advised to postpone the further consideration of the Bill we are now considering.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

House adjourned at 10.6 p.m.

Legislative Council,

Wednesday, 19th October, 1932.

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

QUESTION—RAILWAYS, REDUCED RATES.

Hon. E. H. H. HALL asked the Chief Secretary: 1, Have reduced railway rates been offered to and accepted by traders of certain inland towns? 2, What are the towns? 3, What are the reduced rates? 4, What are the conditions necessary to obtain the advantages of such reductions?

The CHIEF SECRETARY replied: 1, Yes, for general goods forwarded from Perth and Fremantle. 2, Northam, York and Moora. 3, 42s. per ton, 45s. per ton, and 30s. per ton respectively. 4, In the cases of Northam and York, that the trader taking advantage of the rate gives a written undertaking to have the whole of his supplies carried by the Railway Department; in the case of Moora, no special condition.

MOTION—BULK HANDLING BILL SELECT COMMITTEE.

Admission of the Press.

HON. V. HAMERSLEY (East) [4.35]: I move—

That so much of the Standing Orders be suspended as to permit the Joint Committee on the Bulk Handling Bill to admit representatives of the Press to its meetings and allow the publication of evidence or documents before reporting to the Council?

The publication from day to day of the evidence taken by the joint select committee would be of particular interest to members of the Council generally, in addition to those who are on the Committee. It would also be of great interest to many people in the State. It would be a guide as to the type of evidence we wish to bring forward and the type of evidence that is given. In the interests of the inquiry I hope the motion will be carried.

HON. J. CORNELL (South) [4.36]: I have no desire to oppose the motion. Mr. Hamersley has not indicated what "so much of the Standing Orders" means. I take it he desires to suspend Standing Order 289, which lays down that the evidence before a select committee shall not be disclosed.

HON. G. FRASER (West) [4.37]: I do not know why Mr. Hamersley should claim treatment for this select committee that is not accorded to other select committees. This is the second occasion in the space of a week or so when some special request has been made to this Chamber on this particular subject. I cannot see why special treatment should be meted out in this case. The question is an important one, but does not appear to warrant the passing of this motion. The Press like to make everything as public as possible. We have to rely on the Press as to whether they give a full report of the evidence or merely publish what suits them. I should prefer to see the usual procedure adopted, namely, that after the whole matter has been reported to this

Chamber the evidence be made public. It is hardly fair that the joint committee should be permitted to give evidence to the public before it reaches the bodies which appoint it. Unless some exceptional reasons are advanced for the motion, I intend to oppose it. I foresee a danger in permitting the Press to attend the meetings of a joint select committee of this description.

HON. J. M. DREW (Central) [4.40]: I have pleasure in supporting the motion. I very much appreciate the desire of the joint select committee that the Press should take notes of the proceedings. This will be very helpful to members when later on they are discussing the Bill. I have no doubt the Press will give an impartial report and can be trusted to give the House a fair deal. Such a concession has been made before in connection with another important joint select committee.

HON. J. NICHOLSON (Metropolitan) [4.42]: I am sorry Mr. Fraser objects to the motion. Although I opposed the appointment of members of this House to the select committee, I am quite in accord with the motion to admit the Press. A ventilation of the subject will probably do good. The matter is of vast public importance, and the more publicity that can be given to it, the better will it be. Because of the importance of the subject we should depart from the usual practice laid down in the Standing Orders. Had this matter been referred to a Royal Commission instead of a select committee, the evidence would have been published without reference to the House. As the matter has been referred to a joint select committee, Standing Order 289 must operate unless otherwise ordered. This would prevent the Committee from making public anything appertaining to its doings until the report was presented to the House. We may regard the select committee as more or less vested with the powers of a Royal Commission and agree to the motion in the public interests. I hope the opposition that Mr. Fraser has voiced will be withdrawn.

HON. J. J. HOLMES (North) [4.44]: Like Mr. Nicholson, I opposed the appointment of the select committee, but I do not intend to oppose the motion. I suggest to Mr. Hamersley that instead of the motion proposing that so much of the Standing Orders as is necessary shall be suspended, it should refer specifically to Standing Order 289.

Hon. J. Nicholson: Would it not be better to allow the motion to be passed in its present form, as it was before the Assembly in that wording?

Hon. J. J. HOLMES: We are a law unto curselves, and we can adopt our own procedure. I make that suggestion to Mr. Hamersley.

HON. V. HAMERSLEY (East—in reply) [4.45]: The motion as it appears in its present form, is to be dealt with by both Houses, and although Standing Order 289 covers the ground, it is possible that some technical point may arise affecting some other standing order. The motion was framed to cover the whole ground.

Hon. J. M. Drew: It is all right as it stands.

Hon. V. HAMERSLEY: I think so, and I should prefer to leave the motion in its present form. I have conferred with several other hon. members about it, and they have agreed with me.

Question put and passed.

BILLS (2)—FIRST READING.

1, Land Tax and Income Tax.

2, Public Service Appeal Board Act Amendment.

Received from the Assembly.

BILLS (4)—THIRD READING.

1, East Perth Cemeteries.

2, Supply (No. 2), £860,000.

3, State Trading Concerns Act Amendment (No. 1).

Passed.

4, Special License (Waroona Irrigation District).

Returned to the Assembly with amendments.

BILL—CATTLE TRESPASS, FENCING AND IMPOUNDING ACT AMENDMENT.

Report of Committee adopted.

BILL—HEALTH ACT AMENDMENT.

In Committee.

Hon. J. Cornell in the Chair: the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 3:

Hon. Sir EDWARD WITTENOOM: I move an amendment—

That in line 3 of paragraph (f) the words "one room is" be struck out, and "three rooms are" inserted in lieu.

This paragraph applies to lodging houses, and I do not think one room is sufficient. If members will turn to Clause 24 of the Bill, they will find towards the end that it is proposed to amend Section 136 of the principal Act by inserting two new paragraphs for the purpose of enforcing the provision of proper and sufficient bathrooms and ablutionary appliances, including plunge baths and heaters. Who can afford to-day to provide all that kind of thing in lodging houses of one or two rooms? If we make the number three, even then it will be low enough.

Hon. A. THOMSON: I move an amendment on the amendment—

That "three" be struck out and "two" inserted in lieu.

Hon. J. J. HOLMES: I hope Sir Edward Wittenoom's amendment will be carried. In these times we should do the best we can to keep roofs over the heads of people who are providing accommodation for those who are seeking it. If a person takes one lodger into his house, it is considered a lodging house. There are many poor people in this State who have no desire to go on the dole and to help one another, if they have one or two spare rooms, they take in one or two lodgers. It is not right to step in and say, "You shall do this, or the other." We will do well if we allow the definition of lodging house to apply to a place where there are at least three lodgers, as suggested by Sir Edward Wittenoom.

The CHIEF SECRETARY: In many cases it will be found that four or five people, or even more, are occupying one room, and sleeping out on a verandah. As the clause is drafted "more than one room" means that there must be two rooms.

Hon. Sir Edward Wittenoom: I want three rooms.

The CHIEF SECRETARY: The department would not press an amendment of this description if it were not required. Hon. members will see that the definition of "house" is extended considerably, and on top of that members want to say that there must be more than three rooms, which will mean four rooms. I hope the Committee will stand by the clause as it is drafted. With two rooms it will be quite a simple matter for five or six people to occupy a room and sleep out on the verandah. That is often done now.

Hon. A. THOMSON: If the position is as stated by the Chief Secretary, the local authorities are remiss in their duties in permitting so many people to occupy one room. Under Section 136 of the principal Act a local authority has power to make by-laws with respect to a number of matters, and amongst them is one setting out the number of persons who may occupy a boarding house. It seems to me there is ample power already to stipulate the number that shall occupy one room. Sir Edward Wittenoom's object, and mine also, is to endeavour to protect the unfortunate woman who is endeavouring to keep a roof over her head. We have no wish to make the restrictions more difficult than can possibly be avoided.

Hon. G. FRASER: I prefer Mr. Thomson's amendment which, in effect, will mean three rooms. But even that does not go far enough. If we provide merely "more than two rooms," we shall have to stipulate also the number of persons.

The CHIEF SECRETARY: The definition will mean that if two rooms are let to lodgers, the house will come within the definition of "lodging house." I cannot see that any injury is likely to be done.

Hon. W. H. KITSON: The Minister's contention is quite right. In normal times I should feel inclined to support the hon. gentleman up to the hilt. However, if the provisions of this Bill are not administered sympathetically, they may impose heavy expense on people ill-able to afford it. Again, many persons have been compelled, by the circumstances of the times, to herd together —if I may use that expression—in one house instead of having separate homes of their

own. The Health authorities should not be tied to the letter of the law on this subject.

Hon. J. J. HOLMES: If Mr. Thomson has quoted the Act correctly, I fail to see that anything more is required. A room might be 10 ft. by 6 ft., and in that space two persons would be cramped. Again, there might be a room 30 ft. square; and surely a lodging house keeper should be permitted to put as many people as he likes into such a room, provided the prescribed air space is available. In the case of two rooms being let, one room might be used as a dressing room, or undressing room, and there might be people sleeping all over the verandah and balcony. Moreover, such a place would not necessarily be a lodging house within the meaning of the Act.

