Where has there been any output during the last eight or ten years? This timber has had to fight against a big prejudice, and the desire of every member should be that if the tests prove that it is all right, we should try to develop that part of the State by utilising this timber, and bringing that large volume of money into the State instead of allowing it to go to Tasmania or some other State. The jarrah trade is well established and can look after itself, and if by Government enterprise we can give commercial value to the magnificent karri forests, I say the Government should be commended for their efforts in this direction. Unfortunately, Mr. Hedges, a member of the Federal Parliament, has to-day moved a motion of censure on the Federal Government because they propose to utilise karri sleepers, and I think I may be pardoned in pointing to one or two references made by Mr. Hedges when he served up his indictment against that Government.

Mr. SPEAKER: The hon. member is not in order.

Mr. O'LOGHLEN: My object in moving this motion is to give to the public what I think are the reasons actuating certain public men in disparaging karri timber.

Mr. SPEAKER: The motion should have stated that intention clearly; but it does not. I want to point out that that is where my difficulty lies in respect to the limitation of debates. Hon. members are under the impression that a mere motion for a return allows of the discussion of every aspect of the question. That is not so, because the discussion of a motion should be confined to the matter within the motion, and nothing which is now being discussed by the hon. member is comprised within his motion.

Mr. O'LOGHLEN: I realise your difficulty, Sir, and my own, too.

Mr. SPEAKER: Hon. members can always make their motions in such a

manner as to permit of the fullest discussion which they may desire.

Mr. O'LOGHLEN: However, another opportunity will present itself when the Minister for Works will give to the public the reasons actuating him in adopting the policy which the Government have adopted in regard to this timber. After all the disparaging references made in the Federal Parliament the Minister for Works will give the other side of the picture, and will place before the public the reasons actuating the Government in the step they have taken. I trust the many contradicting and incorrect statements published in to-day's newspapers will then be placed in a different light. Seeing that this question means possibly half a million of money to-day and, perhaps, in the near future a few millions more for this timber when we can make of it a commercial commodity—having regard to the big avenue it opens up for developing the rich portion of the South-West of the State—I am sorry to think that two members of our Federal Parliament should be the first to decry the industry.

Hon. Frank Wilson: You must not criticise members of another Parliament.

Mr. O'LOGHLEN: I am sorry that they should have seen fit to disparage this industry, and I will give reasons on a future occasion why those gentlemen have taken up the stand they have. I only desire to say now that my object in moving the motion is to show to the public that these very companies which, in my opinion, are at present prompting Federal representatives to speak against West Australian interests, are the very companies who applied for these timber areas, and who had they got them, would have been singing the praises of karri to the top note, instead of urging Federal representatives to disparage it.

Mr. GEORGE (Murray-Wellington): With great pleasure I second the motion. The hon. gentleman, in the course of his remarks, spoke of prejudice in regard to karri timber. Of course we cannot go into a full discussion of that now; still I think, seeing that there have been remarks made both as to the good qualities and the supposed bad qualities of this timber, it

is desirable that the total area of karri country applied for during the past three years should be made known, together with the names of those who have applied for it, the area granted and to whom it has been granted. Then it may possibly appear that some of those who decry this particular timber are disappointed applicants, or persons who have their own ends to serve by decrying the timber. But, so far as the prejudice is concerned which the hon. member has spoken of, I should be glad if he would draw a distinction between mere prejudice and opinions set up as the result of practical tests of this timber. Only a few years ago the export of karri to the other States, to the old country, and to South Africa was equal to, if it did not exceed, the export of jarrah.

Mr. O'Loughlen: That was 10 years ago.

Mr. GEORGE: And what is the reason why the export of karri has gone down? Karri is recognised to be a very valuable timber indeed for certain purposes, but there are other purposes for which it is not so good a timber as jarrah.

Mr. Taylor: That applies to all timbers.

Mr. GEORGE: And almost to all men. What is the reason why the karri timber has ceased to hold so large a proportion of our exports? Simply because the karri country at Denmark and Torbay, which at that time was being exploited, has been cut out. The karri that was being cut at Karridale has also been cut out, and facilities which exist to-day for going into the karri country did not exist 10 years ago, or else that timber would have continued to enjoy its popularity. Owing to the railways which have been pushed out by different Governments since then, it is now possible to get at the karri country, and karri will again come to the front for its own particular purposes. It is not due to any opposition that karri is not as largely used to-day as it was 10 years ago, but because it has been so difficult to obtain. We desire that karri shall be used for purposes for which it is suitable, and those of us who have been in the timber trade know perfectly well that it is useless to send out a timber for

purposes for which it has been proved to be unsuitable, for that would simply damn the trade.

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

Mr. GEORGE: I do not think it is necessary to say much more in connection with this matter beyond that I shall be very much interested to see this return. I would have liked the motion to have gone a little further, but I have not the slightest doubt as to its utility, as the question of the value of karri timber will be discussed fully shortly, and we shall have an opportunity of using this motion, and expressing our opinions. It will be interesting when we get this return. There may be different opinions as to the advisability of using the timber for certain purposes, while admitting that it is pre-eminent in its qualities for other purposes. I shall content myself by seconding the motion, and expressing the pious hope that the Premier will accept it, and let us have an opinion as quickly as possible, so that our minds may be put at ease.

Question put and passed.

#### PAPERS — FREMANTLE HARBOUR EXTENSIONS.

Mr. CARPENTER (Fremantle) moved—

*That all papers in connection with proposed extensions of the Fremantle Harbour be laid upon the Table of the House.*

After consulting the Minister, he understood that the motion would be taken as formal.

Mr. DWYER (Perth) seconded the motion.

On motion by the Premier, debate adjourned.

#### RETURN—COOLGARDIE STATE BATTERY.

Mr. McDOWALL (Coolgardie) moved—

*That a return be laid upon the Table of the House, showing—1, The amount of*

*capital expended on the Coolgardie State Battery. 2, The interest charged on capital. 3, The amount provided for sinking fund. 4, The receipts and expenditure from inception to date (milling and tin). 5, The receipts and expenditure from inception to date (cyaniding and slimes). 6, The receipts and expenditure for the year ending 30th June, 1912 (milling and tin). 7, The receipts and expenditure for the year ending 30th June, 1912 (cyaniding and slimes). 8, The cost of the recent repairs to the plant.*

There would, he imagined, be no opposition to the motion. Some of his constituents wanted the information, and most of it could easily be obtained from the mining reports. He was aware that questions 2 and 3 must be answered "nil," because it was well known that interest was not charged against the working expenses of the battery, and that generally a sinking fund was not provided specially for a battery. Still he wanted the information placed in this compact and official form.

Mr. GILL (Leederville) seconded the motion.

Question put and passed.

#### MOTION—ABATTOIRS AND CHILLING WORKS AT GERALDTON.

Debate resumed from the 2nd October on the motion of Mr. Dooley—"That this House is of opinion that in the interests of the health and convenience of the public of Geraldton, and for the purpose of meeting the requirements of the farmers, fruit growers, and pastoralists of the surrounding districts, the establishment of abattoirs and chilling works at the Port of Geraldton is an immediate necessity;" and on the amendment of the Minister for Lands, "That the words "an immediate necessity" be struck out, and "desirable" inserted in lieu.

Mr. TURVEY (Swan): I desire to support the amendment moved by the Minister for Lands to the motion of the member for Geraldton. In doing so, I believe that the establishment of ab-

attoirs and freezing works at the port of Geraldton is a necessity, but I am not of opinion that it is altogether an immediate necessity, and I think the amendment should meet the requirement even of the member for Geraldton. It is well known to every member of the House that Geraldton is a thriving port with a very big back district to support it. In fact, I think it stands as about the third or fourth port in importance in the State. When one comes to consider what a vast amount of good the establishment of refrigerating works has done in the Eastern States, and particularly in New Zealand, I do not think there should be any hesitation on the part of the Government to carry out as speedily as possible the establishment of abattoirs and freezing works at Geraldton. Geraldton is backed by a big district, a district that is noted for its possibilities so far as the pastoral industry is concerned. In fact, I think it has already been referred to in this Chamber as having been the granary of Western Australia, and, again, we have an extensive mining proposition in the vicinity. But it has been pointed out by the Minister for Lands that, as far as the export facilities are concerned, it is not necessary at this juncture that abattoirs and freezing works should be established there. Apart altogether from the possibilities of the export trade—

Mr. Nanson : The amendment says "desirable." Is not that the same thing?

Mr. TURVEY : Desirable in the interests of the health and convenience of the public at Geraldton that abattoirs should be established. So far as the export trade is concerned, even admitting that we have not sufficient lambs or mutton for local consumption, and that the time has not yet arrived when we can enter into an extensive system of export of lambs, we cannot get away from the fact that even an export trade established at the present juncture would tend to make the market less intermittent, and to prevent the possibility of having at one season of the year a glut, and at another period a shortage. Further, it

would give some encouragement to those pastoralists and farmers who are going in for sheep-rearing if they knew there was always a steady market for their produce. So far as the raising of lambs is concerned, and sheep-rearing generally for this purpose, it is a well known fact that the farmers' purposes are best suited if killing is done between October and December. If the sheep are kept longer, there is a tendency to waste that could be obviated if the freezing works were established. Again, I venture to say that, since we have State steamers running along the coast, it would be quite possible for the fine district backing up Geraldton to supply even the metropolitan area with the necessary mutton. The member for Greenough in dealing with the motion congratulated the member for Geraldton on his speech, but there is one thing I certainly objected to, and that was what I might term the despicable tactics adopted by that member later on in his speech in taking the opportunity of the absence of the member for Geraldton—

Mr. Nanson : I did not take the opportunity.

Mr. TURVEY : Taking the opportunity in entirely misconstruing that member's remarks.

Mr. Nanson : On a point of order, is the hon. member in order in saying that I took the opportunity of the hon. member's absence. How could I possibly be aware of the fact? I was not aware that the hon. member was absent.

Mr. SPEAKER : The hon. member is in order in giving an expression of opinion.

Mr. Nanson : I take it that I am in order in denying that I took advantage of the opportunity.

Mr. TURVEY : The member for Greenough, in referring to the speech made by the member for Geraldton certainly misconstrued his remarks. He went on to say that the member for Geraldton stated that that particular port had become a back number, because the district was not so productive as it was at an earlier stage. The member for

Greenough when he made that statement—

Mr. Nanson : That is a quotation from the hon. member's speech.

Mr. TURVEY : That is not a quotation from the hon. member's speech.

Mr. Nanson : It is; I was following it; I have it marked.

Mr. TURVEY : I will show how the hon. member misconstrued the remarks to suit himself and his purposes. The member for Geraldton, in speaking on this motion, distinctly stated that it may be said the reason Geraldton is to a certain extent a back number is because it is not as productive now as it was in the earlier stages.

Mr. Nanson : The hon. member is wrong. He described it as a fact. If he refreshes his memory by consulting *Hansard*, he will see I quoted him with perfect accuracy.

Mr. TURVEY : I am pointing out that the member for Geraldton stated it may be said that Geraldton was becoming a back number, and he went on afterwards to prove his case right up to the hilt that Geraldton and its district comprised one of the most productive in Western Australia, and quoted facts and figures in support of it.

Mr. Nanson : He said it was languishing to-day.

