

Legislative Council,

Wednesday, 31st January, 1923.

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The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

PRESIDENTIAL STATEMENT— FACILITATING BUSINESS.

The PRESIDENT: One of two members have approached me and stated that they would like to have spoken to the second reading of the Hospitals Bill. I hope I did not put the question too hurriedly. Hon. members should be ready with their speeches whenever opportunity offers. On all occasions I try to give a period of time between the ayes and the noes, but if hon. members will not respond, I cannot help it. I am scarcely to be expected to remain here like an auctioneer waiting for bids. I ask members to facilitate the business of the House by being ready with their speeches when opportunity occurs.

PAPERS—RAILWAY PROJECT, MULLEWA-YUNA.

On motion by Hon. J. Mills (for Hon. J. W. Hickey) ordered: That all papers dealing with a request for the construction of a railway line from Mullewa to Yuna be laid on the Table of the House.

BILL—LAND TAX AND INCOME TAX ACT, 1922, AMENDMENT.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to make the amendment requested by the Council, now considered.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Title—agreed to.

Bill reported and the report adopted.

BILL—MINER'S PHTHISIS.

Second Reading.

Debate resumed from the previous day.

Hon. H. SEDDON (North-East) [3.6]: I join with others in congratulating the Government on having brought down the Bill. At the same time I am somewhat disappointed at its narrow scope. The Minister for Mines, in moving the second reading in another place, said it was desired to get men affected with dust lodgment out of the mines before those men contracted tuberculosis. The important thing about miner's phthisis is that once tuberculosis sets in it is almost impossible for the patient to recover. The only chance is to get him out of the mine before he is tubercular, in order that he might obtain the benefits of fresh air and sunshine, and so allow his lungs to heal from their physical damage. Once disease sets in, the lungs are in such a state that they cannot resist, and so the man is practically condemned to death. That is why we feel disappointed because the Bill goes no farther than to take out from the mines men in an advanced stage of lung trouble. However, an improvement has been introduced in the provision of compensation during the time a man is waiting for other employment. To that extent the Bill marks an advance on the one introduced at the beginning of the session, which met with such widespread condemnation on the goldfields. The Bill contains three leading points: compulsory examination, compensation, and the safeguarding of other men in the mines. Doctors have said that the conditions underground are most favourable to the cultivation of germ life; the darkness, the damp, and the foul air all tend to the development of germ life, with the result that once germs become established in a mine, the men working there are in grave danger. That is the imperative reason for keeping out of the mines men suffering from disease. It is interesting to note the figures quoted as the result of the investigation of the Sanitation and Ventilation of Mines Commission, 1905. The Commissioners obtained some mining statistics from Cornwall, where there has been a tremendous increase in mortality since the introduction of the machine drill. The figures were startling. The average age at death of machine men was 37 years, whereas the average age at death of hand drill men was 53. Out of 143 deaths among machine men, 120 were due to phthisis, and 13 to other lung troubles, or 93 per cent. due to lung trouble. Among hand drill men, out of 178 deaths 68 were due to phthisis, and 48 to other lung troubles, or a percentage of 65. So, although lung troubles were had in both instances, yet they were infinitely worse among the machine drill men. The Com-