The CHIEF SECRETARY: Mr. Holmes is speaking of a different Act from that quoted by Mr. Thomson. If a lodging house is defined, the Health officers know where to go for inspection purposes. Mr. Thomson's amendment would render inspection impracticable. The fee for registration is small.

Hon. Sir EDWARD WITTENOOM: For lodging houses of bad reputation, known to be carried on improperly, the Minister's view is correct. But in these days persons let rooms, and the building in which they do this would, under the Bill, immediately become a lodging house and be subject to supervision by inspectors —an unpleasant thing for respectable people. The house would also be subject to the expensive requirements of Clause 24.

Hon. W. H. KITSON: In view of Sir Edward Wittenoom's argument, we should support the Bill. The amendment provides that a house shall not become a lodging house unless two rooms are let to lodgers. The amendment will remove from the existing definition of "lodging house" establishments which at present can be inspected, and which can, under Clause 24, be compelled to provide conveniences.

Hon. J. J. HOLMES: I am satisfied that there is a nigger in the wood pile somewhere. The Health authorities are not prepared to give anything away; they desire greater power. I do not know anything about inspectors under this legislation, but from the Press I have gathered that an inspector went to a bakehouse at 2 a.m.

Hon. E. H. Harris: That was a union inspector.

Hon. J. J. HOLMES: The inspector in question got a warm welcome from those engaged in the bakehouse, and I understand he has been in hospital ever since. Will the clause give an inspector or an inspectress the right to enter lodging houses for the purpose of seeing that maids employed in them observe Arbitration Court conditions? The more lodging houses, the more inspectors and inspectresses, and the more trouble.

Hon. A. THOMSON: If the definition of "lodging house" were brought into line with that of "boarding house," the aim of the Health authorities, to restrict the number of lodgers permitted to live in a house before it becomes a lodging house, would be attained. If a boarding house is so restricted, a lodging house should be. This would prevent the overcrowding of which there have been complaints.

The CHIEF SECRETARY: The Bill eases up on boarding houses, because supervision is more necessary where people live than where they merely eat. That is why the department are so strong on the point of getting adequate control so that they can keep these places in accordance with the principles of health. Surely we should strengthen everything in the way of checking any outbreak of infectious diseases. That is what the department have set out to do.

Hon. J. J. HOLMES: I do not think it is letting up at all. Under the principal Act lodging houses are houses in which persons are harboured or lodged for hire for a single night or less than a week at one time. Now it is proposed to declare that every house letting more than one room is to be a lodging house. Yet the Minister says the department is letting up. It is tightening up, not letting up.

Hon. J. M. MACFARLANE: I am in sympathy with the department's desire to see that proper conditions obtain, by acquiring control over the excess number of rooms and the people living in them. Many people with small incomes are trying to eke out an existence by letting rooms. As soon as Clause 24 is passed, all those persons, perhaps only temporarily taking in lodgers, will be subject to visits by an inspector who

may require costly improvements to be carried out, thus causing distress to deserving persons.

Hon. G. FRASER: I hope the Minister will see the desirability of stipulating the number of persons, as well as the number of rooms. The existing Act is being evaded in many instances, and plenty of persons are living in houses without being classed as lodgers. In one case there are about 10 resident in the house, yet it is not a lodging house. On the other hand, under the provision for two rooms it would be possible for a house containing five people to be classed either as a lodging house or a boarding house. It is essential that we take into consideration, not only the number of rooms, but also the number of persons in the house. That would give the department a double hold over those desiring to evade the Act.

Hon. Sir EDWARD WITTENOOM: I know one or two instances of very old people who because of their indigent circumstances and great age have succeeded in getting a cottage at a very low rate of rent and have let out a couple of rooms to augment their small income. Possibly a maid is engaged to do the housework, and so such a place could be classed as a boarding-house.

The CHAIRMAN: It appears to me the amendment may lead to confusion as to the new definition in the Bill. That is to say, if we leave it merely as "a room."

Hon. J. NICHOLSON: The purpose of the new definition is to include any premises in which more than one room are let as lodgings, whether at a daily, weekly or other tenancy. The instance given by Sir Edward Wittenoom is one of many. As he says, this would have the effect of rendering the premises subject to inspection, which would be most undesirable in many cases. I think it would be far better to leave the definition in the Act as it stands. Under that definition a lodging-house is a house in which persons are harboured or lodged for hire for a single night, or less than a week at one time. It would be better to strike out the paragraph entirely and leave the definition as it is in the Act.

The CHAIRMAN: That could only be done on recommittal or, alternatively, if the amendment and the amendment on the amendment were withdrawn.

Amendment and the amendment on the amendment, by leave, withdrawn.

Hon. J. J. HOLMES: I move an amendment—

That paragraph (f) be struck out.

Under the Act a lodging-house is a place that lodges persons for a night or for less than a week. The paragraph in the Bill seeks to make a lodging-house of four rooms if two of them are let.

Hon. W. H. KITSON: The argument I used a little while ago was hardly correct. The paragraph does seek to extend the definition of lodging-house by bringing within its scope premises that are not at present considered to be lodging-houses. A boarding-house is defined as premises where provision is made for more than six persons, exclusive of the owners of the premises. There are many premises in which more than one room is let, but where the number of persons is fewer than six.

Hon. J. Nicholson: Put up an amendment to cover boarding-house, and your proposal can be considered. It would not be right to bring it under the definition of lodging-house.

Hon. W. H. KITSON: I agree that that would be better. I support the amendment.

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

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

Ayes.

Hon. L. B. Bolton	Hon. Sir C. Nathan
Hon. J. T. Franklin	Hon. J. Nicholson
Hon. G. Fraser	Hon. H. V. Piesse
Hon. E. H. H. Hall	Hon. H. Seddon
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. C. H. Wittenoom
Hon. W. J. Mann	Hon. W. H. Kitson (*Teller.*)
Hon. G. W. Miles	

Noes.

Hon. C. F. Baxter	Hon. E. H. Harris
Hon. J. M. Drew	Hon. E. H. Gray (*Teller.*)

Amendment thus passed: the clause, as amended, agreed to.

Clauses 3 to 6—agreed to.

Clause 7—Amendment of Section 34:

Hon. A. THOMSON: Men acting as a local authority in an honorary capacity should not be liable to a general penalty of

£20 for refusing or neglecting to carry out any provision of the measure or any order of the Commissioner.

Hon. H. Seddon: Would it not make members do their job?

Hon. A. THOMSON: The members of the board may consider the Commissioner to be wrong, and their only alternative would be to resign.

Hon. J. J. Holmes: If a member resigned, would he not still be liable for having defied the Commissioner while he was a member of the board?

Hon. A. THOMSON: I think so. I hope members will oppose the clause.

Hon. Sir EDWARD WITTENOOM: The proviso to the clause sets forth that it shall be a good defence by any member charged with an offence if he proves that he was not a party to refusal or neglect and endeavoured to prevent it.

Hon. G. FRASER: The clause, instead of being a hardship, should prove a safeguard. Under existing conditions, when a health inspector serves an order, the individual concerned may endeavour to escape compliance by running to a member of the board.

Hon. A. Thomson: That does not apply under this clause.

Hon. G. FRASER: I am dealing with the present position. If the clause were enacted and anything of the kind occurred, the member would merely need to inform the individual of his responsibility under the law. That would overcome the pestering to which members are subjected by individuals who wish to escape compliance with orders of health inspectors.

Hon. A. THOMSON: The commissioner already has absolute power under the Act to enforce his order and authority. Under this clause he may override the local authority and fine those who constitute it.

The CHIEF SECRETARY: This clause will only operate in cases where the local authority has persistently ignored the Commissioner. When a local authority refuses to put its district in a sanitary condition, the commissioner should have power to enforce his order. Members should consider the public health. These different amendments are designed to give further control in the case of an epidemic. The clause is a very important one from the point of view of its moral effect.

Hon. Sir CHARLES NATHAN: If the commissioner already has power to appoint an officer to carry out a service that the local authority may have omitted to carry out, surely he possesses all the power he requires.

The Chief Secretary: Only after he has been defied.

Hon. Sir CHARLES NATHAN: This is an exceedingly arbitrary clause and I am inclined to think it should be struck out. I notice that even if the member of a local authority resigns his seat, he will still not be relieved of any fine that may have been imposed upon the local authority as a whole. It is not right to impose such penalties upon people who are serving their district in an honorary capacity.

Hon. E. H. HARRIS: It is quite possible that some serious epidemic may break out which will require immediate action on the part of the authorities. For that reason I support the retention of the clause. A set of circumstances may arise that will require immediate action on the part of the commissioner and the enforcement of his orders upon a local authority.

Hon. J. J. Holmes: What is to prevent the Commissioner of Health stepping in straight away?

Hon. E. H. HARRIS: The clause should be retained in the Bill so that the commissioner may act at once if the occasion arises.