Mr. TURVEY : Languishing on account of these facilities having been denied by previous Governments. But he went on to point out that in spite of these difficulties and the lack of attention in past years by different Governments it is coming along at a fairly rapid rate so far as population is concerned. I fancy I have heard the hon. member say that it is the best evidence of the progress of a district when we find the population coming along at a fairly rapid pace. The position is that the member for Geraldton instead of pointing out that Geraldton had become a back number, went extensively into the question in order to show that Geraldton was indeed becoming a port of great importance, in fact that the whole district was making rapid progress, but owing to it having been denied the facilities that the hon. mem-

ber is now asking for, it certainly had not made the progress of other places where facilities of a similar nature had been granted. I regret that the hon. member for Greenough should have spoken as he did in the absence of the hon. member for Geraldton and that he should have gone out of his way to convey an entirely false impression to the constituents of that particular member. However, I feel sure that the member for Geraldton himself when he has the opportunity of replying, will undoubtedly take the member for Greenough to task for the manner in which he misconstrued portions of his speech.

Mr. Nanson : Unfortunately his speech stands in *Hansard*.

Mr. TURVEY : But if the hon. member would look up his own speech in *Hansard* he would find where he made a statement which was not entirely correct.

Mr. Nanson : Point out where I did that.

Mr. TURVEY : In the hon. member's remarks with reference to the words quoted by the member for Geraldton in so far as the backwardness of Geraldton itself was concerned.

Mr. Nanson : If a thing is described as a fact, it means that the person who classes it as a fact believes it to be a fact.

Mr. TURVEY : The hon. member will have an opportunity later on of proving that. He has had his say, now I shall have mine. All that the member for Geraldton said in that respect was that it might be said such was the case, but he did not say it was a fact.

Mr. Nanson : Let the hon. member refer to *Hansard*.

Mr. TURVEY : I would like to refer to it, but I do not think the Speaker would allow me. The hon. member for Greenough spoke in a very indignant manner earlier in the evening on another matter, but on this amendment he took the opportunity of making a bitter attack upon an hon. member who happened to be out of the Chamber. So far as Geraldton is concerned, I believe that the establishment



of abattoirs and freezing works there would certainly be not only in the best interests of the people of that particular district, but also in the best interests of the people of the State, because after all if the establishment of freezing works has done so much in other parts of the world where the climate is cooler than in Western Australia, then I can see that the greatest of possibilities exist in front of this State by the establishment of these works at such a thriving port as Geraldton.

On motion by Mr. O'Loughlen debate adjourned.

## BILL—PHARMACY AND POISONS ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the 2nd October.

Mr. B. J. STUBBS (Subiaco): I desire to make a few remarks with regard to the Bill before the House. I take it that it has been found necessary by those engaged in the business of dispensing medicines to amend the Act which controls that particular profession, and I might say that I am at one with them in endeavouring to protect the general public from those people who are known as "quacks." We cannot have too much supervision over that class of people, as it has been found necessary in this stage of our civilisation to control everybody who has any dealings whatever in the cure or the care of the sick, and I think that is only right. Recently in this State we passed a measure dealing with the registration of nurses, and I consider it is only in the interests of the general public that those in any way attending on the sick should be carefully looked after. Whilst I am in favour of this Bill, and I intend to vote for the second reading, there are some provisions in it which do not entirely meet with my approval. It will be my endeavour to have these amended in Committee so as to bring them as far as possible into conformity with what I believe will be in the best interests of the public. I notice one of the provisions of the Bill will prevent anyone except a registered pharma-

ceutical chemist dispensing medicine in a private hospital. I think this will inflict a hardship upon those people who are controlling private hospitals. I doubt if there are private hospitals which keep their own drugs and dispense prescriptions, but I think it is necessary that a fair amount of latitude should be given to the people who control these institutions.

Mr. Thomas: Would you allow people to dispense in private hospitals?

Mr. B. J. STUBBS: I do not think I would allow them to do the whole of the dispensing or to keep a stock of drugs on the premises, but I do say that a fair amount of latitude should be given to the people who keep or control private hospitals. These nursing institutions are controlled by people who have received a careful training and they have a good knowledge of drugs.

Mr. Thomas: Nurses?

Mr. B. J. STUBBS: Yes.

Mr. Thomas: They have no training whatever in that direction.

Mr. B. J. STUBBS: I was under the impression that they received training in the mixing of drugs, but of course the member for Bumbury should have a better knowledge of the matter than I have.

Mr. Thomas: The hon. member will find if he makes inquiries that what I say is correct.

Mr. B. J. STUBBS: At any rate we should not make it too difficult for those who control private hospitals to mix simple compounds to give their patients when these compounds have been prescribed by a doctor. Among the provisions of this Bill is also one which carries out to its logical conclusion the principle which members on this side entirely agree with, that is preference to unionists, or compulsory unionism. But I want to say that I think it is commencing at the wrong end when we are making an Act of Parliament which will give to a profession, such as this, the right to bring about compulsory unionism. I think that is one of the clauses which is almost sure to be amended in Committee. It seems to me that this clause is more far-reaching than any clause which any

ordinary unionist has asked for. It does not even provide for the twelve months arrears of subscriptions which the Arbitration Act specifies for unionists and if the delinquent does not pay up within six months he is debarred from getting a livelihood. I think this is too drastic and the House ought to amend it in Committee. There is another provision which to my mind would prevent any person entering into partnership with a pharmaceutical chemist. Those who have the necessary qualifications of a chemist may be short of capital and may find it necessary to seek a partner with capital.

Mr. George: Would that not fit in with your ideas? You are against capital every time.

Mr. B. J. STUBBS: Of course the hon. members, as is usual when he tries to interpret the opinions of members on this side of the House, is entirely out of his latitude. Neither I nor any Labour member is against capital. I do not think the hon. member knows what capital is. We oppose the private ownership of capital, and I am not endorsing it now. But no man in his right senses ever opposed capital. We have, however, to face things as we find them, and this Bill is dealing with something that is to take place immediately.

Mr. Monger: Mr. Speaker, may I ask before we go any further, whether this Bill has been discussed in caucus?

Mr. SPEAKER: If the hon. member rises in his place to ask questions of that character I shall have to take some action in regard to him.

Mr. Monger: Thank you.

Mr. B. J. STUBBS: This Bill is dealing with principles of every-day importance, and whilst members of the Labour party may desire to bring about in the future the abolition of control of capital by private individuals, we are not for that reason going to impose hardships on those who are compelled to use capital to-day. But whilst I would agree to a clause to prevent a company being formed which was likely to get a monopoly, simply employing one registered chemist, and by that means doing a great

injustice to the number of other chemists in a small way of business, still this clause is made so drastic and far-reaching that it would prevent a gentleman possessing the qualifications of a chemist from taking into partnership with him a man who has the necessary capital. In that respect the Bill is far too drastic, and I shall endeavour to have that clause modified to a very great extent. Now I come to what will be recognised as the most objectionable feature of the Bill, and that is the attempt to prevent any grocer or storekeeper from selling or offering for sale any patent or proprietary medicine. I hardly think it is necessary to point out to the member responsible for the Bill the far-reaching effect that would have.

Mr. Thomas: I have promised to alter that.

Mr. B. J. STUBBS: I am very pleased to hear it. I appeal to hon. members not to vote against the second reading because it is not right to deal in that way with a matter of this kind. There are some good and necessary provisions in the Bill, and I appeal to the hon. members to allow us an opportunity in Committee to bring the Bill into conformity with what is right and just.

Mr. George: Is this not to create a monopoly?

Mr. B. J. STUBBS: Not if it is altered in the way I have outlined. I think that all the monopolistic part will then be wiped out.

Mr. Taylor: The Bill will not then be much good.

Mr. B. J. STUBBS: I certainly hope members will amend this provision which endeavours to prevent storekeepers selling or offering for sale patent medicines. There are any number of small towns in this State which, because of the smallness of their population, will not support a chemist in their midst, and it would be a very serious thing indeed to prevent those people from being able to purchase these patent medicines, which in a large number of instances do a lot of good.

Mr. Holman: What is the difference between purchasing from a chemist and purchasing from a storekeeper?

Mr. B. J. STUBBS: There is no difference in my opinion.

Mr. Underwood: There is a difference of about eighteenpence usually.

Mr. Thomas: What is the use of discussing a clause that is going to be eliminated from the Bill? I am going to withdraw it.

Mr. B. J. STUBBS: I did not understand that the hon. member was going to withdraw that clause. I think I have dealt with the objectionable features of the Bill, and in concluding I once again appeal to hon. members not to vote against the second reading, but to allow the measure to go into Committee and then make it conform to their wishes.

Mr. LANDER (East Perth): I hope that before hon. members accept this Bill they will go through it very carefully. It is one of the most conservative measures ever brought before the House. If it is passed, country farmers and others who have horses will not be able to treat them with up-to-date remedies. Clause 45 say that no person can sell—

Mr. SPEAKER: The hon. member cannot discuss clauses.

Mr. LANDER: If members will look at one clause of the Bill they will find that it will be impossible to buy any tabloids for subcutaneous treatment, that is, hypodermic syringe treatment. For one of the most common ailments of stock in the country districts, impaction or paralysis of the bowels, the hypodermic treatment is used, and provision is being made in this measure to prevent the sale of hypodermic treatment to any person unless he is supported by a qualified medical man. Where is the veterinary surgeon to come in? If a person has a horse suffering from pneumonia or any fever trouble he will not be able to get aconite. If there is anything wrong with an animal's eye he will not be able to use cocaine or belladonna. He will practically be precluded from getting a blister, and he will not be able to chloroform an animal. I would like to say that this is all rot, but I cannot use that term. If this Bill is passed in its present form, it will be monstrous and will operate very hardly on outback settlers, and also on veterinary

surgeons. If the hon. member for Bunbury (Mr. Thomas) thinks I will sit here and pass a Bill of this sort he makes a great mistake. Then there are such medicines as lysol, iodoform, and chlorodyne, all of which we will be prohibited from buying.

Mr. Thomas: I assure the hon. member that he is mistaken.

Mr. LANDER: At any rate I hope that before members consent to this Bill they will read it through very carefully. I have said sufficient to warn members to be on their guard. The hon. member for Northam (Hon. J. Mitchell) knows that the hypodermic syringe is used all over the country. Instead of giving a drench or a ball as was the custom in the old days, tincture of opium and other preparations which are made up in tabloid form are employed, but if this Bill passes, the use of these will be prevented and that will be a great injustice.

Mr. MONGER: I beg to move—

*That the debate be adjourned.*

Mr. SPEAKER: There is no seconder to the motion.