mission pointed out that the men in the mines here were young and the industry was young, and consequently the conditions were not so bad as were to be found in an old-established district. Among Kalgoorlie hospital cases, however, 25 per cent. were due to lung troubles. So even then the evil results of dust were making themselves felt. The Commission also emphasised the importance of water feed drills and water sprays in the mines. Had the recommendations of the Commission been put into effect we should not have been faced to-day with the existing condition of affairs in Kalgoorlie. In the course of the Commission's report pneumoconiosis is defined as an alteration of the living structure of the lungs as the result of irritation by dust; silicosis as being due to the action of silica, and fibrosis as being caused by the action of less injurious dust. Unfortunately we had in the late Mr. John Boyland, M.L.A., who had worked in South Africa and also in Kalgoorlie, a sad example of the effect of this disease on the lungs. Dr. Mitchell and Dr. Cumpston, in their reports, both pointed out that the men come to them too late, that the only chance is to get sufferers in the early stages and put them out in the sunshine and fresh air. Hence, the Bill does not go far enough in its provisions. Unless we can make provision for the patients in the early stages the Bill will not be effective, except in so far as it safeguards the miners who are not yet affected by disease. In 1911 an examination was made by Mr. C. O. G. Larcombe of the dust in the Kalgoorlie mines. He collected dust from the Great Boulder, the Ivanhoe, the Horseshoe, and the Associated mines. He did not have the apparatus mentioned by Mr. Cornell, but he made use of microscopic slides for the examination of the dust. As the result of that examination he was able to state that the dust in the Kalgoorlie mines was very different from that in the South African mines. The analysis of mineral in the Kalgoorlie quartz gave only 25 per cent. In South Africa it was very much higher. The evil effect of dust is largely due to the quartz it contains. Mr. Larcombe's samples were taken right in front of the faces of the men who were working machine drills. In a drive 7ft. by 5 inches he took a sample of the air in front of the men's faces. They were working on a drive by drilling. The percentage under dry conditions was three million particles to the square inch. With the same drilling work under wet conditions the quantity of particles was only 195,000. This shows that the conditions are very much better when there is water fed to the drills than when the machine works dry. His apparatus was not nearly so effective as is the case in South Africa and he was not able, therefore, to get the same figures as they got there. Even with the apparatus he had he showed the importance of the use of wet drills and of keeping down the dust as much

as possible. The amount of free silica was, as a result of the investigations, adjudged to be considerably under 50 per cent. There is no doubt that is one of the greatest reasons why in Kalgoorlie we have not the rapid effect of dust on the lungs as there is in South Africa. We should not speak to a Bill of this kind without referring to the splendid scheme in operation on the gold-fields, namely the Mine Workers' Relief Fund. Every credit is due to the Minister for Mines who was the means of getting that fund brought into operation. Everyone connected with this fund deserves the highest commendation and the gratitude of the men working in the mines. The figures relating to the fund are illuminating. It has been in operation for about eight years. During that time it has dealt with no less than 882 applicants. It has distributed in the form of relief a sum exceeding £100,000. It is paying out now £294 a week in the form of relief. The scale of relief is not very high, namely 15s. for a single man, 15s. for his wife and 5s. for each child. A widow gets £1 a week for the first six months and the amount gradually drops until it reaches 10s., and she also receives 7s. 6d. for each child until it reaches the age of 14. The maximum amount paid by any miner to the fund during the eight years was £2 8s. In one or two cases there have been sums of more than £700 paid to individuals in the form of relief. The fund is now in a bad position. Whereas it started in 1916 with 7,600 contributors it now has 3,333. The percentage of beneficiaries in 1916 was 1.5, whereas at present it is 8.7. This shows the enormous advance which has been made in the progress of the disease, and also the manner in which the men are going on the fund. The men on the Golden Mile are getting older every year. The percentage of those who are on the fund is therefore increasing. Unless some provision is made at once, the fund will be swamped.

Hon. J. Ewing: How is the fund maintained?

Hon. H. SEDDON: By voluntary contributions. A man pays 9d. a week, the company pays the same amount and the Government finds the remaining 9d., so that each of the three parties is contributing upon an equal basis. Unfortunately, it is a voluntary fund. A man cannot be compelled to join it, although I understand it is made a condition of employment upon the Golden Mile. There are other mines which are not contributing, and the burden of the fund is therefore falling upon those who are voluntary members of it. If the Bill could provide for everyone being compelled to contribute to the fund, it would be a good thing. It would assist the fund to meet its obligations. If work ceased on the Golden Mile for one month, the fund could not carry out its responsibilities. Those who are dependent upon it in order to keep them alive would have to turn to other sources for assistance. I should like the House to consider the advisability of introducing