Hon. J. NICHOLSON: The Bill should be read in conjunction with the Act. If an epidemic of cholera or yellow fever broke out, there is nothing to prevent the Commissioner of Health from taking immediate and drastic steps to check it. If the work is not done within a limited time by the local authority, the commissioner already has power to appoint an officer to discharge those duties. I am opposed to giving any official body the powers set out in this clause. Those who serve on a local authority give their time freely and voluntarily, and to saddle them with penalties of this sort would be iniquitous.

The CHIEF SECRETARY: There are local authorities who will not recognise their responsibilities.

Hon. J. J. Holmes: But the commissioner can step in there.

The CHIEF SECRETARY: It has not been proved to be so in practice. When it is a matter of the public health, prompt action must be taken. The clause will only

apply in cases where there has been a refusal on the part of the local authority to recognise its responsibilities and to discharge its proper duties.

Hon. E. H. H. HALL: The Act says that if in the opinion of the commissioner any local authority has made default, he may do certain things. Another part of the Act sets out that if within a period of two months the local authority has neglected to do certain things, the commissioner may act. It seems to me he should have power to instruct a local authority immediately to take action in the required direction.

Hon. A. THOMSON: If the commissioner wants the right to take action immediately, he should get the original Act amended in that direction. He has, however, left in the section which enables an authority to defy him for two months.

Hon. J. Nicholson: That relates only to by-laws.

Hon. A. THOMSON: If an epidemic occurred to-morrow, the Central Board of Health would have power to take control at once.

Hon. E. H. H. Hall: Not outside the metropolitan area.

Hon. Sir Charles Nathan: Then give them power and strike out the clause.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: I move—

That the further consideration of Clause 7 be postponed.

Motion put and passed.

Clause 8—Amendment of Section 43:

Hon. J. J. HOLMES: I intend to ask the Committee to delete the clause. What has largely caused Australia her present difficulties is that the Federal Government, State Governments, companies and private individuals have been spending money in anticipation of receiving something at a later date. If the clause be agreed to, it will enable local authorities to negotiate with banks for overdrafts, in anticipation of revenue being collected at a future date. The boards have been in receipt of revenue for years and I do not think they should be allowed to spend money in anticipation of later collections.

Hon. A. Thomson: On a point of order, I have an amendment to the clause on the Notice Paper.

The CHAIRMAN: I shall allow Mr. Holmes to speak against the clause, and I will take your amendment later.

Hon. A. Thomson: I did not want to lose the opportunity to move the amendment.

The CHAIRMAN: You will have the opportunity later.

Hon. J. J. HOLMES: When speaking earlier, the Minister referred to difficulties experienced by local authorities in the North and stated that they would be overcome under the provisions of the Bill. Some local authorities are centred in townships and the area over which they operate may extend for 100 miles or so. The health rate imposed by the board in the township applies throughout the whole area. Some boards may arrange overdrafts in anticipation of collecting health rates later on, only to find that a limited amount will be payable. As a House of review, we should not encourage a system of borrowing in anticipation of collection. I hope the Committee will delete the clause.

Hon. A. THOMSON: I move an amendment—

That all the words after "amended," in line 1, be struck out, and the words "by deleting all words after 'Act,' in line 4, and inserting 'Sections 283, 284 and 285 of the Road Districts Act, omitting the proviso to Section 285, and'" in lieu thereof.

Section 43 of the Health Act commences—

Every local authority may, with the approval of the Governor, from time to time, under the borrowing powers conferred by its local governing Act, ...

That much of the section I ask the Committee to allow to remain, and then my amendment will follow on. I have not set out in full the sections of the Road Districts Act, but have simply referred to them by number in the amendment and they can be set out later on if my amendment be agreed to. I am agreeable to the local authorities having the powers that are set out more particularly in Clause 9, but as the Bill stands, no right of appeal will be given to the ratepayers except such as are contained in Section 35 of the principal Act. I desire to have similar provisions to those appearing in the Road Districts Act embodied in the Bill. Then ratepayers will be able to demand a poll.

Hon. J. J. HOLMES: Mr. Thomson is confusing the issue. He has dealt with sections that relate to loans for specific purposes, but what is contemplated in the clause is not loans but power to arrange overdrafts

at banks in anticipation of later collections. No notice of a board's intention to do so, or a poll of ratepayers, or anything of the sort is suggested. It must be remembered that health boards are road boards and have limited incomes. I was surprised to learn that any section of the community, provided that the area could show an income of £300 a year, could petition to have a road board area declared. A secretary of a road board has to be paid £300 a year. Thus, if a section of the community secured the declaration of their district as a road board area because an income of £300 was assured, the full amount would go in the payment of the secretary's salary. I made further inquiries to-day and ascertained that that was the position, and that the payment to the secretary was an award of the Arbitration Court, which had never been opposed by the Road Boards Association. In such circumstances, we cannot leave too much to road boards, seeing that such a position as I have indicated could arise, and yet these are the people to whom we are asked to give power to raise overdrafts in anticipation of collection.

Hon. A. THOMSON: I am sorry Mr. Holmes is confused about the amendment. I have not discussed the clause, but Section 43 of the principal Act. I want to embody the sections that are in the Road Districts Act and give the ratepayers the right to demand a poll. It is possible under Section 53 for a local authority to commit the ratepayers to the expenditure of £15,000 or £20,000 on a sewerage scheme and the only appeal would be under Section 35 to the Court of Petty Sessions. I want the ratepayers, if they so desire, to have some right to object to the raising of a loan for expenditure in a given area.

Hon. J. J. HOLMES: Mr. Thomson should vote with me for the deletion of the clause for the reasons he has given, that he does not want the loan expenditure incurred without a poll of the ratepayers. There is no question of borrowing money for a specific purpose. This is to enable the board to arrange for a secret overdraft, that is, without the knowledge of the ratepayers, in anticipation of being able to pay it off at a later date. But the road board and the health board are one and the same and if we insert the amendment as suggested by Mr. Thomson we shall have a road board with power to borrow as a road board, and we shall have the same body as a health board with power to borrow.

Hon. A. Thomson: We have that to-day.

Hon. J. J. HOLMES: If we give them authority to borrow from the bank without the knowledge of the ratepayers, in anticipation of being able to pay the money back at a later date, we shall establish a dangerous procedure, a procedure that has got Governments, business people and individuals in Australia into difficulties, namely the borrowing of money in anticipation of being able to pay it back at a later date.

The CHIEF SECRETARY: The health authorities already have power to raise money.

Hon. J. J. Holmes: They want additional power.

The CHIEF SECRETARY: No; they can get an overdraft from the bank to the amount of one-third of the annual rate and that is all. So far there has been no difficulty. The position is that it is not yet understood that the health rate and the sanitary rate cannot be taken into a board's account and the amendment in the Bill clears that up. It would put the health board in the position of being able to borrow an amount equal to one-third of the health rates.

Hon. A. THOMSON: I am not referring to the clause dealt with by Mr. Holmes. The hon. member alluded to a local authority obtaining an overdraft on current account, the amount not to exceed one-third of the income from rates during the preceding year. It is common knowledge that a bank refused the Northam Municipal Council an overdraft. I am convinced that local authorities should have power to borrow on overdraft in order to enable them to carry on. We ought not to pass Clause 8 without the amendment I have moved. It is within the province of a local authority which is also a health board to borrow money, after giving notice, for the construction of a sewer, and the only appeal available to the ratepayers would be an appeal to the court of petty sessions. Twenty ratepayers opposed to a loan may demand a poll.

Hon. J. Nicholson: Money can only be borrowed with the consent of the Governor.

Hon. A. THOMSON: That is so, but the Commissioner is to be given extraordinary powers to override local authorities. A per-

fectly sincere health authority might desire to incur expenditure which would be altogether too heavy.

The CHAIRMAN: The hon. member is sailing close to the wind by his amendment, as viewed in the light of Standing Order No. 191. We are bound by the scope of the clause.

Hon. J. J. Holmes: Bank overdrafts are not loans.

The CHAIRMAN: This clause to amend Section 43 appears to me to be much nearer the scope of Section 43 than Mr. Thomson's amendment is. Section 43 of the Act lays down that a special loan may be raised for a special purpose. Mr. Thomson wants the borrowing powers made applicable to practically every purpose, under the conditions stated. Though not prepared to rule the amendment out of order, I consider it beyond the scope of the Bill.

The CHIEF SECRETARY: I cannot agree to Mr. Thomson's amendment. The amendment in the Bill deals with bank overdrafts only.

Hon. J. J. Holmes: Overdrafts will be obtainable without notice to the ratepayers.

The CHIEF SECRETARY: The amendment overloads the Bill.

The CHAIRMAN: The effect of Mr. Thomson's amendment is that any purpose may be a special purpose for a special loan.

Hon. J. J. HOLMES: Under the Road Districts Act a health authority can raise a loan without reference to the ratepayers. This clause deals with bank overdrafts, and we should confine ourselves accordingly. Later a clause might be moved providing notice by health authorities to ratepayers.

Hon. Sir EDWARD WITTENOOM: I support the clause as it stands. It seems unreasonable to object to members of a local governing body being permitted to borrow an amount not exceeding one-third of the previous year's rates.

Hon. A. THOMSON: Is it in order to try to amend a section of the principal Act, or are we confined to the amendment on the Notice Paper?