Mr. MONGER (York): I have had the pleasure of listening to the remarks that fell from the learned member for Subiaco, and really if that lengthy oration he was good enough to give us is a correct interpretation of this measure, it is time we passed it into oblivion. If all those dreads which the hon. member described are to be given effect to by the passing of even a portion of this measure, I think we are going a little bit too far. I do not often agree with the member for East Perth (Mr. Lander), but on this occasion it gives me a certain amount of pleasure to agree with him in the ideas he has expressed. What is the position, what are we advocating, what are we legislating for or attempting to legislate for? A monopoly; and I understand that is one of the strongest matters against the feelings of those gentlemen who sit on the Government side of the House. If they are going to support and legislate for what is from every standpoint described as a monopoly, let them give their solid and kindly support to the measure now before the

House. Every member of this Chamber and of another place has had a communication addressed to him, the correctness or rightness of which I am not going to attempt to determine; but if the arguments as given evidence to in the Press during the last day or two are to be relied on, if the subject matter of the Bill is to be given effect to on the lines of the arguments adduced in these communications, I shall be sorry if Parliament carries the Bill in its entirety; but I understand the mover is prepared to alter the very salient points of the measure in order to give effect to the contradictions as evinced from correspondence and other numerous articles that have appeared in the Press. Having made these few remarks in regard to the measure I again move, hoping to have a seconder, an amendment to the motion moved by the member for Bunbury (Mr. Thomas)—

*That the word "now" be struck out and "this day three months" added to the motion.*

Mr. SPEAKER: There is no seconder.

Mr. UNDERWOOD (Pilbara): I oppose the second reading of this Bill for the reason that I think we have already given too much control of various professions to the men following those professions. There is no doubt that it would be considerably better for the people of Western Australia if we had more control over practically all the professions. Lawyers have been granted a monopoly which has been used principally for the benefit of the lawyers and to the detriment of the people of the State generally. The same follows in regard to the medical profession, though one has to admit that doctors deal with the lives of people and it is necessary to allow them considerable latitude and take the greatest precautions to see that anyone not skilled in medicine is not allowed to practise. However, we come to this position, that we have veterinary surgeons, lawyers, doctors, chemists, dentists, accountants—

Mr. Dwyer: Musicians.

Mr. UNDERWOOD: Yes, musicians and physicians—

The Premier: Architects.

Mr. UNDERWOOD: And architects also, coming and asking to be granted an

absolutely close monopoly for their professions. They get an Act of Parliament and then the administration of the Act is handed over to these people. I do not mind registration; I do not mind the greatest possible precaution being taken so long as the interests of the public in general are protected; but I am convinced that the public interest has not been protected as it should have been. It is only in these professions that such a thing occurs. If the engine-drivers were to suggest such a thing the whole of the Opposition, including the member for York (Mr. Monger), would be on their hind legs at the same time.

Mr. Dwyer: The engineers have absolute protection.

Mr. UNDERWOOD: They have this protection, that a man cannot legally drive an engine unless he has a ticket, but his ticket is granted, not by a board of drivers, but by a board consisting of a representative of the drivers and a representative of the employers and a representative of the Government. If the hon. member can introduce a scheme whereby the public are as well protected in connection with chemists as they are in the case of engine-drivers I can give him my heartiest support; but when he asks us to hand over wholly and solely to chemists the administration of this measure, I must ask members to oppose the Bill. If the chemists cannot put forward a better scheme let us go on as before. Notwithstanding that there are quacks, and many of them ticketed and unticketed, my experience is that a chemist is just as likely to take a man down, if he gets an absolute monopoly, as a man with no certificate. We know that a chemist will sell two-pennyworth of epsom salts and charge anything up to 10s. 6d. for it. On behalf of the general public I want some protection against these extortionate charges. We are well aware that there are very few standard medicines. Notwithstanding the Latin or any other supposed language in which the prescription is written, there are but a few very cheap drugs with which these prescriptions may be made up, and when a man goes into a chemist's shop with a prescription the chances are—

Mr. Thomas: I think you are getting a bit out of your depth now.

Mr. UNDERWOOD: I heard a yarn at one time of a sailor who had a prescription. He went into a chemist's shop and asked how much it would cost. The chemist said it would cost 2s. 6d. The sailor said, "I have only fourpence," and the chemist said, "Here, give it to me and I will make twopence profit out of you now." This applies not only to chemists. There are in the city men who are supposed to have tickets as oculists. If one goes to an oculist to get a glass which will give the oculist a very excellent profit if sold at 2s. 6d., the lowest price he will charge for this glass will be 12s. 6d. I want some protection for the general public, and I shall oppose this Bill and all Bills for these monopolies, except monopolies which give some protection for the general public. The sooner that chemists and medical men recognise that they have not been treating the general public fairly, the sooner they will be able to get more lenient consideration from Parliament.

Mr. GREEN (Kalgoorlie): I support the second reading of the Bill because I have the assurance of the member for Bunbury (Mr. Thomas) that one of its main designs is to deal with the Indian herbalists, and quacks of that character, that infest the whole of the towns of Australia that are of any size. I agree that there may be considerable room for amendment in the Bill as it is at present printed, but I take it that the member for Bunbury is quite willing, if in the debate in the Chamber or in Committee any reasonable suggestion is made, to amend the Bill accordingly. Even if we oppose the Bill because there are certain things unfavourable in it, we should stand by it for the one redeeming feature in it. Anyone who goes about our towns cannot fail to see that on every hand there are people putting costly advertisements in the papers and by means of pamphlets taking in the unwary and foolish and getting a large amount of money by emptying their pockets, and not only doing that, but in many instances breaking down people's constitutions. It is not a bit too early for the introduction

of a measure to deal with this particular class of quacks, and I am pleased indeed for this one reason alone that the member for Bunbury has brought forward his Bill. We may wish to get a little humour out of the fact that a private Bill has been introduced, but I trust we shall remove what little jocularity we may have in our minds and show what possible benefit it may be put to and not close the session without doing some real good. I know from personal knowledge that in the town I come from there is one particular Hindoo who, before he engaged in the so-called profession of general healer of mankind, was engaged gathering bottles.

Mr. Taylor: He was only getting ready.

Mr. GREEN: Hon. members appear to be in a jocular frame of mind. I trust that whatever liberty they propose to exercise will not be used against the Bill, which gives us an opportunity of doing some good. This man I refer to could not sign his name. Those of us who are acquainted with the Hindoos know that a large percentage of them are taught to read and write in India, under a beneficent Government; but this is one of the most ignorant of his class, and to-day he is practising his so-called profession in Kalgoorlie, trading on the ignorant, and by some inscrutable means occasionally securing a certificate testifying to his wonderful curative powers. There were one or two things I had proposed to say in regard to the Bill to-night, but I see the temper of the Chamber is such that members are prepared only to criticise. I am satisfied those matters can wait until we reach the Committee stage. I honestly believe that it will be a real mistake for this Chamber, merely because a private member has brought in a Bill, to treat it in a spirit of levity when we can do a lot of good by passing the measure. I have pleasure in supporting the second reading.

Hon. J. MITCHELL (Northam): I think the hon. member who introduced the Bill must be rather alarmed for its safety after the remarks of the hon. members opposite. It does look, of course, like aiming at a very close corporation.

There are some excellent clauses in the measure, and others which I am sure the House will not agree to. For instance, there is a provision for restricting to those who shall have been licensed under the measure the sale of patent medicines. I take it the hon. member who introduced the Bill knows that if that clause were allowed to remain great hardship would be worked. Under such a clause in towns like Northam the chemists would be the only men allowed to sell patent medicines, and so would be able to put up the prices. However, it is not so much that I fear we would not be able to get patent medicines, as that the people of the country would be denied the right to get many useful remedies which they now get from the ordinary storekeeper. It is true that sometimes they buy a deal of rubbish when purchasing patent medicines. If the hon. member had sought to have patent medicines approved by the Health Department, and registered—

Mr. Taylor: The Health Act provides for that now.

Hon. J. MITCHELL: No, it does not. As I say, if the hon. member had sought to have these remedies analysed, and to make it necessary to get a permit to sell them, I would have been entirely with him.

Hon. W. C. Angwin (Honorary Minister): The Health Bill of this year provides everything in regard to analyses.

Hon. J. MITCHELL: It simply provides for the printing on the label of the exact contents of the package. There is one well-known remedy of which the patient is expected to consume two bottles a week, at a cost of 25s. According to a recent publication, entitled, I believe, *Secret Remedies*, and published by some organisation in England, as the result of costly inquiry, this particular remedy, the retail price of which is 25s. for the two bottles, and which is supposed to be consumed at the rate of two bottles a week, costs the manufacturer only a few pence. I believe it is nothing more than a little bluestone and water. If the hon. member had sought to have these remedies submitted to a close analysis, and to make it impossible to sell such of these reme-

dies as are practically useless, he would have been doing a great good. I think the storekeeper should be allowed to sell patent medicines, but only those which are admittedly useful. The provisions of the Health Act should be very strictly enforced. If the Honorary Minister would see to it that each of the packages disclosed clearly, and in a manner intelligent to the ordinary person, the exact nature of the contents of these patent medicines, I venture to say their sale would not be as great as it is to-day. Whilst I agree that none but a qualified chemist should dispense medicines, I am not prepared to fall in with the suggestion that none but a registered man should be a partner in a chemist's business. Of course it goes without saying that a man who is not qualified should not be allowed to control the business, the dispensing and selling of drugs, but otherwise I should say that a man should be encouraged to put his money into the concern. The member for Subiaco agrees with me there, although he does not agree that private capital should be put into the business, whatever he may mean by that. However, I hope when we come to that clause the Committee will insist that any person who desires to invest money in a chemist's business shall be at liberty to do so. I agree with the member for Bunbury that the lay partner of a qualified man should not be allowed to dispense drugs. Under the existing Act, I am told, a chemist can have twenty assistants, none of whom need be registered, so long as they dispense under his immediate supervision. I believe that is likely to be far more harmful than the proposed partnership which this Bill so carefully provides against. We are asked to set up a huge monopoly. The member for Subiaco says he would not mind agreeing to this particular clause if he could safeguard the small chemist; I fancy that the man who conducts his own shop and dispenses his own medicine will always be able to hold his own against bigger firms. It is contended by the member for Bunbury that great harm might result if a big firm were to be established in Perth and did not scruple to sell inferior drugs. I

believe it is essential that people who take a doctor's prescription to the chemist should get exactly what is ordered in that prescription. There have been cases, of course, where this has not been done. Whilst we take infinite care to prevent the sale of adulterated whisky, we take no care that the chemist shall dispense in accordance with the doctor's prescription. It is provided in the Bill that the doctor may dispense his own medicine, but that he cannot do more than that. That, I believe, is altogether a wrong provision. Then there is another provision which says that the council may fix fees to be paid by those who obtain licenses for the sale of patent proprietary medicines. This is a matter which should not be left to the council, who could set up prohibitive fees. Then, too, when it comes to the form of license to be issued, I think the House should insist upon knowing just what was to be proposed, in fact, I think we should determine the form of license to be used. I hope the storekeeper will not have to pay for a license, will not even have to apply for a license. If the hon. member wishes to restrict the sale of drugs, and to ensure that only superior drugs shall be used, it would be very much better if he accepted my suggestion and provided in the Bill that only drugs of a useful character should be sold.

Mr. B. J. Stubbs: That is outside the province of this Bill.