some provision in the Bill to assist the Mine Workers' Relief Fund, if only in the direction of compelling memberships as far as those people working in the industries are concerned, and by taking off the fund men who are suffering from tuberculosis and drawing them out of the mines in the early stages of fibrosis, which would give them a reasonable chance of recovering their health. A very interesting point arises in connection with the health of the men. Those who have been engaged in coal mining and have afterwards gone upon the fields are found to be the healthiest men in the mines. Some of the older men who have been coal mining in Wales and New South Wales seem not to be affected by the dust.

Hon. J. Ewing: The coal does not do them as much injury.

Hon. H. SEDDON: Apparently there is some chemical action which takes place between the coal and the other dust, with the result that the lungs of the men are rendered practically innocuous from dust troubles. An experiment might be tried with a view to ascertaining whether there is anything in the suggestion to place a few of the men in the primary stages of silicosis and fibrosis in our coal mines. If it could be demonstrated that work there has a healing effect upon them, the importance of the discovery would be great. It would also tend at once to relieve the fund. There is no provision in the Bill for dealing with men in the secondary stages of miner's complaint. These men are unable to carry on work and they have to go out. If these men are all brought within the scope of the fund, the burden upon it will be greatly increased. If we could make a provision for the Mine Workers' Relief Fund to deal with primary cases and, as a result of some compulsory examination, ensure that a return is made to the secretary of the fund of the results of the examination, he could say to the men who had been examined, "It is found that you are in the primary stages of fibrosis. If you work at some other occupation your life may be prolonged to the average extent. We can assist you in that direction." To the men in the secondary stages the secretary of the fund could say, "You are incapacitated for carrying on this class of work any further, but you have a chance if you leave the industry. We will assist you to that end." It would be a wise provision to make and the cost would not fall too heavily upon the Government. Men in the secondary stages should be placed under the same conditions as men suffering from tuberculosis. It must not be forgotten that we are dealing with the lives and health of our citizens. We should, therefore, be prepared to go a little further than we should do in ordinary legislation. Everything that is possible should be done to safeguard the lives of the men working in our mines.

Hon. J. EWING (South-West) [3.23]: This is an important Bill. A great deal of

the credit is due to Mr. Cornell, for the work he did in South Africa and for the report he made to the Government on his return. There is also a good deal of credit due to the Minister for Mines for taking up the question, and enabling that report to be supplemented by one from the State Mining Engineer, Mr. Montgomery. I have read both reports. They add largely to the literature in the hands of the Mines Department. I was interested in the speeches of Mr. Dodd and other members who are so well acquainted with the conditions on the goldfields. This Bill applies rather to the goldfields than to the coal mining industry. The result so far as dust in coal mines is concerned is not so serious, it appears, as it is in the case of gold mines. I have, however, had many sad cases brought under my notice in Collie of men who have suffered from miner's phthisis. The conditions under which they will be treated under this Bill are laudable and satisfactory. Many men go on from day to day working when they are very ill. They should not be at work but go there in order to maintain their families and do their duty by the State. These men are not working in the best interests of the State. If Clause 2 dealing with medical examinations is put into execution a number of men will have to leave both the coal mining and gold mining industries. Men will evade this sort of thing if they can. They would rather be at work drawing their pay than drawing money without any work. If a man is once condemned as having contracted tuberculosis or miner's phthisis he is better away from his old surroundings. Miners who have gone on the land under this Government scheme are very much better off. I read in the paper of one man who had left his employment at £6 a week and joined the group settlements. He is now better in health and happier in every way that he was before. When these men are found to be suffering from dust complaint they will perhaps be available to go on the land where they may live much longer. The Mine Workers' Relief Fund is a very satisfactory one. Mr. Seddon said it was contributed to by the miners, by the companies, and by the Government. The amount put in is not large, and the fund is therefore not very big. But the relief which is sought it is often unable to give. In some cases I should say a miner would receive up to 35s. a week. This is a fair remuneration for a man who is not able to work, especially if he belongs to a friendly society or money is coming to him from other directions. In Collie there is a fund administered by a local board. It is contributed to by a certain charge upon the coal and by certain subscriptions from the mine owners. It is not augmented in any way by the Government. It is a wonderful fund.