The CHAIRMAN: The procedure in Committee of the whole House is that where the Title of an amending Bill is not confined to specified sections of the Act, amendments to the principal Act may be made so long as they are relevant and are within the scope of the Bill. But where the sections proposed to be amended by the Bill are specifically mentioned in the Title of the Bill, only those sections can be amended. The section which Mr. Thomson proposes to amend is limited to one purpose. The carrying of his amendment would enable health boards to borrow for practically any purpose. The amendment in the Bill does not either widen or narrow the meaning of "special purpose" as used in the parent Act. I suggest that Mr. Thomson temporarily withdraw his amendment and allow the clause to pass as printed. Ample opportunity will offer later for recommittal, and for then dealing with the Bill on the lines desired by him. Meantime his amendment would appear on the Notice Paper, instead of only being available in three typewritten copies.

Hon. A. THOMSON: In view of your remarks, Sir, and since we shall have an opportunity later if the Bill be recommitted, I will withdraw my amendment.

Amendment, by leave, withdrawn.

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

Ayes	15
Noes	6
Majority for	9

Ayes	
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. Sir C. Nathan
Hon. J. M. Drew	Hon. H. V. Piesse
Hon. G. Fraser	Hon. A. Thomson
Hon. E. H. Gray	Hon. Sir E. Wittenoom
Hon. E. H. H. Hall	Hon. C. H. Wittenoom
Hon. W. H. Kitson	Hon. E. Rose
Hon. J. M. Macfarlane	(*Teller.*)

Noes	
Hon. E. H. Harris	Hon. H. Seddon
Hon. J. J. Holmes	Hon. V. Hamersley
Hon. G. W. Miles	(*Teller.*)
Hon. J. Nicholson	

Clause thus passed.

Clause 9—Sewer for drainage of limited area:

Hon. J. J. HOLMES: I drew attention to this on the second reading, and raised the point as to whether, if the local authority, after having previously insisted upon the installation of septic tanks, were to put in a general sewerage system, those who had constructed septic tanks would be compelled to abandon that service and connect up with the general sewerage service. I should like to hear from the Minister what the department is aiming at in proposing to amend the Act in this way.

The CHIEF SECRETARY: The clause is simply to give the local authority power to sewer any part of its district. That is all.

Hon. J. J. HOLMES: We empower the local authority to arrange an overdraft to commence, carry on or complete any work. They get an overdraft with which to start these works in anticipation of raising a loan afterwards, and before the ratepayers know where they are they will find the work commenced, although they have never had opportunity to approve or disapprove of it. That is where we are getting to.

Clause put and passed.

Clause 10—agreed to.

Clause 11—Owner may be required to connect premises with public sewer:

Hon. J. J. HOLMES: This is giving almost unlimited powers to the local authorities. These days every local atuhority is looking for some work in its district for destitute people to do. I can give an instance of what occurs: There was no sewerage in the district, but the lavatory accommodation at a certain place was perfect, and kept in a good condition. Nevertheless, the order from the local authority was that the seat should be raised one inch, and that the cover of the seat be reduced in size from 2ft. 6in. to 1ft. A number of other conditions were imposed on the owner, and so far as I could see there was no necessity for any of them. I mention that as showing how the local authorities impose unnecessary conditions on the ratepayers.

Clause put and passed.

Clause 12—Amendment of Section 81:

Hon. J. NICHOLSON: Under this, if the local authority think fit, owners may be compelled to provide an apparatus for the bacteriolytic treatment of sewage. We have just passed certain clauses which compel owners to connect up with any sewage system that may be created under the powers we have granted. Subclause 3 provides that any or all these things shall be done if it appears to the local authority to be advisable. Thus an owner who has compulsorily installed a septic tank may be compelled to abandon that after very short use and connect his premises with a public sewer. Why this double power should be given to the local authority, I do not understand. I move an amendment—

That subclause 3 be struck out.

Hon. J. J. HOLMES: I presume the measure will operate from Wyndham to Esperance.

Hon. J. Nicholson: That is so.

Hon. J. J. HOLMES: The clause provides that no person is to do this, that and the other without the consent of the local authority.

The CHAIRMAN: The discussion must be confined to Subclause (3).

Hon. J. J. HOLMES: The subclause provides that if it appears to any local authority to be advisable that any house, public place or private place should be provided with an apparatus for the bacteriolytic treatment of sewage, it may give written notice requiring it to be installed in a specified time. That is to apply to the back blocks of Kimberley or to Esperance, and the penalty is £50.

The CHIEF SECRETARY: I am astonished at the trend of the debate. Mr. Nicholson referred to one system of sewage being installed and another system being required. There are different systems of bacteriolytic treatment, and so long as one system is used, that will meet requirements. The object of the subclause is to give better control over public places.

Hon. J. J. Holmes: Why did not you say so before?

Hon. J. Nicholson: Why include houses?

The CHIEF SECRETARY: It may be necessary to serve an order in isolated instances to apply to private houses. Surely a private house owner should be compelled to provide proper sanitary arrangements. The amendment is requisite to tighten up conditions to meet the needs of holiday resorts.

Hon. Sir EDWARD WITTENOOM: I can endorse somewhat the remarks of the Chief Secretary. In travelling about the country, I stay at hotels. At holiday time I had an experience of 50 people staying at a hotel where there were only two lavatories. At many places additional conveniences are required.

Amendment put and negatived.

Clause put and passed.

Clause 13—Amendment of Section 81A:

Hon. E. H. H. HALL: The local governing authorities have requested me to move the following amendment—

That after "amended," in line 1, a new paragraph be inserted as follows:—"(a) By inserting after the word 'authority' in the first line of Subsection (1) the words 'has so ordered or directed or'."

I saw the Chief Inspector of Health and he approved of the amendment.

The CHIEF SECRETARY: The Crown Law authorities state that the words are not required. There is complete authority for the local body to order and direct the installation of apparatus for the bacteriolytic treatment of sewage, and there is no reason why similar power should be inserted.

Hon. E. H. H. HALL: I am glad to have the Minister's explanation. Now that my attention has been directed to the matter, I agree with him. I ask leave to withdraw the amendment.

The CHAIRMAN: I will take it that the amendment has not been moved.

Hon. V. HAMERSLEY: Why should the words in paragraph (a) be deleted from Section 81A? It amounts to a withdrawal of rights given to people when the Act was passed in 1926.

The CHIEF SECRETARY: This deals with the provision of septic tanks at houses in lieu of the pan system. Certain provisions regarding the financing of such installations are contained in Section 81A, Subsection 2, but the arrangement is restricted, so far as the local authority is concerned, to houses, the erection of which was completed or commenced before the end of 1926. It is proposed that the time limit be deleted, and that it be left to the local authority to specify a date in lieu thereof. A local authority created in future would be debarred from utilising the provision of the Act relating to the raising of loans for and financing the construction of septic tanks. It is desirable that the date fixed should be one determined by the local authority. Subclause 3 provides that the cost shall be a charge on the property. This is necessary because the owner may sell the house, together with the improvements, with most of the cost of the installation outstanding, and the local authority would have to press the ex-owner for the debt.

Clause put and passed.

Clauses 14 to 16—agreed to.

Clause 17—Amendment of Section 93:

Hon. J. J. HOLMES: The clause provides that after the end of 1934 no nightsoil collected in one district shall be deposited in any other district, except with the consent of the local authority of that district or of the Commissioner. The only reason for one district utilising another would be that there was no room for the nightsoil in the district concerned. Surely the provision will lead to a deadlock.

The CHIEF SECRETARY: The Commissioner is all-powerful and he could direct where the nightsoil should be deposited.

Clause put and passed.

Clauses 18 to 20—agreed to.

Clause 21—Amendment of Section 118:

Hon. A. THOMSON: I oppose the clause. The Act already gives sufficient authority. Under the clause an owner may be ordered to remove a house without the alternative to amend it. Though appeal is allowed, to delete the alternative would give drastic power to a local authority. The owner of some house may not be in a fit financial position to comply with the request of the local authority and his case should be considered.

The CHIEF SECRETARY: This refers to houses condemned as unfit for human habitation. At present the onus is on the local authority to tell the owner in what manner a house should be put right. The clause places that onus on the owner himself.

Clause put and passed.

Clause 22—agreed to.

Clause 23—Medical officer may order house or things to be cleansed:

Hon. E. H. HARRIS: The health authorities have found great difficulty in the case of a person who has died from an infectious disease in compelling the relatives to destroy the bedding. Before this clause is finally embodied in the Bill I should like to see an amendment framed to cover that point.

The CHIEF SECRETARY: The Bill is an important one, and for that reason I do not intend to hurry it through all stages. The hon. member will have an opportunity later of bringing up that point.

Clause put and passed.

Clause 24—Amendment of Section 136:

Hon. J. J. HOLMES: This deals with the registration of boarding houses. The Act provides for certain conditions applying to boarding houses, but the clause places it in the power of the Commissioner to refuse the registration of any place as a boarding house. It also brings lodging houses in the same category as boarding houses.

Clause put and passed.