Hon. J. MITCHELL: I do not think so. The Bill is fairly far-reaching. While it is intended to restrict a number of those not qualified—and I agree with that proposal because it is monstrous that because a man comes from a foreign country he can set up and do something that no Australian would dare to attempt—still I think it will set up a close corporation and that the hon. member is asking too much. While I am willing to do something in the way of restricting the opportunity of these men to whom I have referred, I am not prepared to vote for many of the clauses of the Bill. If the hon. member insists on all the clauses with the exception of Clause 11, I think members will be wise in voting against

the second reading. This, of course, will not be done and in Committee we will have an opportunity of improving the measure and making it useful. In the meantime I protest against any attempt to restrict the usefulness of the country storekeeper such as is attempted by this measure. The member for Bunbury (Mr. Thomas) should know that in such a country as this it is impossible that many medical men can be made available to country settlers, or that chemists can reach them all. For that reason I hope the Committee will insist that country storekeepers should have all the privileges they now enjoy in the matter of selling patent medicines.

Hon. H. B. LEFROY (Moore): Whilst agreeing that it is most desirable to prevent incompetent persons from practising any profession and more particularly that of a chemist, where the life of an individual may be in danger, at the same time there are provisions in the Bill which will inflict a very great hardship upon people living in the backblocks. Many working men away from towns depend entirely for medicine on these so-called patent medicines, and many of them perhaps have saved lives in the far-back places. This Bill is designed to prevent the sale, by any person other than a chemist or medical practitioner, of any medicine or drug. A storekeeper could not even sell Epsom salts or castor-oil, two of the most wholesome medicines. Although I do not think members generally are out of sympathy with the desire to protect the profession of the chemist and make it as efficient as possible, I hope the member for Bunbury will realise that there are provisions which will inflict great hardship on the back country places.

Mr. Thomas: That clause will be altered.

Hon. H. B. LEFROY: I was sorry I was not in the House when the hon. member introduced the measure, but I think it my duty to rise and express my views in regard to the provisions of the Bill. I recognise that a grocer or anyone can sell patent medicines if he obtains a license, but there may be a great difficulty in obtaining a license and the power

of granting licenses is entirely at the discretion of the pharmaceutical council. I am sure the working man in the back blocks will not thank the hon. member for preventing them from getting a box of Cockle's pills, a bottle of castor oil, or some Epsom salts, painkiller, or chlorodine, which are very useful medicines in certain cases, and in many country places have probably saved people's lives. I hope that in Committee the hon. member will listen to these objections. I am sure he does not desire to work any hardship. In so far as the object of the Bill is to prevent unqualified persons from practising as chemists, I am entirely in accord with him. At the same time I hope the Bill will not go beyond that and prevent the sale of certain medicines in country districts by persons other than chemists.

Mr. Thomas: Any storekeeper five miles from a chemist can get a poisons license.

Hon. H. B. LEFROY: The hon. member should allow the Bill to be amended in Committee. At any rate I hope it will not be allowed to inflict the hardship it is likely to in its present form as regards the back country districts.

Mr. GEORGE (Murray-Wellington): With the desire of the member for Bunbury (Mr. Thomas) to knock out the quacks I think every member of the House agrees, but I think the Bill has three faults which probably can be put right in Committee. One was pointed out by the members for Subiaco and Northam. There are many occasions on which persons start in business in which they have had experience and they can find friends to advance the funds in order to allow them to become sleeping partners.

Mr. Thomas: They can be provided for by a mortgage.

Mr. GEORGE: No, they cannot. A person going into business has to take his share of the losses as well as the profits. It should be distinctly laid down that whoever has to mix up medicines or sell them shall be a qualified chemist, but there is no reason why a qualified chemist should not have a partner who is not qualified. Another point is with regard

to storekeepers who wished to sell proprietary medicines. The member for Bunbury stated that he would alter that clause. There is one thing I would have liked to have seen in connection with this Bill. There are so many proprietary medicines offered for which people pay large sums of money and the medicines are absolutely rotten. They do them no good and in many instances may do them harm. The pharmaceutical society, comprising qualified men who know their business, would be looking after the interests of their clients if they formulated a scheme whereby the Government could put a stop to the selling of medicines of this sort.

Mr. Thomas: I only wish we could do so.

Mr. GEORGE: If the hon. member cannot do it I cannot help him, but there is a great number of medicines purchased in the timber areas, and on the mines, and in the back blocks, which are really of no use to the people unless it may be that they have faith in them.

Mr. Thomas: If I introduce that, members will say I am seeking a further monopoly.

Mr. GEORGE: No man has introduced any reform without being accused of ulterior motives and the hon. member cannot expect to escape. There is one clause that no person other than a medical practitioner can compound for sale certain things, provided that the section shall not be construed to prevent the sale of medicines which do not contain any of the poisons mentioned in the fifth schedule. That schedule contains the names of half a dozen drugs which are supposed to make their appearance in almost every patent medicine sold, so that although the clause relating to storekeepers is to be improved, the one preceding it will also need attention, or the point to which members are taking exception will not be overcome. I hope the hon. member will see if he cannot make these two clauses fit together. The member for East Perth (Mr. Lander) made a reference to a number of medicines used in veterinary practice and thought it would be possible for people to use them. The very clause from



which he has gained that impression lays down that these are preparations which are used on persons.

Mr. Lander: Are not opium tabloids snitable for persons?

Mr. GEORGE: The tabloids the hon. member has in mind would not be obtained for use on persons, but animals, and if any person obtaining them for dealing with animals was so foolish as to attempt to use them on human beings, he would render himself under another Act liable to severe penalties. If the passing of this Bill in a modified form will deal with these quacks who prey on the credulity of some persons and drain their pockets, without doing them any good, it will be a benefit.

On motion by Mr. Heitmann, debate adjourned.

## BILL—MONEY LENDERS.

### *Second Reading.*

Mr. DWYER (Perth) in moving the second reading said: This is a Bill which, from the fact of its being the subject matter of legislation in most of the other States, and its general utility, will not take very long to introduce, because I take it that the measure will commend itself to the good sense and reason of members of this House. As the name implies, the Bill deals with money lenders and money lending. The history of the English law regarding money lending is that in early times canonical regulations prohibited interest being charged in transactions between Christians, and the consequence was all the money lending business fell into the hands of somebody else. Subsequently, however, an alteration was made, I think in the Tudor times, by which certain interest was allowed to be charged, and from time to time the fixed rate was altered. About the time of Charles II. the rate was fixed at six per cent., and some years later at five. But difficulties arose in England, and the consequence was that a special commission was appointed about 1850, and as the result of the report of that commission an Act was passed which abolished

all usury statutes previously existing. As members of this House are no doubt aware, when a colony is being established people who take part in the establishment of that colony take with them as part of the law of the colony all the laws of general interest obtaining in the home land. When Western Australia was established in 1829, certain usury laws existed in England, and the colonists brought these laws out with them. The Act passed in England in 1854 abolishing the usury laws was not passed here, and as a consequence a measure was passed in Western Australia in 1866 entitled, "An Ordinance to prevent doubts as to the applications of the statutes of Usury and to limit and define the rate of interest which may be recovered in cases where it hath not been previously agreed on between the parties." Under that Act all the laws hitherto in force relating to usury were abolished, and a rate was fixed at 10 per cent., which was the rate to rule when no other rate had been fixed by agreement. On our statute-book that is the only law we have at the present time. In England, however, they found that the repeal of the usury Acts operated so harshly as regards the borrowers and others situated in straitened circumstances that as the outcome of a Royal Commission in 1900 the Money Lenders' Act was passed. This Act is incorporated wholly in the Bill before the Chamber, and there are certain additions taken from the legislation of other places. In New South Wales, Victoria, South Australia, and New Zealand we find Money Lenders Acts on the same or on similar lines to the one which I am introducing, and in view of the fact that all these States have seen fit to adopt measures dealing with money lenders and regulating the conditions under which money can be lent, I think it is high time that we should not any longer lag behind our brothers in the Eastern States, and that we should bring our legislation in this particular up to date. In other countries, too, we find Acts passed regulating the interest that may be charged on commercial and other

transactions. In Germany the commercial code fixes the rate of interest on commercial transactions at 5 per cent. In France on ordinary loans the rate is 5 per cent., and on commercial loans 6 per cent. In America almost every State has a certain legal rate fixed, and when mention is not made of interest this legal rate is to be charged. The Bill before the House does not directly affect any existing legislation, but it does of course indirectly.

Hon. J. Mitchell: Does it affect banks indirectly?

Mr. DWYER: No, and I am glad to see the hon. member is showing some consideration for the banking institutions. He may, however, set his mind at rest, because they are outside the provisions of this Bill, being already the subject of special legislation. A money lender is defined in the Bill as a person whose business is that of money lending or who advertises or announces himself as a money lender, or any person or any body corporate that charges more than 10 per cent. per annum for any money lent. The interpretation of interest includes also sums of money paid by way of bonus, commission, or security as guarantee for a loan, and as it has been thought fit to fix 10 per cent. in New Zealand, I considered that it would be a fair amount to allow in this State. The result of the fixing of the rate is that if a person lends money at a higher rate than 10 per cent. then that person becomes a money lender within the meaning of this Bill. If the amount is under ten per cent. the person, unless he comes otherwise within the definition of money lender, will be exempt from the provisions of the measure. There are certain persons also specifically exempted from the Bill. These are licensed pawnbrokers and friendly societies, banks, and insurance companies, and also corporations which may be exempted from time to time by notification in the *Government Gazette*. These are exempted not so much perhaps because they ought to be exempted, but simply because they are the subject of independent legislation, and I do not think it advisable when

special legislation has been introduced and is in existence dealing with special objects or peculiar phases of our social life, that this Bill should incorporate those institutions. Personally I think our legislation dealing with these subjects badly requires revision and amendment. For instance, in the Pawnbrokers Act there is no limit fixed for interest. In some of the other States the limit is fixed, but here we allow the pawnbroker to charge what he likes. No doubt these Acts will come on for revision in due course, if the present Government remain in power, as I believe they will. There is provision made in this Bill, and it is also in the English Act that where money has been lent by a money lender, and that money lender has recourse to the court to recover the amount he has lent—

Mr. Monger: I desire to call attention to the state of the House.

Mr. SPEAKER: There is a quorum present.

Mr. DWYER: I was about to say that the court can reopen the whole transaction, and notwithstanding any settlement of accounts or any agreement which may have been made between the parties, it can relieve the person sued from liability to what extent it may deem fit, but in doing so it will not work any injustice because it will take into account the risks incurred in lending money to the borrower. Then the court has the further power that if it considers that anything by way of interest has been paid in excess of what was fair and reasonable, it can order that amount to be refunded. Another provision gives to the person who borrows the power to approach the court to annul the transaction under which he was compelled to have recourse to the money lender. This of course is subject to a certain limitation of time. Under the Bill third persons are protected. If a third person obtains possession of any security connected with the loan and if that person acted in good faith he is protected and is entitled to be indemnified by the money lender. There is also provision that in the event of a borrower becoming bankrupt, the bank-

ruptcy court is given power to reopen the transaction and inquire into the full particulars thereof and order if necessary the refund of any portion of the money borrowed as though the matter had been the subject of an action at law. Anyone who charges ten per cent. comes within the meaning of the Bill. That does not, however, prevent the lender charging more, but it will be for the court to say whether the amount was reasonable and fair considering all the circumstances and the risk the lender ran.

Mr. Green: Why not limit the rate as they do in America?