Hon. E. H. Harris: The coal owner can pass that on to the public. It is not so in the case of gold mines.

Hon. J. EWING: This is not passed on to the public. The parties concerned are quite

satisfied to pay that dole to their workers. The workers in Collie by comparison with the workers on the goldfields are well off. The mines in Collie are very dry and comfortable owing to the Coal Mines Regulation Act. This is a piece of strict legislation, as good as any in the world. The ventilation is excellent. Ventilation has a great deal to do with dust settling in the air. If there is effective ventilation there will be less likelihood of miner's phthisis or tuberculosis. The gold mines, however, are down to something like 3,000 feet in Kalgoorlie. It is therefore much more difficult to ventilate them than it is to ventilate a coal mine at Collie. In Wales where small seams of coal are worked the ventilation is difficult. The air is hot, and it is not easy to get pure air down to where the miners are working. All things considered, this Bill will do a great amount of good. I understand from Mr. Cornell and Mr. Dodd that the Federal Government are moving in the direction of establishing a Commonwealth laboratory or some sort of institution, which will assist the miner when he is suffering from one of these diseases. It is not a good thing to have dual control. That is always unsatisfactory. If, however, the Government could induce the Commonwealth authorities to subsidise the State Mines Department, and give them the amount of money they intend to spend on laboratories, so that it could be expended under the one head and jurisdiction, it would be more satisfactory than if two Government bodies handled so important a matter. I hope the Government will take the advice of those who are thoroughly conversant with the various phases of mining in Western Australia, and will see that what is being attempted under this Bill is carried out thoroughly and well. We do not want dual control. If the relief to be given under this Bill is somewhat small it will be a commencement in the right direction, and may be increased at a later stage. It should at all events enable us to save the lives of many of our miners. As Mr. Seddon said, it is a question of saving life. We should make the conditions of the life of those who are engaged in this most difficult work more pleasant than it is now.

Hon. E. H. HARRIS (North-East) [3.30]: The result of past years of neglect of the mining industry is now confronting us, and a remedy in a small way is suggested by this Bill. In introducing the measure the Minister for Education said it was purely a preliminary step. In that remark I concur. Comparing the relief here proposed with that given in other parts of the world, we cannot describe this Bill as anything else. After years, during which hundreds of our strong and virile men have been lost by the State and the Commonwealth, a move is now being made by the State Government in conjunction with the Federal Government, the latter having intimated their willingness to establish a laboratory on the goldfields. The proposed laboratory, in conjunction with our Mines De-

partment, would be the means of gathering data from the medical examinations to which the miners are to be submitted. When replying the Minister might inform us whether the medical practitioners will be under the control of the State Government, or under joint control. Dr. Lanza, of America, who has been consulted by both the Federal and the State Government is likely to remain in Western Australia for some time, I understand. It would be interesting to learn whether Dr. Lanza will be connected with the laboratory, or whether the medical practitioners responsible for the laboratory work will be solely under State control. Even those who have not been closely associated with the mining industry will readily understand that in a dust-laden atmosphere, such as obtains in many deep mines, men suffering from miner's phthisis are more susceptible to the tuberculous germ than miners who have not worked in such deep mines, or possibly have worked in mines better ventilated. To the Royal Commission of 1906 a suggestion was made that three of the largest mines on the Eastern Goldfields should sink a deep shaft for ventilation purposes, at an estimated cost of £80,000 or £90,000. The reply was that the mining companies did not intend to embark on so comprehensive a scheme. The reports of the Mines Department have since proved conclusively the wisdom of establishing a ventilation shaft on the Golden Mile.