Clause 25—Amendment of Section 137:

Hon. W. J. MANN: This clause proposes to alter the Act in respect to the members of a family who shall not be taken into consideration when determining the occupancy of premises. It very often happens in country districts that nephews and nieces are sent to their aunts in order that they may go to school in the town, and they, too, should be included in a clause of this nature. I move an amendment—

That in line 6 after the word "parent" the word "grandchild" be inserted, and after the word "sister" the words "nephew or niece" be inserted.

The CHIEF SECRETARY: This clause deals almost entirely with the foreign element. Members can imagine the difficulty that would be created if the proposed amendment to the Act covered not only grandchildren, but nephews or nieces. How would it be possible to obtain proof of relationship?

Hon. J. J. HOLMES: In the case of the foreign element, the people are all brothers and sisters, and are entitled to be in the house. In order to endeavour to prove something which it is admitted cannot be proved, it is proposed to harass the whole community by insisting that whilst brothers and sisters shall be members of the family, half brothers and half sisters shall not be.

Hon. W. J. MANN: I know of cases where parents have sent their children to Bunbury to go to school there. I cannot see why a disability should be put upon decent people. In the hands of some officious health officer all kinds of unpleasant things may arise in respect to the definition of member of the family.

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

Clause 26—Amendment of Section 147:

Hon. Sir EDWARD WITTENOOM: This clause seems to be incomplete. After the word "animal" we should insert "motor bicycle or aeroplane and house dogs." These things can all be nuisances. I nearly suffered the loss of my clothing a few days ago through a house dog.

Hon. G. FRASER: I also think that the clause should go further, although I do not go quite as far as Sir Edward Wittenoom. I think we should include the words "birds or poultry."

Hon. J. Nicholson: And cats?

Hon. J. J. Holmes: You want to prohibit the rooster from crowing!

Hon. G. FRASER: Not necessarily, although some birds are exceptionally loud.

Hon. J. J. Holmes: There are a few birds about that I should like to silence.

Hon. G. FRASER: I do not know to whom the hon. member refers.

Hon. J. J. Holmes: Some from Fremantle!

Hon. G. FRASER: There is another subsection of the section to be amended by the clause that could also be amended. It refers to the condition of houses and I think the word "dilapidated" should also be included.

Hon. J. J. HOLMES: The clause deals with animals. Is a bird an animal? The hon. member should remember that when he is framing his amendment.

Hon. G. FRASER: The word "birds" could be included in the subclause without any difficulty.

Clause put and passed.

Clause 27—Amendment of Section 163:

Hon. Sir EDWARD WITTENOOM: The second paragraph in the clause refers to prohibiting any person "in a verminous condition from entering or remaining in any public vehicle, boarding house, lodging house, public house, or public place." Will that include a railway compartment?

The Chief Secretary: Yes.

Hon. J. J. HOLMES: I do not think it will include a railway carriage.

The CHAIRMAN: The definition section in the parent Act shows that it includes a railway compartment.

Clause put and passed.

Clauses 28 to 30—agreed to.

Clause 31—New sections: Local authority may order removal of dairy:

Hon. A. THOMSON: The clause provides local authorities with great powers regarding the removal of dairies. I have no objection to the power being granted, but provision should be made for the payment of compensation to the owner of the dairy who is ordered to remove his premises. In order to overcome that difficulty I shall at a later stage move an amendment as follows:—

That the following proviso be added to proposed new subsection (1):—"Provided that the owner or tenant receiving such notice shall receive such reasonable compensation as would recoup him in having to comply with the notice contained in Subsection (1)."

A dairy may be established and then the surrounding area may be populated. To give the local authority power to arbitrarily compel that dairyman to vacate his premises because of the subsequent movement of population, would be wrong unless provision were made for compensation.

Hon. J. Nicholson: To be paid by whom?

Hon. A. THOMSON: The local authority that orders him to remove perhaps to some other locality, which may be eight or nine miles away, as the dairyman may not be able to find a suitable spot nearer to his original site.

Hon. J. Nicholson: Your amendment does not say that the local authority should provide the compensation.

The CHAIRMAN: I was about to point that out to the hon. member, and I suggest that he includes the words "from the local authority" after the word "receive" in the second line of his proviso.

Hon. A. THOMSON: I shall be glad to accept that suggestion.

Hon. Sir EDWARD WITTENOOM: I wish to move an amendment before that indicated by Mr. Thomson. The proposed new subsection (1) says that the local authority may order dairy premises situated within its district to be taken down and removed from such district. That might prove harsh, and I think "locality" would be the better word to use. I move an amendment—

That in line 5 of proposed new subsection (1) "district" be struck out, and the word "locality" inserted in lieu.

Hon. J. J. HOLMES: It is manifestly unfair to compel a dairyman to move out of a district altogether. The man may have built up his business and he may be compelled to move for miles distant to the next available suitable site. The present system has worked very well. The health authorities have power to make the position of a dairyman, who does not comply with the by-laws, very uncomfortable indeed, and he may be glad to move on. As the clause stands now, the local authorities will have power to order the dairyman to move from the road board district into another district and Mr. Thomson proposes to allow him compensation.

Hon. E. H. GRAY: There is some misunderstanding on this matter. It will be only on rare occasions that the power outlined in the clause will be required by a local authority. The average dairyman carrying on business in a rapidly rising district, would be glad to secure a better site and he would be compensated for the removal by the increased value of his original land. In rare cases the power will be useful. There is one instance I know of in which a man has been a nuisance for 13 years, and cannot be removed. To meet such extraordinary cases the clause is required. You cannot expect people to rush a residential area where a dairyman is defying all authority. There would be no trouble about establishing a milk depot where the dairy had existed.

Hon. J. Nicholson: This covers all dairy premises.

Hon. E. H. GRAY: There is a difference between a dairy and a milk depot. This clause is necessary to deal with exceptional cases.

Hon Sir CHARLES NATHAN: I am in favour of the clause as a whole, and I can see no danger in the alteration suggested. I can imagine that both a road board and a district board might be placed in an awkward position if "district" were allowed to remain. The alteration will not in any way prejudice the object it is sought to achieve.

Hon. J. M. MACFARLANE: Mr. Gray has clearly stated that a dairyman would not be deprived of his business. There would be only the removal of the stock. I intend to support the amendment because it does not affect the situation.

Hon. J. NICHOLSON: What does "locality" mean? There is no definition of it in the Act. A person might go to another

part of the district. "Locality" may have a broader meaning, but unfortunately it is not defined. One would almost require to add that "locality" meant another part, or something to that effect. There is a danger in using the word "locality."

The CHAIRMAN: I suggest that Sir Edward Wittenoom leave well alone to-night, and have the clause recommitted.

Hon. J. M. DREW: My interpretation of "district" is a health district, and the intention of the subclause is that the dairymen shall be deported.

Hon. W. J. MANN: If the Committee were to delete the words "from such district or," in the fifth line of the first subclause, and insert the word "and," the position would be clear. It would then read that the dairy premises "shall be taken down and removed and that the said premises shall no longer be used as a dairy."

Hon. J. M. Macfarlane: If you substitute "and" for "or," you compel the pulling down of the building.

Hon. Sir EDWARD WITTENOOM: I will withdraw my amendment in favour of the suggestion made by Mr. Mann.

Amendment, by leave, withdrawn.

Hon. W. J. MANN: I move an amendment—

That in line 5 of proposed subsection 1, the words "from such district or" be struck out, and "and" be inserted in lieu.

Hon. J. M. MACFARLANE: I shall oppose that amendment too, because a man may want to continue his business there without keeping cows. If the amendment is carried, he will not be able to use the premises even as a depot because the proposed subsection says that the dairy premises shall be taken down and removed.

Hon. W. J. MANN: Perhaps it would meet the objection if the words "shall be taken down" were also struck out. With the permission of the Committee I will alter my amendment to read as follows:—

That in line 5 the words "shall be taken down" and from "such district or" be struck out, and the word "and" be inserted.

That part of the clause would then read that dairy premises situated within the district shall be removed and that the said premises shall no longer be used as a dairy.

Hon. J. NICHOLSON: The words "from the district" are supposed to be struck out. Probably the proprietor has erected a house and other buildings which could be used for storage purposes. In view of the interpretation here given to the word "dairy," those premises could not be used for any dairying purpose, but only for some entirely different purpose. Mr. Gray erred when he said that the premises could be used as a milk depot. The further consideration of the clause might well be postponed.

The CHAIRMAN: The best course would be to amend a clause which seems to need amendment, and let the authorities consider the clause as amended.

Hon. J. J. HOLMES: If after further scrutiny the amended clause needs further amendment, the Bill can be recommitted. I object to the continual postponing of clauses. The Bill strikes me as a rush on the part of the health authorities to get in ahead of the milk Bill. The Committee would act wisely in voting the milk business out of this Bill altogether, leaving it to be considered in connection with the measure dealing with milk.

Hon. W. H. KITSON: I propose to follow Mr. Holmes. The clause is entirely too drastic. I can conceive certain authorities barring dairies from their districts altogether. The parent Act provides for the registration of these various concerns. Subsection 13 of Section 177 authorises the local governing body to define a district in which it shall not be lawful to establish dairies.