Mr. DWYER: I would prefer to leave it to the court. If persons lend money on transactions that are risky they may justly ask for more than ten per cent. On the other hand where the lender gets a reasonable amount of security from the borrower, ten per cent. is a fair amount to charge as a maximum. Another clause in the Bill provides that persons carrying on the business of money lenders must be registered in their own name and also in any name in which they carry on their business, because many of them carry on business under a fictitious name. Subsequently when this Bill reaches the Committee stage, I shall propose an addition to that clause to provide that people who are money lenders within the meaning of the measure shall not be allowed to add the name or term "bank," or hold themselves out as conducting a banking business in any way.

Mr. A. E. Piesse: If they charge less than ten per cent. they can do that.

Mr. DWYER: If they charge less than ten per cent., except money lending is their business, they are not money lenders within the meaning of the Bill.

Mr. A. E. Piesse: They can still trade under the name of a bank.

Mr. DWYER: Oh, yes. The Bill deals with a person whose business is that of a money lender, and also with persons who lend out money at a greater rate than 10 per cent. If a person lends money at 8 per cent., is a money lender by profession he must be registered, but anyone who lends money at over 10 per cent.

is by that very fact a money lender, and he too must register. Another important portion of this Bill is to the effect that if the lender is tendered a reasonable sum for expenses he must furnish the borrower with a copy of any documents relating to the loan or any security therefor. Frequently members of the legal profession have unfortunate borrowers consulting them in regard to certain transactions, and they find those persons deprived of every shred of documentary evidence, but under this Bill the lender will have to furnish the borrower with a copy of any documents relating to the transaction. The penalty provided for a money lender who does not register is the same as that fixed in the English Act, which is for the first offence £100, and for the second offence a similar fine or imprisonment for three months, whilst, in the case of a corporation, the penalty is a fine not exceeding £500.

Then the usual power is given to the Governor in Council to frame regulations to deal with the registration of money lenders, the necessary forms to be adopted, and the fees and fines which have to be paid for or in connection with registration and the renewal of registration. There is another provision to which I wish to draw attention. It is frequently found by borrowers who unfortunately have had recourse to money lenders from time to time—and it is seen in advertisements in the public Press—that money is lent at the rate of five per cent., but it is never stated whether the 5 per cent. is per annum, per month, or per week, and the unfortunate borrower finds that instead of paying 10 per cent. or five per cent. per annum as he thought, he has to pay that rate per month; consequently, he is gulled into signing documents in which he commits himself to paying more interest than he intended to. The Bill therefore provides that whenever the interest is by terms of any written or printed contract—

made payable at a rate or percentage per day, week, or month, or at any rate or percentage for any period less than a year, no interest exceeding the rate

or percentage of ten pounds per centum per annum shall be chargeable, payable, recoverable, or enforceable on any part of the principal money unless the contract contains an express statement of the total amount of interest paid or to be paid or of the yearly rate or percentage of interest to which such other rate or percentage is equivalent.

If any money is paid in excess of that, it may be recovered under the provisions of the measure. Another clause requires that where any money is lent at a rate exceeding 10 per cent.—and as I have explained before, if the transaction is a risky one, the person may be held by the court to be entitled to charge more than 10 per cent.—then duplicates of all documents or sufficient memoranda must be supplied by the lender to the borrower. This will, of course, enable the borrower later on to obtain proper professional advice as regards his liabilities under any contract, and that advice is frequently very useful, notwithstanding what the member for Pilbara (Mr. Underwood) may think about these things.

Mr. Green : Is there no limitation ?

Mr. DWYER : There is no attempt made in the Bill to fix an actual limit except that the court may say what is just and fair, after looking at the whole of the circumstances.

Hon. Frank Wilson : You will want a lot more lawyers if this Bill is passed.

Mr. DWYER : It is not a Bill to assist lawyers, but to assist unfortunate borrowers.

Hon. Frank Wilson : And incidentally to create business for the lawyers.

Mr. DWYER : The Bill will stop the nefarious actions of some money lenders and I hope the leader of the Opposition will applaud any measure which has that for its object. There is another provision which limits the charge for obtaining or guaranteeing a loan. I understand that it is customary, when a loan is obtained, for the person who obtains it to charge what is called a procuration fee, which according to the Chamber of Commerce rates existing here does not ex-

ceed one per cent. If I had been consulting the interests of the lawyers, as the leader of the Opposition seems to suggest, again thinking that other persons are tarred with his own paint, I would probably have cut out that provision altogether, because there is no doubt that lawyers benefit very largely from procuration fees, but I have placed a limit on the fees.

Hon. Frank Wilson : But you have made it two per cent.; that is doubling it.

Mr. DWYER : But that is an absolute limit, and includes all charges for procuration and guaranteeing. In Victoria the limit is 10 per cent. But if the hon. member wishes to further reduce the limit I will have no objection. If the hon. member will consult his friends in the Terrace they will tell him what is a fair thing.

Hon. Frank Wilson : Where is your office; in Murray street ?

Mr. DWYER : The hon. member knows more about Murray-street than I have ever heard. If more than two per cent. is charged the borrower may recover the amount. Another clause is that all loans purporting to be loans of money must be made in cash or by bankers' notes; they cannot be made by delivery of goods, and so evade the Act, except that, of course, there is a proviso exempting the discount of bills of exchange and promissory notes. Finally account is taken of certain unconscionable transactions which are sometimes entered into by money lenders with expectant heirs. All these, to have legal force, must be witnessed by a resident magistrate or a clerk of a local court or police court, and the whole transactions explained to the party who is parting with his patrimony; otherwise the contract is null and void. In this respect I may say that the courts of the present day are open to relieve expectant heirs and persons under disabilities from the effects of similar transactions, and this clause does not interfere with the powers of the court in that respect. I trust hon. members will give kindly consideration to this Bill which I place before them in the interests of the community generally. I think we have come to a stage of our

political and economic career when it is necessary to have legislation of this sort. In my own experience I have had several harsh transactions in regard to money lending brought under my observation, and because of that, amongst other reasons, I have introduced this Bill, and placed it before hon. members for their consideration and attention. There is no clause in it which cannot be defended or which is unnecessary. Every clause for the protection of the people who are in needy circumstances requires to be retained in the Bill, and so far as it can be done in a measure of this kind their interests are looked after. I have pleasure in moving—

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

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

## BILL—COAL INSPECTION AND DEVELOPMENT.

### *Second Reading.*

Mr. A. A. WILSON (Collie) in moving the second reading said: In moving the second reading of this Bill I do so with the desire of serving the best interests of the Collie coal industry. It is over twelve years since Collie coal was put on the market, but up to the present time no inspection has been made for private or bunkering trade. During that time an enormous quantity of shale and dirt has been sent out with the coal, and has done an enormous amount of injury to the bunkering trade. Two years ago I drew attention to an instance of dirt being sent away in coal, and on that occasion I said—

I make this charge that I can take any nominee of the Mines Department to where the roof and the shale were absolutely blasted down to the floor and sent away to the ships as coal, and I stand on my privilege as a member of the House in saying it.

The Minister for Mines: What mine was that?

Mr. A. A. WILSON: The Cardiff mine. They absolutely shot the shale from the roofs in the old bords and then filled the stuff into the trucks they

sent away to the boats for coal. That was killing the goose that lays the golden eggs. Any company that sends away inferior stuff will not get customers. No customer will come back to a mine that supplies bad coal.

Mr. George: Who is inspecting it?

Mr. A. A. WILSON: The trouble is there is no inspector for other than Government coal.

I further said a few weeks afterwards—

With regard to the inspection of coal I have already referred to the matter, and expressed the opinion that a company which supplies inferior coal or dirt to any oversea vessel, or for bunkering, in my opinion should have their leases taken away from them by the Government irrespective of what harm it might do that company.

At that time I offered to take a representative of the Government to where the roof had been blown down and sent away in ships. I had a plan of a certain mine showing a number of places where the roof was shot down. It is not necessary for me to name the mine. I merely wish to substantiate my statement that at the present time I can take any nominee of the Government and show him where the roof of the mine was shot down. That was during the Newcastle strike. At that time the Minister for Mines (Mr. Gregory) was aware that this class of coal was being sent away, and he expressed it in several minutes put on the file. On the 28th February, 1910, Mr. Gregory wrote to the Secretary for Mines—

It has been reported to me that in the old workings of the . . . mine they have been blowing down the roof to supply coal for bunkering purposes. I should imagine this would have the effect of making these workings dangerous. Under any circumstances it means the sale of an inferior coal, and might possibly do a great deal towards destroying our bunkering trade. I should be pleased if the State Mining Engineer would have an intimation drafted for me notifying that, if requested, the Government would have all coal certified as screened and clean, and similar

to that supplied to our railways. (Sgd.)

H. Gregory, Minister for Mines.

Mr. Montgomery, the State Mining Engineer, wrote to the Under Secretary for Mines—

A caller from Collie, who is in a position to know what he is talking about, assured me on Saturday last that some of the mines were doing great harm to the Collie export trade by sending away a great deal of stone and dirt in their coal. According to his description the dark rock over the seam had been shot down four feet in height and allowed to go with the coal. Great care is said to be taken that the Government coal orders are filled with clean coal, the rubbish being sent for export. Do you know of any legal powers existing whereby the department could intervene to check any such nefarious and suicidal practice? If true, the people who are doing it are aiming a deadly blow at Collie's future export trade.

There are about a dozen letters on the file, all about the inferior coal, but I would refer to a letter from Sir Newton Moore, the then Premier of the State, with regard to the dirty coal. He wrote to the Acting Premier—

(At sea, nearing Bombay), 18th February, 1910. Dear Wilson,—As you are aware, we have already discussed the necessity of making some arrangements for the inspection of Collie coal, and I am more than ever anxious that this matter should be taken up. It has been brought more forcibly before me in view of the fact that a couple of days before arriving at Colombo the coal bunkers took fire, and were afire up to the time of leaving that port. From what I can gather from the chief engineer the trouble has been caused by the last 100 tons of coal taken on board at Fremantle. The arrangement that we suggested, namely, having the coal regularly inspected, and that persons buying from companies who have not had their produce inspected by the Government officials should take their own risk, should about meet the case. I expect to reach Bombay this evening. In haste, Yours faithfully, (Sgd) N. J. Moore.

Mr. Frank Wilson was also aware of the dirty coal, and he wrote the following minute to the Minister for Mines:—

Attached please see letter from Mr. Moore. The 100 tons of coal referred to by him was rubbish, and I myself personally drew the attention of the agent to the fact that it was likely to cause a fire. With reference to our conversation, I should be glad if you would kindly take steps to notify the mines and the shipping agents that when requested your department is prepared to see that best screened coal is supplied in fulfilment of orders for such. I take it that the fee need only be nominal.—(Sgd.) F. W., Acting Premier.

I read these letters to show that the Government of that day were aware that dirty coal had been sent from the mines. I have contended, and always will, that any company selling inferior coal or putting it on the market and selling it to the steamers should be wiped off the face of the earth.

Mr. Monger: I do not wish to carry any unfair interpretation of the remarks that have been made by the member for Collie, but when he made a statement—

Mr. SPEAKER: The hon. member must resume his seat unless he is rising to a point of order.

Mr. Monger: I am rising to a point of order because the member for Collie is reflecting on the remarks and the communications and reports of hon. members or the Agent General.

Mr. SPEAKER: The hon. member must resume his seat. There is no point of order.

Mr. A. A. WILSON: My intention in quoting these letters was to substantiate my argument in regard to what had been done. I will go no further. At present there is Government inspection of timber leaving the country. I have before me a copy of the Timber Regulations, which say that timber for export must be inspected and that a certificate must be given by the inspector that such timber has been inspected. Many of the fires that have taken place have been caused no doubt from inferior coal that has been sent: smalls and shale practically have

caused spontaneous combustion; and it is to avoid this danger that I am chiefly concerned in bringing this Bill before the House. I have provided for a surtax of one halfpenny a ton that will more than exceed the cost of inspection, and will be charged on every ton of coal raised in the State, whether Government coal or private coal. On a quarter of a million tons of coal it will mean over £500, which will be sufficient for two inspectors. One inspector along with the Government inspector at the present time would more than do the inspection. I have also made a suggestion in the Bill that the by-products, such as nuts, smalls and duffs screened from the large coal, could be utilised and made into briquettes, coalite, etcetera. I have been informed by many members of the House that they cannot get Collie coal delivered in Perth at less than 3s. a hundredweight.

Hon. Frank Wilson: Yes they can.

Mr. A. A. WILSON: It should be delivered at less, but I am informed by members that it costs them 3s. a hundredweight.

Hon. Frank Wilson: There is more than a hundredweight in a bag.

Mr. A. A. WILSON: The weight of a bag is about a hundredweight. Even if there were two hundredweight in the bag it is too much to pay for the coal. At the pit's mouth the coal costs 10s. or 11s. a ton, and Collie coal should be delivered in Perth at not more than 30s. a ton.

Mr. Monger: Where?

Mr. A. A. WILSON: To the household, that would be 1s. 6d. a hundredweight instead of 3s. There are hundreds of tons of small coal which could be utilised in briquettes or coalite, and it is the intention of the Bill to have some tests made to see whether this small coal can be utilised. Test samples should be sent home to the old country and Germany to see whether satisfactory briquettes or coalite can be made. I believe one company has spent thousands of pounds in endeavouring to make briquettes, but I am of the opinion that the money was spent foolishly. The machinery was put up first and foremost with no idea of the value of the coal they intended to treat. I do not intend to delay the Bill. It is

designed to do honest trade with the people who come to our shores for coal, and I can see no reason why any honest man or company should oppose it at any stage in this House. I have much pleasure in moving—

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

Mr. TAYLOR (Mt. Margaret): I second the motion.

Mr. MONGER (York): This is the first opportunity I have had to question the member for Coolgardie on the floor of the House in regard to a matter in which he took a very prominent part last Parliament, and I would be wanting in my position if I were not to take exception to the attitude he adopted through the whole of the series of debates in connection with the matter I am now referring to. In January of last year he was the cause of criticising a measure introduced by the Government of the day, and while his attitude has been challenged on many occasions he has never been in the Chamber to take his place in reply to the remarks that have been made from the Opposition side of the Chamber. Now to-night he brings forward a measure in regard to coal inspection and development which was the purpose of the amendment or criticism he introduced to the railway Bill I am now referring to, which occasioned considerable debate and argument in the House. To-night the member for Collie (Mr. A. A. Wilson) asks that certain privileges be given in regard to coal inspection, and for the advancement of the Collie coal trade. This is the first opportunity I have had of asking him for an explanation as to what his intentions were when referring to the particular railway proposition of which I have made mention. Why I refer to this more particularly is that I want to impress it on the minds of the remnants of the Government sitting opposite to me this evening, and to know why they have placed it at the bottom of the list in another place, and why they do not have it discussed and let us know what their intentions are. I want to know whether it is the desire

of those gentlemen to attempt to shelve the motion which is before another place.

Mr. SPEAKER: The hon. member is out of order. I have given the hon. member a considerable amount of time to get to the question.

Mr. MONGER: Whilst speaking on this Coal Inspection and Development Bill I may say I have been one of those who have always held out the kindest hand imaginable in regard to the development of our Collie coal industry. When the agricultural centres were more than anxious that one class of coal, namely, that from another State, should be exclusively used on the agricultural railways, I always went in an opposite direction, and if anyone has done his best to develop the coal industry of Western Australia it has been myself. But I have not had a reciprocal feeling from even my friend, the member for Collie (Mr. A. A. Wilson), nor have I had a reciprocal feeling from those who desire to advance the best interests of agriculture in Western Australia. I have often been censured for the kindly feeling I have extended towards Collie coal. When the member for Collie (Mr. A. A. Wilson) made a certain statement, as recorded in *Hansard*, in regard to the railway proposition—

Mr. SPEAKER: The hon. member must discuss the Bill.

Mr. MONGER: I am discussing the Coal Bill, Mr. Speaker. The whole attitude taken up by the member for Collie (Mr. A. A. Wilson) was in the interests of his coal proposition, which he has submitted to-night. I think you will agree with me that I am absolutely in order in referring to the remarks he made on a previous occasion, and even if I went so far as to read the whole of his speech and place once more on the records of *Hansard* the able and learned remarks which emanated from the member for Collie (Mr. A. A. Wilson) on that occasion—

Mr. McDowall: On a point of order. The member for York (Mr. Monger) is alluding to a question discussed a session or two ago in regard to the carrying of Collie coal on the proposed

Wickepin-Merredin line. Has it anything to do with the present Bill?

Mr. SPEAKER: The member for York (Mr. Monger) has not yet said what he is alluding to. I am waiting for him to do so.

Mr. O'Loughlen: He would be a good sparring partner.

Mr. MONGER: I understand we are discussing the question of the Coal Inspection and Development Bill, and I say, with all due respect to the member for Coolgardie (Mr. McDowall), I am perfectly in order in referring to the remarks made by the member for Collie (Mr. A. A. Wilson) when dealing with a certain railway proposition. I am not going to refer to that railway proposition any more than to point out that the hon. member made it one of the main planks and platforms of the speech he then delivered that he was desirous of taking Collie coal to the goldfields by the nearest route.

Mr. SPEAKER: The hon. member is not in order. That reference has nothing whatever to do with the Bill. I will ask the hon. member to stick to the Bill, otherwise I will have to ask him to resume his seat.

Mr. MONGER: This is the first opportunity I have had of meeting the member for Collie (Mr. A. A. Wilson) on the floor of the House for the purpose of asking him to give an explanation of what he intended to convey when speaking on the 18th January, 1911, on a certain railway Bill. With these remarks I will, upon your advice, Sir, resume my seat.

Hon. FRANK WILSON (Sussex): I am sure that every hon. member will credit the member for Collie (Mr. A. A. Wilson) with the best intentions possible in introducing this measure, purporting to provide for the inspection of coal sent away from our local mines. It is quite true that, ten or twelve years ago, or perhaps later than that, in recent years, much coal of an inferior quality has been sent away as bunkering coal. By that I mean that on many occasions shale has, perhaps through neglect or misadventure, found its way among the coal shipped.



On the other hand I am also bound to admit that much inferior coal was shipped during the strike at Newcastle, as referred to by the hon. member. It has, however, to be borne in mind that during times of trouble we cannot get fuel. Steamers in every part of the world have to be content with what is forthcoming, even if it be the refuse heaps which the hon. member has referred to as having been shipped on that occasion.

Hon. W. C. Angwin (Honorary Minister): Some of it caught fire within twenty-four hours.

Hon. FRANK WILSON: I have seen coal shipped in England which caught fire within twenty-four hours. When we have a shortage of fuel it is reasonable to suppose that ship masters and ship owners will have to put up with an inferior article, much more inferior than they would have to take at other times. It is on such occasions as these that these big slack heaps in the old country are got rid of. In the North of England, on many occasions when there has been industrial trouble, big dumps have been disposed of because better coal could not be obtained, and fuel had to be obtained somehow for the purpose of steamers and industries in that part of the old country. The same thing occurs here during strike periods, and I can understand some steamers getting slack put on board, perhaps a little "small," but mostly slack, and I can conceive that the agents of the steamers, and perhaps the skipper himself, knew full well that he was purchasing this inferior stuff, but could not help himself. If the coal was sold as "large," then of course it was a reprehensible act on the part of those who sold it, and certainly there should be some means of punishing those who sell coal for a class which it is not. But we do not require to restrict the power of any buyer to purchase any coal that is produced in our mines, so long as the purchaser knows what he is purchasing. Again, we must protect them from false descriptions. But I am hardly satisfied that the Bill will provide all that the hon. member intends. He referred to the inspection

of timber. But the cases are hardly parallel, for timber is exported in large quantities for use in permanent works. It is not firewood which is being exported, and I venture to think if we had an export trade in firewood from Western Australia the hon. member would not deem it necessary to have a special certificate of inspection, so far as that firewood was concerned. Being exported for use in permanent works, timber must of necessity be of a sound character, properly cut, and of sufficiently good quality to pass an ordinary inspection for the works for which it is intended. But large quantities of timber are nevertheless sent away from Western Australia without such inspection. For instance, all the small timber and scantlings shipped to the Eastern States, New Zealand and India and other portions of the world require no inspection at all. This timber is shipped, and sold, and purchased on the inspection of the purchasers themselves, and so the question arises naturally as to whether the clauses which the hon. member has provided in this Bill are absolutely necessary in the first place, or will, if enforced, result in a benefit to the coal trade which I admit he honestly desires to achieve. First of all, let me point out that in the case of timber inspection it has always been the custom that those who purchase the timber and for whom it is being inspected, pay the charge for that inspection, excepting where the Government may wish or undertake the inspection of timber for the Government in another portion of the British Empire. But where timber is being shipped, at any rate to private consumers in other parts of the world and it is necessary that it should be inspected prior to shipment, the cost of inspection is borne by the purchaser, and it seems to me, without having considered this Bill very carefully up to the present, that to call upon the mines to contribute one halfpenny a ton on their output to pay the inspectors and make experiments, as the hon. member outlined, in the shape of briquette manufacturing, is placing a burden on the industry which it should not rightly be called upon to bear. If

it is in the interests of the State to see that this coal is properly inspected, as the coal used on the State railways is inspected from day to day, I think it would not be out of the way to ask the Government that the Mines Department should provide that inspection without loading the industry with the halfpenny a ton which the hon. member has arranged for in his Bill. The industry can hardly be said to be in such a flourishing and profitable condition that it can bear any additional cost of production, and although it is a most valuable industry to the State generally, inasmuch as it provides a very considerable avenue of employment for miners, inasmuch as it provides also an assured supply of local fuel for our railway system, inasmuch as it provides a considerable revenue for our railway system by the carriage of the output of our mines to different parts of the State and to some of our ports, yet I venture to think that even the hon. member himself will not argue that the industry is so profitable that it can afford to be burdened even with this small impost which he proposes to place upon it by this measure. It seems to me that a Bill with a few clauses to give the Government power to issue regulations providing for the classification of coal, and by that I mean not what is set forth in this measure, but providing for the classification of coal in respect to the size of the screens over which the coal shall pass at a certain angle for screening purposes, and providing that that coal shall be sold on the classification set forth in the regulations and only under that classification, subject to a penalty, would pretty well achieve the object which the hon. member is aiming at. To say that the mines must classify coal as provided here, both as regards size and calorific value, and that every mineowner before he can sell any coal whatsoever to a consumer, must have a certificate that that coal is as classified both as regards size and calorific value, must be admitted to be incompatible.