The CHAIRMAN: I must ask the hon. member to confine his remarks to the meaning of the amendment. His observations so far seem to apply to the question whether the clause as amended shall stand part of the Bill.

Hon. W. H. KITSON: The provision of the parent Act should be quite sufficient for any local authority. There is a proviso that until by-laws have been made by the local authority, all by-laws made by the Central Board of Health under Section 73 of the Health Act shall be by-laws under the Act, and enforceable accordingly. If we agree to this clause, we shall give the local health authority the right to order a dairyman to remove from the district. Having done that, the local health authority may prescribe by regulation that nowhere in that district shall it be competent for a dairy to be established. When a dairyman has been

established for many years and has observed the regulations made by the Health authorities, he should be allowed to remain where he is. It is up to the Health Department to see that he carries out their regulations, failing which he can be punished by fine.

The CHIEF SECRETARY: This provision originated with the Denmark Road Board. The amendment throws on the local governing body the onus of removing a dairy from their district. A dairyman who is refused a renewal of his license has an appeal to the Minister.

Amendment put and passed.

Hon. A. THOMSON: I move an amendment—

That the following be added to the clause: Provided that the owner or tenant receiving such notice shall receive from the local authority such reasonable compensation as would recoup him for having to comply wth the notice contained in this subsection.

If I thought the whole clause would be deleted, I would not regard this amendment as necessary. The provision confers great power on the local authority. It is intended here to give the local authority power to compel a man to cease his dairying activities in the district. The Minister says he would have the right to appeal, but I see no such provision in the Bill.

The CHAIRMAN: The hon. member must confine his remarks to the question before the Chair, which is that the local authority shall pay compensation.

Hon. A. THOMSON: I was endeavouring to give reasons for my amendment, one of which is that the dairyman has no appeal.

The CHAIRMAN: The hon. member's amendment deals solely with the payment of compensation.

Hon. A. THOMSON: The dairyman has no appeal, but must comply with the conditions imposed upon him. After giving him notice, the local authority can pull down his premises and even recover the cost of that demolition. While it may be necessary in the interests of health to give power to remove a dairy, it is not British to do it without paying compensation to the owner.

Hon. E. H. Gray: And it is not British that the dairy should be allowed to remain there.

Hon. A. THOMSON: I hope the Committee will agree that the dairyman should receive compensation, or alternatively defeat the clause.

Hon. Sir EDWARD WITTENOOM: I intend to support the clause. What class of people can these local authorities be to do all these dreadful things and rob a man of his property without any justification? If they are such terrible men, why should they be put in such important positions? I will support the clause.

Hon. Sir CHARLES NATHAN: I will support the clause while giving consideration to the amendment. No local authority, I am sure, desires to act arbitrarily or confiscate a man's living without giving him reasonable compensation. It certainly seems only right that local authorities should be given certain authority, even power to order the removal of a dairy or anything else which may be objectionable. As the Minister has pointed out, we have dairies right in the heart of fairly large towns, and so long as they are satisfactorily conducted their licenses are renewed each year. It is essential that some such clause should be in the Bill, provided reasonable compensation is given.

Hon. J. M. MACFARLANE: My first view was that the dairyman, having settled where he is many years ago, would have regarded the increased value of his land as fair compensation for removal, provided he was able to carry on his business in the same area as a vendor. But since it seems he is to be deprived of opportunity to carry on business even as a vendor in that locality, I will support the amendment.

The CHIEF SECRETARY: The local authorities concerned are of the opinion that the dairyman has three years in which to prepare for the removal, and further that the increased values of property will compensate him for any loss he may sustain. In the event of the amendment being carried, where is the local authority to raise the money with which to pay compensation? There is no provision either in the Act or in the Bill for the raising of money for such a purpose.

Hon. J. M. DREW: I want to know whether these dairies are to be closed down because they are dangerous to health, or for what other reason.

Hon. W. J. Mann: Because they are a pest.

Hon. J. M. DREW: Then they should be removed. We have already passed a clause under which the owner of a condemned house gets no compensation whatever for the demolition of that house, and here it is suggested that because these dairies are a pest they should be removed and the owners compensated.

Hon. E. H. GRAY: This clause refers to what might be termed shadow dairies. On the Canning Road is a very large dairy, and in the course of a few years the land it occupies will be very valuable. I am certain the owner will be only too glad to sell out and move farther away. But the clause refers to a man with 20 or 30 cows and, having no suitable area on which to run them, he opens the gates of front gardens and lets his cows in there to feed. The local authority cannot afford to maintain a pound keeper day and night, and so those dairy owners rely on a precarious roadside sustenance for their cows. There is in Claremont a dairy carrying 20 or 30 cows on less than half an acre of land. Such a place is nothing but a nuisance to the neighbours. I oppose the amendment because it will kill an effective clause. The local authority will have neither the power nor the money to grant compensation, and the person concerned would not deserve compensation.

Hon. V. Hamersley: As a matter of fact it is the cows and not the dairy that should be removed.

Hon. J. J. HOLMES: The Minister and Mr. Gray told us that the board would have no money with which to pay compensation. Why not empower the board to obtain an overdraft from the bank?

Hon. Sir CHARLES NATHAN: I stand for the clause as printed, but rather than see the clause lost I would be prepared to accept a provision for compensation.

Hon. E. H. HARRIS: Is it intended to pay compensation because the cows are to be removed, or because the premises are to be disbanded, or both? I shall support the amendment.

Hon. E. H. H. Hall: What is the use of passing something to which effect cannot be given?

Hon. G. FRASER: The liability for compensation would deter local authorities from attempting to remove any dairy.

Amendment put and a division called for.

The CHAIRMAN: Before appointing tellers, I give my vote for the noes.

Division resulted as follows:—

Ayes	10
Noes	11
Majority against	1

AYES.

Hon. L. B. Bolton	Hon. H. V. Piesse
Hon. G. Fraser	Hon. A. Thomson
Hon. E. H. Harris	Hon. Sir E. Wittenoom
Hon. J. J. Holmes	Hon. C. H. Wittenoom
Hon. G. W. Miles	Hon. V. Hamersley (*Teller.*)

NOES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. J. Cornell	Hon. Sir C. Nathan
Hon. J. M. Drew	Hon. J. Nicholson
Hon. E. H. Gray	Hon. E. Rose
Hon. W. H. Kitson	Hon. E. H. H. Hall
Hon. J. M. Macfarlane	(*Teller.*)

Amendment thus negatived.

Clause, as previously amended, put and a division called for.

The CHAIRMAN: Before appointing tellers, I give my vote for the ayes.

Division resulted as follows—

Ayes	9
Noes	12
Majority against	3

AYES.

Hon. C. F. Baxter	Hon. Sir C. Nathan
Hon. J. Cornell	Hon. E. Rose
Hon. J. M. Drew	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. E. H. Gray
Hon. W. J. Mann	(*Teller.*)

NOES.

Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. G. Fraser	Hon. G. W. Miles
Hon. E. H. H. Hall	Hon. J. Nicholson
Hon. V. Hamersley	Hon. A. Thomson
Hon. E. H. Harris	Hon. C. H. Wittenoom
Hon. J. J. Holmes	Hon. H. V. Piesse (*Teller.*)

Clause thus negatived.

Clauses 32 to 34—agreed to.

Clause 35—Persons prohibited from advising use of artificial food for infants without permission of commissioner:

Hon. Sir EDWARD WITTENOOM: I move an amendment—

That in line 19 after the word "food" the words "injurious to health" be inserted.

There are many foods that are useful as articles of diet for children, and I do not know why it should be necessary to obtain

the permission of the commissioner before they can be used. Amongst others there are Ovaltine, Lactogen, Glaxo, Mellin's Food and Marmite. They are artificial foods but are all good.

Hon. E. H. GRAY: The amendment would destroy the purpose of the clause. I will explain what it means.

Hon. G. W. Miles: Since when have you become the Leader of the Government in this House?

Hon. E. H. GRAY: I know something about the purpose of this clause. During recent years the Infant Health Association has grown tremendously, and is held in high esteem by the people of the State. It is necessary that some protection should be afforded to mothers and babies. The policy of the association is that all infants should be breast-fed. The instructions to their nurses are that they shall not be allowed to give any medical advice to mothers, but must refer to a medical authority for such advice. Approximately 8,000 infants were attended to last year. The organisation is rapidly advancing and has only been held in check by the depression. Since the advance of the infant health movement, the infantile death rate has decreased. Although, owing to unemployment, the rate has increased again, of the 7,571 infants who were attended to by the different centres last year, only 14 died. The general death rate amongst babies for the last 12 months was 56 per 1,000. The policy is to emphasise the necessity of breast-feeding for infants. In pursuance of this it is necessary to safeguard mothers and babies against firms who try to push their wares into the homes. It is possible that fully qualified nurses may be employed by these firms, and for those nurses to advise mothers to feed their infants on these foods.

Hon. J. M. Macfarlane: Have you any evidence of that?

Hon. E. H. GRAY: Yes.

The CHAIRMAN: The amendment before the Chair is to insert certain words.

Hon. E. H. GRAY: A bona fide artificial food may be all right, but it is usually not good for babies under a certain age. The association serves 85 per cent. of the mothers of the State.