Mr. A. A. Wilson: The Railway Department have that now.

Hon. FRANK WILSON: The Railway Department specify a minimum calorific value and the size of the screens.

Mr. A. A. Wilson: And the size of the lumps.

Hon. FRANK WILSON: They give a maximum size for the lumps which is never adhered to. The hon. member does not wish that the mineowners should have to break up the coal, because as a rule purchasers like it as large as they can get it. They demand that it shall pass over a three-quarter inch screen in order that everything that passes through should be sold as small coal or further reduced and sold as nuts and small coal. That is all that is necessary, and I think that is all the hon. member is aiming at. But unfortunately the Bill defines the coal as being the size of the pieces and the calorific value, and later on there are more stringent clauses which provide that mineowners shall not sell coal unless it is accompanied by a certificate from an inspector setting forth the class specified.

Mr. A. A. Wilson: That the coal is true to name.

Hon. FRANK WILSON: Yes, and not only certifying that it has passed over a certain screen, but also certifying that it is clear from shale and rubbish, and that it is of a certain calorific value. We cannot get any inspector to do that day by day. The proprietors of the mines could not do it. No one could do it without a test.

Mr. A. A. Wilson: They could certify that it is of not less than a certain calorific value.

Hon. FRANK WILSON: Even that would be impossible unless we had a minimum calorific value low enough to make certain that the coal was above that value. If we made it anything approaching 10,200 or 10,300 I venture to say the hon. member would not be able to certify that the coal which was being put out from day to day was of that calorific value. It would be possible to certify only on the actual tests, and it would be impossible to test the coal as it was being despatched from the mines day by day. Again it would be impossible for the inspector to satisfy himself that the coal was actually

of the class which it was purported to be sold at. I would not like to sell from the mines in which I am interested and undertake the responsibility of declaring that the coal sold to my customers is of a certain calorific value. I could say that the test of the Railway Department for the previous month had averaged a certain calorific value, but that is as far as I could go. It changes—

Mr. A. A. Wilson: We can make that provision in Committee.

Hon. FRANK WILSON: I do not think the calorific value ought to enter into it. It should only be a question of screening the coal and providing that mineowners must sell the coal in accordance with the terms—to be adopted by regulation—which are understood in the trade; which coal may either be certified as screened coal, and unscreened coal, meaning coal as it rises from the pit, all that passes through the three-quarter screen being small coal. If the last named is screened again, taking the slack coal out, we have nut coal and the residue is slack. If we say coal shall be sold under one or other of these terms, and anyone supplying coal which is not what it purports to be shall be subject to a penalty, the hon. member will achieve his purpose just as he intends to do by this measure if it is passed. There is another point which I think the hon. member has omitted to consider very carefully, but which has caught my eye this evening, and that is that no coal can be removed from a prescribed area until it has been inspected. The hon. member, as a practical miner, knows that all coal must be put over the screens and direct into the trucks. It cannot be dumped and handled again profitably unless the mine is equipped with very extensive hoppers. It would be impossible to put the liability upon the mineowner to see that all this coal was inspected before it was removed from the prescribed area.

Mr. A. A. Wilson: The intention is that the area should be of 10 or 20 acres, and if the coal is of less than 9,000 it would be prohibited from being taken out.

Hon. FRANK WILSON: The hon. member could not test an area of 20 acres

and be sure that the calorific value he got from the face would be the same right through. The calorific value varies. It would be necessary to put down a number of bores right through the area and make a very large number of tests which would be very expensive indeed in order to arrive at that conclusion. Why should he prohibit a mineowner from selling a certain quantity of coal, even if it be of only 9,000 British thermal units value? Why should he prohibit me from selling it so long as my customer knows what he is buying?

Mr. A. A. Wilson: Because it is not good coal.

Hon. FRANK WILSON: But if it suits my customer it is for him to say, so long as I am not attempting to foist on him an inferior article as a better article. We would not be justified in legislating in that direction.

Hon. W. C. Angwin (Honorary Minister): Not if that does injury to the State?

Hon. FRANK WILSON: How can it?

Hon. W. C. Angwin (Honorary Minister): Suppose a ship agent buys the coal and it gives the State a bad name?

Hon. FRANK WILSON: He must buy the better quality next time. It is possible to get the most inferior fuel and the best in the world in the old country, and no one would prohibit the sale of the inferior if it suits the individual who buys it. Surely the hon. member will not prevent us from selling the article which we have!

Hon. W. C. Angwin (Honorary Minister): We have to make our market.

Hon. FRANK WILSON: We cannot make our coal. The Almighty has made it for us, and surely the hon. member will not prohibit anyone from selling it, so long as he sells it for what it is!

Hon. W. C. Angwin (Honorary Minister): But its sale would be detrimental perhaps to the State.

Hon. FRANK WILSON: No, it could not be so long as the seller did not hide the true nature of the article. Would the hon. member prohibit anyone from selling timber from this State?

Hon. W. C. Angwin (Honorary Minister): I would, if it was bad.

Hon. FRANK WILSON: Why does not the hon. member do so? There is a responsibility on the purchaser as well as the seller, and the hon. member would soon find that he could not sell an inferior article, for the simple reason that the buyer would not come to him. There is protection in that. No one would send an inferior article away if that would have the effect of killing his own trade. The coal trade has never been killed by that. It was injured to some extent at the time of the strike.

Mr. B. J. Stubbs: There must be a something to do with it.

Hon. FRANK WILSON: You would not prevent the captain of a vessel purchasing unscreened coal? I saw small coal being shipped into a steamer the other day, and I thought that it might have been sent down under the idea that it was other coal, until I saw on the label that it was bunker coal. If it was labelled small coal surely we would not prevent the captain of the vessel purchasing it so long as he knew what he was buying. The hon. member for Collie does not want to do that. His object is not to try to prevent the disposal of any class of coal if it can be used. It is all the better for the State if we can sell everything that comes out of the mine. The object is to prevent it being sold as something it is not. When I made inquiries about the small coal to which I have referred, I found that the people knew what they were purchasing. They had found that the larger coal was too large for their shoots and they wanted the smaller coal and thought they would try the "smalls," but they found it was too small.

Mr. B. J. Stubbs: There must be a special furnace.

Hon. FRANK WILSON: The bars are required to be closer together. This Bill will require a good deal of alteration in Committee if it is to be passed. I am sympathetic towards the hon. member for Collie in his desire to see the trade kept clean. The hon. member wants to see it kept clean and prevent trickery and that

when the coal is sold after it has been properly screened that the purchaser may be assured he is getting that coal and nothing but that coal. With that object I am in perfect sympathy, and I am prepared to render the hon. member every assistance to bring it about. With regard to the cost of the inspection, I think that is a matter that the Government should be called upon to take into their own hands. The hon. member will also find that many of the provisions of the Bill are impracticable and that they will have to be altered if the Bill is to have the effect he desires, and if it is to become a workable measure which will assist the trade and not hamper it unduly. I do not propose to oppose the second reading, but in Committee no doubt we shall be able to arrange for certain amendments which will meet with the hon. member's approval and will make the measure workable after it has become law.

Question put and passed.

Bill read a second time.

[*The Deputy Speaker (Mr. McDowall) took the Chair.*]

## BILL—GAME.

### *Second Reading.*

Hon. H. B. LEFROY (Moore) in moving the second reading said: This Bill has been on the Notice Paper of the House for some considerable time, and I am glad that I have now the opportunity of placing its provisions before hon. members. The Bill was introduced in the Legislative Council by Mr. Kingmill, and having passed that Chamber it is presented to us for our consideration and approval. The measure was thoroughly thrashed out in another place. It was not only introduced there but was submitted to a select committee of that House, and that select committee proposed certain amendments which were accepted and after considerable discussion, the Bill was unanimously passed by the Legislative Council. I am quite sure hon. members of this House will agree

with me that it is most desirable that the State should not be denuded of its native fauna. It is a remarkable fact however that the only imported animals and birds which have thrived and multiplied to any extent in the State and, generally speaking, in Australia, are those which have proved mischievous and which have become pests. This is a peculiar fact, and for that reason it may be more necessary that we should endeavour as far as possible to protect the native fauna of the country. It is desirable also that we should endeavour to protect animals and birds in the country which may be of use scientifically and economically to the people, and for that reason hon. members will welcome the Bill. The sources from which it derives its origin will be found in the marginal notes, and a good deal of it, I may say, is a recapitulation of what exists in the present statutes. The Bill is principally a consolidating measure, and hon. members, if they turn to the schedule, will find that it repeals four Acts of Parliament, which have been on the statute-book of the State, the original Act of 1892, and the amending Acts up to 1911. The Bill, having been so thoroughly discussed, I am quite sure it will meet with the sympathy of hon. members, and that it will therefore not be necessary for me to explain its provisions at any great length. At the same time it introduces some new provisions which have been considered necessary in the direction of protecting the fauna of the country, and also improving game that may be introduced. I might mention some of the new provisions of the Bill. It is proposed in Clause 8 to provide what are called in Queensland sanctuaries, and from this term hon. members will naturally infer that the sanctuaries are places which are to be set aside and protected as safe breeding grounds for birds and animals. Hon. members will agree with me that this is a wise provision, and they will agree with the desirability of conserving the natural fauna of the country. We have a very interesting animal and bird life in Western Australia, and we would be sorry to see

the country deprived of that life, so typical of the State itself in many ways. Clause 10 provides a new departure. Under this licenses will be required for selling as well as for destroying game. This is considered necessary in order to prevent any infringement of the close season. Hon. members will agree that it is wise to, as far as possible, prevent any infringement of the close season, and in order to arrive at that, one should be able to locate the people who purchase game. Consequently it is provided that any person purchasing or selling game shall procure a license. The license fee will be very small, but it will be sufficient to prevent an infringement of the close season. In Clause 15—

The DEPUTY SPEAKER: The hon. member is not supposed to deal with the Bill clause by clause on the second reading.

Hon. H. B. LEFROY: I most respectfully submit that it has always been usual on the second reading to follow this course. The clauses must be mentioned for the guidance of hon. members.

The DEPUTY SPEAKER: It is a ruling of the Speaker that the clauses must not be referred to in the manner the hon. member is doing.

Hon. H. B. LEFROY: That ruling has not been adopted in other places. However I shall endeavour to meet with your wishes. I may point out to hon. members that, in connection with this new departure, it is proposed to appoint guardians, as is done in Queensland, for the purpose of seeing that the measure is carried out. It will be agreed that it is a wise provision to try, if possible, to secure the services of persons who will take more than ordinary interest in the protection of the game of the country, and also to prevent the wholesale exportation of game. It is specially provided that no game shall be exported from the State without special permission from the Minister. That has been found necessary because, owing to the fashion of the times, a perfect raid has been made on the bird life of the country, and the country has been denuded of the beautifully

plumed birds to satisfy those fashions. We want to prevent a continuance of that. It is proposed that the administration of the Bill shall be offered to the Acclimatisation Committee, a body of gentlemen who take a particularly active interest in the question of acclimatisation, and also in all questions connected with animal and bird life, and who, moreover, have a considerable knowledge of the subject. Those are the principal provisions of the Bill, and as I have stated, it is generally a recapitulation of what has been embodied in the principal Acts which are on the statute-book of the State. I trust that hon. members will give favourable consideration to the Bill, and that they will feel with me that it is beneficial to the people of the State that the natural fauna should be protected as far as is possible. At this late hour I do not desire to further delay hon. members but I am pleased to have the opportunity of introducing this Bill to the House. Feeling sure that the maintenance of the native fauna will meet with the approval of hon. members I have much pleasure in moving—

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

Mr. TAYLOR (Mount Margaret): I second the motion.