Hon. J. J. HOLMES: The whole thing is absurd. We provide that this part of the Act shall not apply in the case of duly qualified medical practitioners. In that profession we have specialists of all kinds. Some of them know nothing whatever about children, and yet they can recommend what shall be given to a baby. Notwithstanding this, the mother of a family of ten is not permitted to tell another mother what is generally known to be good for babies. Some mothers cannot rear their own children. I know of infants who were reared on artificial food without any recommendation from a medical man, and they are a credit to their mothers.

The CHIEF SECRETARY: The purpose of the clause is to deal with articles of food injurious to health. There is no need for the amendment. If the commissioner finds that food is injurious to health, he condemns it. The department are anxious to prevent the sale of injurious foods, although they recognise there are many good varieties on the market.

Hon. Sir EDWARD WITTENOOM: After the lucid explanation given by Mr. Gray, I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Hon. L. B. BOLTON: I move an amendment—

That the following words be added to the proviso:—"or a duly qualified nurse holding certificates in general nursing, midwifery and infant health."

The proviso does not go far enough. The Bill will operate throughout the whole State and members should visualise the position of a mother in a country town 30 or 40 miles away from the nearest medical practitioner. The good old midwife probably knows more than many medical practitioners about these matters, but she is not to be allowed to advise the mother as to the artificial food that should be given to the child.

The CHIEF SECRETARY: The amendment would defeat the object of the Bill. In these times people turn to various activities in order to make a living, and I am advised that already there are several qualified nurses travelling the country districts selling infant foods.

Hon. E. H. Harris: It must be more remunerative than actual nursing

The CHIEF SECRETARY: Much more so, and that constitutes a grave danger. If advice is to be tendered regarding food that is satisfactory, the permission of the Commissioner would be granted without trouble.

But if the amendment be agreed to, it would destroy the usefulness of the measure.

Hon. J. NICHOLSON: People who are most competent to give advice to mothers on the feeding of infants are usually women, and who should be in a better position to give that advice than women who hold the three certificates mentioned in Mr. Bolton's amendment?

The Chief Secretary: How could nurses say whether an infant food was deleterious to a baby?

Hon. E. H. Gray: They are not qualified for that work.

Hon. J. NICHOLSON: If a nurse held a certificate in infant health particularly, she should be qualified to express an opinion.

Hon. A. Thomson: If she were not qualified, she should not be sent out at all.

Hon. J. NICHOLSON: When he spoke previously, the Chief Secretary said it was not intended to interfere with registered chemists in the sale of artificial foods.

The Chief Secretary: I explained that position before.

Hon. J. J. Holmes: But you cannot explain away an Act of Parliament.

The Chief Secretary: I explained the intentions of the department.

Hon. J. NICHOLSON: That is all right for to-day, but what will be the views of the department in the years to come? As the clause stands now, if a mother who has reared a family gave advice to her daughter as to the feeding of a grandchild, she would be liable to a fine, if she tendered the advice without the consent of the Commissioner.

Hon. E. H. Gray: That is entirely wrong.

The Chief Secretary: I do not know how Mr. Nicholson can read that into the clause.

Hon. J. NICHOLSON: That would be the effect. Then the clause is not intended to apply to a registered chemist. Can it be argued that a chemist would be more competent than the certificated nurses?

The Chief Secretary: You have already said that, so why beat it to death?

Hon. J. NICHOLSON: A registered chemist is much less qualified to offer advice regarding infant foods.

The Chief Secretary: On a point of order, there is no reference to a registered chemist in the clause.

The CHAIRMAN: Mr. Nicholson is beating the air. If he desires a registered chemist to be exempt, it is his business to add something to Mr. Bolton's amendment. Talking all around the subject will get us nowhere.

Hon. J. NICHOLSON: I was merely drawing a comparison.

Hon. J. M. DREW: If I had my way I should have no exemptions whatever. A person who is engaged in promoting the sale of artificial foods is prejudiced from the start and a registered nurse should not be permitted to sell these foods without permission from the commissioner or a medical practitioner.

Hon. J. J. HOLMES: If there is one section of the community that deserves well of the community, it is the nurses. Yet members here state that they would trust qualified medical practitioners, but would not trust qualified nurses. I want members to get away from Perth and Fremantle and remember that Western Australia commences at Kimberley and finishes at Esperance, and that away in the backblocks of Kimberley there are inland missions that are never visited by doctors. Those missions rear babies and are doing great work. I object to the insults that have been hurled at qualified nurses here to-night.

The CHIEF SECRETARY: I am astounded at Mr. Holmes's remarks. No one has offered insults to qualified nurses. What has been said is that nurses will go out and urge mothers to use artificial foods in preference to the natural food.

Hon. J. J. Holmes: And so will a doctor.

The CHIEF SECRETARY: The nurse is out for business purposes. There are three or four selling patent foods and advocating mothers to take the babies off the breast and they do this chiefly because they get a commission on the sale of the artificial foods. The best class of nurses do not engage in that work. Young life must be protected against injurious foods and bad advice given by nurses, who are merely out to make money.

Hon. J. M. MACFARLANE: I should like to hear someone tell me that these foods are not healthy foods. Perhaps the Chief Secretary or the Minister will be able to tell me to what extent injury has been done by the use of the artificial foods.

The CHIEF SECRETARY: Surely the hon. member knows that there is no artificial food on earth as good as the milk from the mother's breast. There are certain artificial foods that do not suit certain children and wherever possible it is the wisest plan to keep a child on the breast.

Hon. J. J. Holmes: Why do you exempt doctors?

The CHIEF SECRETARY: A doctor may advise. The Commissioner of Health cannot prevent a doctor from offering advice.

Hon. W. J. MANN: I presume the Minister has been referring to trained nurses. I do not know much about them, but they are the women who have been singled out for attack under some sort of camouflage. Any woman having a certificate of competency from the Australian Trained Nurses' Association, the midwifery section, or an infant health centre, is fully qualified to tell a mother what food should be used. I do not think any woman would deliberately mislead a mother in such a way as to cause injury to her infant. Many nurses are more qualified in these matters than are some doctors. A direct set will be made against these nurses by certain clinics.

Hon. W. H. KITSON: The hon. member is under a misapprehension. I do not think any aspersions have been cast upon trained nurses. By no stretch of the imagination can Mr. Nicholson claim that the ordinary qualified nurse, when giving advice to a mother in a normal way, is promoting the sale of any particular brand of food. She would be giving advice as to the health of the infant itself. I understand that certain people interested in the sale of artificial foods do employ women to travel through the country and the towns, in advocacy of the use of their particular brand of food. In many cases injury results to the infant. If experience shows it is necessary to curb the operations of these people, we should support such efforts. I doubt if there is one doctor in the community who is actively prosecuting the sale of any artificial food for infants. He would be advising with regard to the health of the baby. I hope the amendment will not be carried.

Hon. E. H. GRAY: The system in operation embraces the whole State. Yesterday I saw over 500 letters from all parts of Western Australia, from Carnarvon to Albany, from mothers seeking advice from the infant health centres. In a few weeks a correspondence will be launched under the supervision of Government officials giving advice to every mother in the State who is unable to attend a health centre. In ordinary circumstances standard foods are all right for children of nine months—the age at which they are weaned; but some mothers cannot feed their children under that age. The doctors' course then is to restore lactation to the mother. The mother may be advised to eat or drink all kinds of milk food. But the trouble is that owing to the depression many good nurses are out of employment and have to get some work, and certain firms tempt these nurses to go out and recommend foods. A nurse is liable to be dismissed for doing such a thing. Western Australia last year held second place in the world for lowness of death rate. To safeguard the babies and mothers, and also the nurses, this clause is required. A mother even in the Kimberleys can get expert advice from a nurse under the direction of a medical practitioner.

Hon. J. J. HOLMES: I agree with Mr. Kitson. I am not at all surprised to get letters from all parts of the State expressing want of confidence in some local medical practitioner. During my last sojourn in the North it was brought fully home to me by some of the residents that at least one medical practitioner was dispensing as well as advising. He would obtain a bottle of patent medicine from the chemist's shop for about eighteen-pence, put his own label on it, and charge 7s. 6d. for it. Such are some of the gentlemen to whom this authority is to be given, while nurses, who ought to know their business, are to be excluded.

Hon. J. M. MACFARLANE: I have been vainly awaiting information from the Minister and Mr. Gray. Could not the good effect of the 10 years' attention to which Mr. Gray referred be attributed in part to the good foods supplied to mothers and babies? I know that the milk foods are genuine foods created by science to approximate mother's milk, and that they give analogous results, though those results are perhaps not quite so good. In hundreds of cases the mother cannot supply the milk, and these milk foods have been brought on the market and have done wonderfully good work, reducing the death rate. The Health Depart-

ment really want to rob the manufacturers of these foods of part of the return from their work. I would like to hear from the Minister or Mr. Gray some concrete cases where milk foods have proved wanting or injurious. The proposed action is highly arbitrary, and will not, in my opinion, have the beneficial effects expected by Mr. Gray and those who share his views on this matter.

The CHIEF SECRETARY: It is not a matter of foods that is being disputed. The essence of the clause is advising mothers to give their infants patent foods instead of the natural food.

Hon. E. H. GRAY: I wish to reply to statements made by Mr. Macfarlane.

The CHAIRMAN: Order! I pulled Mr. Macfarlane up and I shall pull the hon. member up as well.

Hon. E. H. GRAY: I shall not refer to artificial foods at all, but I wish to quote a paragraph from a report forwarded by Dr. Stang to the Secretary of the National Baby Week Council in London in connection with the winning of the Empire Baby Week Challenge Shield, which was won by this State—

> The rock on which all centres are built is "breast feeding," and this is stressed continually by the nurse to the mothers, and the need for this, with the consequence that we have a very high percentage of breast feeding amongst the mothers attending the centres—83 per cent. for the quarter ended the 31st March, 1932. The figures in the last quarterly return also show that the work of the infant health centres has increased considerably as a result of the propaganda work, we take it, of Baby Week.

I agree with Mr. Macfarlane that the standard milk foods are good for mothers and children, but not for very young children except in special circumstances that can only be determined by medical men.

The CHAIRMAN: Order! I would remind the hon. member that his remarks are applicable to the clause, but not to the proviso, which is under discussion.

Hon. J. M. MACFARLANE: I am satisfied that in some instances only duly qualified medical men should determine what class of food ought to be used by infants, and I shall vote against the amendment.

Amendment put and a division taken with the following result—

Ayes	9
Noes	9
A tie	0

Ayes.	
Hon. L. B. Bolton	Hon. H. V. Piesse
Hon. E. H. H. Hall	Hon. E. Rose
Hon. J. J. Holmes	Hon. A. Thomson
Hon. W. J. Mann	Hon. V. Hamersley
Hon. J. Nicholson	*(Teller.)*

Noes.	
Hon. C. F. Baxter	Hon. J. M. Macfarlane
Hon. J. M. Drew	Hon. Sir C. Nathan
Hon. G. Fraser	Hon. C. H. Wittenoom
Hon. E. H. Gray	Hon. E. H. Harris
Hon. W. H. Kitson	*(Teller.)*

The CHAIRMAN: The voting being equal the question passes in the negative.

Amendment thus negatived.

Clause put and passed.

Clause 36—agreed to.

Clause 37—Amendment of Section 240:

Hon. V. HAMERSLEY: Why are the two subsections of Section 240 to be deleted? They refer to the reporting of tuberculosis by medical officers.

The CHIEF SECRETARY: All cases of tuberculosis must be reported under the provisions of Clause 2, and there is no necessity for two references to the one thing in the Bill.

Clause put and passed.

Clause 38—New section: Local authorities may subsidise infant health centres and other schemes for the prevention of disease or preservation of health:

Hon. A. THOMSON: I move an amendment—

> That all the words after "follows" in line 2 be struck out, and the words "Section 272 of the principal Act is amended by inserting after the word 'system' in line 2, the words 'infant health centre'" be inserted in lieu.

If we pass the clause there is no limit beyond which a local authority may not subsidise an infant health centre. In the interests of the ratepayers such a limit should be inserted, and it should not exceed 10 per cent. of their revenue. To-day they have authority to subsidise any district nursing scheme or hospital.

Hon. J. J. Holmes: Do you propose to give them another 10 per cent.?

Hon. A. THOMSON: No, I propose that 10 per cent. shall be the aggregate of such subsidies.

The CHIEF SECRETARY: The amendment would be all right but that the hon. member has overlooked the important fact that in an outback district if an epidemic should occur the local authority will find itself restricted to the payment of 10 per cent. of its health rate. Surely the local authorities can control their own finances without all these restrictions.

Hon. J. J. HOLMES: The amendment itself is a restriction. There is a distinct line between what the local authority may do without the consent of the Commissioner and what he has to sanction. We restrict them as to everything else, but when it comes to the infant health centre we give them as much power as they require, without any restriction whatever.

Hon. W. H. KITSON: This is a reference only to income under the Health Act, and has nothing to do with the ordinary revenue of the local authority. If we agree to the amendment, after the local authority has dealt with the district nursing scheme and the hospitals and so on, there will not be much left for the infant health centre out of the 10 per cent. The local authorities should have the right to subsidise the infant health centre if they think fit. In any case the subsidy will be limited by the amount of funds in the health account of the local authority, which is never very large. I will support the clause.

Hon. J. M. MACFARLANE: I will oppose the amendment for the reason that once 10 per cent. is mentioned not less than 10 per cent. will be demanded by the infant health centre. So we would be setting up another Taxation Department. Mr. Gray said he hoped to have a fully qualified nurse at the Government expense.

Hon. E. H. Gray: Not at the Government expense, but only subsidised by the Government.

Hon. J. M. MACFARLANE: Well there comes in another form of taxation, whereas I want to get taxation down.

Hon. E. H. H. HALL: Mr. Macfarlane does not seem to be aware of the correct position. This has not given the local authority power to impose a tax of 10 per cent. They are definitely limited to 10 per cent. of revenue for the nursing schemes and the hospitals. All that the amendment does is to include with those participating in the 10 per cent. the infant health centre. The amendment should commend itself to hon. members.

The CHIEF SECRETARY: There has been no abuse in this direction. Surely the local authorities can be trusted. There is no occasion to limit them to 10 per cent.

Hon. A. THOMSON: I do not say that the local authorities cannot be trusted. When the hospital tax was imposed we were told that the Treasury would not be relieved of any expenditure then provided for hospitals, but owing to the financial stringency, the Treasury has saved something like £70,000. If no limit is imposed, the Government may possibly make the financial stringency an excuse for not continuing the present support.

Hon. E. H. Gray: There is no possible chance of that.

Hon. A. THOMSON: We were told there was no chance of the money provided for hospitals being diverted from that purpose if the hospital tax was imposed. I am a supporter of the excellent work of infant health centres, but I realise that the Government are endeavouring to place additional responsibilities on local authorities, and may suggest that they meet the whole of the expense of infant health centres and similar work.

Hon. J. M. MACFARLANE: I take it that 10 per cent. is to cover the whole cost of the activities mentioned. That being so, I shall support the amendment. I would object to a local authority being empowered to give up to 10 per cent. to an infant health centre.

Hon. G. FRASER: The amendment is ridiculous. Ten per cent. of the health rate would not be sufficient to support a nursing scheme, a hospital and an infant health centre.

Hon. A. Thomson: How are they doing it now?

Hon. G. FRASER: Some are not doing it; some are supporting the nursing scheme and the hospital only.

Hon. A. Thomson: We are subsidising them now.

Hon. G. FRASER: Not to the extent of 10 per cent. One would think that the local authority was prepared to give way all sorts of sums. My experience is that it is hard work to get anything out of them. It would certainly be difficult for a district to handle anything in the shape of an outbreak of an infectious disease.

Hon. J. J. HOLMES: The clause provides that every local authority may subsidise an infant health centre without any limit. Then it goes on, with the approval of the Commissioner it may be something else. We are giving an invitation to every local authority to subsidise these institutions without limit. For the reason the Minister opposes the amendment, I shall support it.

Hon. E. H. GRAY: I am sorry the amendment has been moved. It will injure infant health centres and will mean they will get less revenue than they get now. I do not know why the clause was inserted in the Bill. The total cost of a health centre is about £270 a year at the most. We should copy the example of Victoria and New South Wales, and supply all the necessary funds from the State finances and special rates struck by the local authorities.

Hon. V. HAMERSLEY: That is another taxation measure. I hope the clause will be deleted. I have the assurance of one of my own centres that no less than £3,000 was raised by means of the hospital tax last year, but towards the hospital and the health centre only £150 came back. The clause constitutes an open door, so that no money will be left to the local authority.

The CHAIRMAN: Before the vote is taken, I give my vote with the noes, and for this reason, that the words Mr. Thomson proposes to strike out give something, but that the words he proposes to insert, in the event of the words in the clause being struck out, give nothing. The position to-day is that a local authority may subsidise a nursing system or a hospital, public or private, to the extent of ten per cent. of the ordinary revenue. The effect of Mr. Thomson's amendment will be to add an infant health centre to the nursing system and the hospital, and consequently the amendment represents a free gift.

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

Ayes	10
Noes	6
Majority for	4

Ayes.	
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. E. H. H. Hall	Hon. H. V. Piesse
Hon. V. Hamersley	Hon. E. Rose
Hon. J. J. Holmes	Hon. A. Thomson
Hon. J. M. Macfarlane	Hon. C. H. Wittenoom (*Teller.*)

Noes.	
Hon. C. F. Baxter	Hon. W. H. Kitson
Hon. J. Cornell	Hon. Sir C. Nathan
Hon. E. H. Gray	Hon. G. Fraser (*Teller.*)

Amendment thus passed; the clause, as amended, agreed to.

Progress reported.

House adjourned at 11.55 p.m.

Legislative Assembly.

Wednesday, 19th October, 1932.

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

QUESTION—UNEMPLOYED.

Relief and Country Work.

Mr. SLEEMAN (without notice) asked the Minister for Railways: 1, Is he aware that recipients of unemployment relief are being