On motion by Mr. Heitmann, debate adjourned.

## BILL—TIMBER RAILWAYS AND TRAMWAYS.

### *Second Reading.*

Mr. O'LOGHLEN (Forrest) in moving the second reading said: At this late hour I do not propose to make very many observations in introducing this measure, but in commending it to members of this Chamber I desire to say that it has been my intention for some years past to introduce such a measure as this, but owing to the difficulty which private members experience in getting such a measure favourably before the House, I did not persist in the ideas I entertained. The Bill is a simple one containing only five clauses, and its object is to facilitate the carriage of goods and passengers

over the timber lines throughout the country. The Bill will apply to the firewood tramlines on the goldfields, as well as to the sawmill properties in the South-West. Whether the measure should apply to the firewood companies on the goldfields I will not say, but I will leave it to the members representing the firewood areas to give the House their opinion on the point. Briefly stated, the position as it presents itself to-day is this: Various concessionaires have obtained the right to operate over the whole of the Darling Ranges in the South-West, and they have been so operating for considerably over 30 years. These various concessions and sawmill permits have been taken up under certain regulations, and regulation 121 reads—

A timber lease shall authorise the lessee to construct railways and tramways on and through the area comprised in the lease, and to haul timber to and from the mills; and the Governor may, if he thinks fit, authorise the lessee to lay down such railways and tramways on other Crown lands outside the area, and to connect any such railways and tramways with any Government railway, subject to the rules of the Railway Department, in regard to private sidings; and the Governor, in so doing, may prescribe such conditions as to carriage of passengers and traffic, and otherwise, as he thinks fit.

The regulation provides that the Governor "may prescribe" but unfortunately the Governor has not prescribed, with the result that to-day there is absolutely no obligation on the various companies to carry goods or passengers, even though the people were willing to pay a very high rate for the services rendered. It has been felt for a considerable time that in this way a great restraint is placed on trade, and that, in consequence, it is impossible for the people living in these remote areas to buy in the cheapest market. In fact it has been found that if any attempt is made by these folks to buy in the cheapest market large quantities of goods at one time, the purchasers are hampered through not

being able to have their goods transported. Members will agree with me that that is a condition of affairs which should be tolerated no longer, and therefore I hope the Bill will have a speedy passage. I may point out that in some cases the companies do attach a car and provide reasonable conveniences. I have provided in the Bill that they shall carry goods and passengers at rates not exceeding those charged by the Government railways. It is also provided that between the timber camp and the Government railway system the company shall at certain specified periods attach to their trains covered cars. That is for the convenience of people living at the bush landings. The importance of this will be understood when I inform the House that there are some 2,000 people living at the various bush landings in the South-West, who have a considerable difficulty in getting into the townships. They have to run a considerable risk by riding on the log trains, without any shelter from the driving sleet of the winter or the intense heat of summer. The principal objection, of course, is the fact that there is no covered van put on these trains, even for one day in the week, to enable the women and children to travel to and fro; with the result that every day men travelling on the log trains have their suits practically burnt off their backs and women have their dresses damaged to a considerable extent, and yet they cannot get any redress. We, therefore, provide that, if required by the Minister the companies may be compelled to put on a covered van for the convenience of passengers travelling on their lines. It is only fair to admit that at one or two stations the companies do make an honest and genuine attempt to provide for the public convenience. They provide a covered van or carriage, but the various other stations have not been prepared to extend these conveniences at all. We have fixed under this measure that the rate to be charged for such services shall not exceed the rate in force in the Government railways, and I will give the House a few figures which will indicate the high tariff charged

on these private lines. From Mundijong to the Board Mill, a distance of about eight miles, the return fare is 3s. ; from Mundijong to Jarrahdale, a distance of six miles, the return fare is 2s. 6d. ; from Mundijong to No. 6 Mill, 16 miles, 4s. 6d. ; whereas on the Government lines the fare from Perth to Mundijong, a distance of 29 miles, is only 3s. 8d. return ; from Perth to Armadale, 19 miles, 1s. 11d. ; and from Perth to Midland Junction, 10 miles, 1s. On the company's lines again the fare from Yarloop to Nanga Brook, in an open truck, a distance of 28 miles, is 4s. 6d. ; from Yarloop to Hoffman, 10 miles, 2s. 6d. ; and from Wokalup to Mornington, 6 miles, 2s. return. In most cases these fares are more than double the Government charges. I could go on giving instances of where the rates for passengers are far in excess of those charged on any Government line, but bad as those figures may seem, the worst feature is in regard to the carriage of goods. From Perth to Mundijong the rate for chaff is 7s. 4d. per ton, whilst from Mundijong to the No. 6 Mill the rate is 11s. 4d., and that is for a short distance of only 16 miles. There is another class of goods, class 2, on which the rate is 11s. 4d. from Perth to Mundijong, and from Mundijong to the No. 6 Mill, 14s. ; and in another case the charge is 14s. from Perth to Mundijong, and thence to No. 6 Mill, 20s. 9d. It would not be so bad if the companies charged these excessive fares and were content to handle the traffic, but on many timber stations they refuse to take passengers at all. I am not putting up a case for the Hebrew who carries his pack on his back and is dependent on the companies' trains to carry on his business ; nor am I pleading for the hawkers. My plea is for the settlers in remote centres, who, if they could go to the cheapest market and make a £10 purchase, could save a couple of pounds besides their fares. We should afford those people an opportunity to come to Perth and please themselves as to where they make their purchases, rather than by prohibitive fares compel them to deal at the local stores controlled by the

companies operating in those areas. I could give three instances one after another of where drapers had sent parcels of goods from Donnybrook to Barrabup, and were unable to get them forwarded from Barrabup to the company's mill, a distance of 5 miles. On those three occasions the goods consigned to the purchasers were readdressed back to the storekeeper at Donnybrook. Again, representatives of the Bon Marche, who went to Jarrahdale with a desire to push trade for their firm in that centre, were denied the right to travel on the company's train. Again at Kirupp, one of Millar's mills, at the present time it is impossible for people to travel on the timber line down to the Government railway. I admit that the Commissioner of Railways has power to disconnect the company's line with the Government system. I think I can claim that this is one of the fairest Bills ever introduced into this Chamber. I am not seeking to impose any condition that is harsh in the slightest degree, but I wish to limit the power of the various companies controlling these railroads and rolling stock so that they can charge only the Government rate, and I wish to see it embodied in this Bill that they must carry passengers and goods at the same rates as apply in the Government railways. I do not think that anyone will urge that that is an unfair provision. I cannot understand why the companies have so long persisted in the attitude of refusing to people the right to travel on these lines. I wish to be fair and to say that one notable exception is at Mornington, where the local management have rarely indeed placed any disabilities on people travelling over the company's lines or on the carriage of goods. But I would like the House to realise the condition of many of the people living on other concessions. At Nanga Brook and other stations the people have to leave at four o'clock in the morning on a train which provides no shelter, and travel a distance of 28 miles without any protection, and for this they are charged 4s. 6d. I hope to see the main clause of this Bill carried so that the companies

will have to provide for the convenience of settlers a shelter van for passengers. Further clauses are inserted that goods have to be carried at the owner's risk, as laid down by the Government Railways Act, and all actions for damages have to be commenced within six months. The penalty for default on the part of the company is £20, and the Commissioner of Railways is given power to disconnect the timber line from the Government railway "notwithstanding the provisions of any Act or contract under which the connection may have been made." There is also, however, a clause which gives the Minister power to exempt. He may in his discretion exempt the owner of a timber line from the obligation of Clause 2 for such time as he may think fit—that is in regard to putting on a covered van and affording people an opportunity to travel. It has occurred to me that at many new settlements it would be unfair to compel the owner of the timber line to put on a covered van except at specified times, but the Minister should have power in making regulations to insist that on one or two days in the week attached to one of the bush rakes there shall be a covered van for the convenience of the women and children who have to travel under very adverse circumstances. I am sure that those who have been on these timber areas and know the difficulties the people have to put up with, being without any good accommodation, living in bush shacks mostly, because they cannot get good residences owing to the fact of having to shift every few months to follow the bush, realise that it is impossible to get any degree of comfort. The surroundings of these people are not too good, and some of them have had to put up with these conditions for many years past. We want to improve their life, and one of the best means by which that can be done will be to carry this Bill, because it will enable them to get to and fro in reasonable comfort. It will enable them to deal in the cheapest market for the goods they purchase, and will assist to break the monopoly



which is enjoyed by the companies operating on the timber belts.

Mr. Monger: That is a point with which I do not agree.

Mr. O'LOGHLEN: I am not asking the hon. member to agree, but I am asking intelligent members of the Chamber to do so. I want to emphasise again the need for doing this, because there are twenty or twenty-two sawmills situated in the South-West, employing between 5,000 and 6,000 men. They have their own stores and practically there is no competition. I may be reminded that there is an agreement in existence whereby the companies are enabled to charge ten per cent. above Perth prices, but that agreement is more honoured in the breach than the observance. It is very difficult to keep them to an agreement owing to the fact that a number of articles are constantly fluctuating in price, and the residents out in these districts are placed in the unfortunate position of having to pay through the nose, and pay very heavily too, for the commodities they require. The Government and Parliament can come to their assistance now by supporting this measure, so that no matter where they purchase, there may be no restraint of trade. These people should be able to carry their goods at Government rates, and there should be free intercourse for the people by allowing everyone, no matter who it might be, to ride on the trains provided the prescribed fee is paid. I think I can say there is not the slightest evidence of unfairness in the whole Bill. The reason I did not introduce it before and the reason why I have limited my remarks is owing to the late hour and to the great difficulty experienced by private members in getting their measures through. I think the Government will have sympathy with this proposal, and I hope that members on the other side of the House will give it their blessing, and if they do the great bulk of the people directly interested in and affected by this Bill will bless this Parliament for giving them this small measure of relief. With these few remarks at this late hour I commend the Bill to the

favourable consideration of the House, and move—

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

On motion by Mr. Monger, debate adjourned.

*House adjourned at 10.48 p.m.*

## Legislative Council,

*Thursday, 17th October, 1912.*

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The PRESIDENT took the Chair at 3 p.m., and read papers.

### LEAVE OF ABSENCE.

On motion by Hon. R. J. LYNN, leave of absence for the remainder of the session was granted to the Hon. F. Connor on the ground of urgent private business.

### SITTING HOUR, ALTERATION.

The COLONIAL SECRETARY (Hon. J. M. Drew) moved—

*That during the remainder of the session or until otherwise ordered the House shall meet for the despatch of business on Tuesdays and Wednesdays at 3 o'clock, p.m.*

He said: The motion was submitted only after long and serious consideration. The necessity for action in this direction was due to the congested state of the Notice Paper and the slow progress measures were making through the House. The Proportional Representation Bill was read a first time on the 4th September, a month