Hon. J. Ewing: Was that shaft to ventilate all the mines?

Hon. E. H. HARRIS: Two or three of the largest mines, with adjoining boundaries and having their shafts close to one another. There was to be an up-shaft, and also a down-shaft. Those who have seen men suffering from miner's phthisis cannot but be impressed with the need for legislation of the nature of the present Bill. There is, however, a wide difference of opinion in the mining industry as to what should be done. The mining companies raise the objection that their industry is being singled out for the removal of sufferers from tuberculosis, while the same thing does not obtain in connection with other industries.

Hon. J. Ewing: The disease is not so dangerous in other industries.

Hon. E. H. HARRIS: That is the point. A man whose lungs are affected by phthisis is more susceptible to the tubercle germ, and that is why the gold mining industry should be the subject of special legislation in that connection. The industrial organisations contend that every worker suffering from silicosis, or any other form of lung disease, should be excluded from the mines, and should be compensated somewhat on the South African basis. The financial effect on our mining industry would be a marked one, and possibly our mines could not bear it as those of South Africa can. If the whole of the men on our goldfields were treated in exactly the same way as miners in South Africa, the figures would startle even those who have a close knowledge of our mining industry.

We now have regulations to exclude from the mines sufferers from tuberculosis, but they have not been strictly enforced, largely by reason of sympathy, the sufferers having been engaged in mining all their lives. So they have been allowed to continue in their avocation when, in their own interest, and in that of their fellow employees, it would have been better to exclude them from mining. At Broken Hill, where large mining operations are carried on, excellent work has been done in diagnosing pulmonary diseases and in weeding out the sufferers. Mr. Seddon suggested that it might prove beneficial in this connection to extend the operations of our Mine Workers' Relief Fund. I may point out that some years ago it was suggested that the Government should set aside £100,000 to be expended by the board administering that fund in taking up land and clearing it for general farming purposes, so that sufferers in the early stages of the disease might be placed on that land, with part compensation, to gain farming experience, the object being that they should ultimately settle on the land. It would take them a period of perhaps two years to recuperate, and by that time they would have seen the wisdom of leaving the mining industry. As long as those men could earn sufficient to pay interest on the capital outlay, the investment would be an excellent one, because it would relieve the industry and also relieve the Government of a number of men, and families of deceased miners, now permanently on the relief fund. The number of these is about 250, and had the plan I refer to been adopted a few years ago the number would not have been anything like so great.

Hon. J. Ewing: Could not a group settlement be made of such men now?

Hon. E. H. HARRIS: That is a point which might well be discussed. However, the group settlements established so far are in fairly wet areas, and for a time at least a man who leaves the mining industry on account of ill health would do better in a dry area.

Hqn. A Burvill: Some of those men are doing very well in the South-West now.

Hon. E. H. HARRIS: May they continue to do well and prosper! The beginning represented by this Bill is a modest one, but I fear there is a danger in the measure as it stands. It is to apply, for a beginning, to certain mines only, namely, the deeper mines of Kalgoorlie and Boulder. Miners excluded from those mines because of disease might re-engage on some other mine adjacent, but not scheduled under this measure. Sufferers might concentrate on other mines, which would be detrimental to themselves and to the other workers engaged there.

Hon. J. Ewing: Clause 4 deals with that matter.

Hon. E. H. HARRIS: That clause deals with the subject of medical examination of miners, but it would not prevent a man who knew he was suffering from tuberculosis leaving employment in a scheduled mine, get-

ting work in a shallower mine and continuing there. Subclause 3 of Clause 9 provides that suitable work shall be found for a man if the Government decide to exclude him from mine work. That provision is very wide, and while we may look for sympathetic administration, I would like to know whether the decision will lie with the Mines Department, the company, or the medical officer. The medical officer might say that Smith is suffering from tuberculosis and shall not work underground in a scheduled mine, but that he is capable of doing work in another part of the mine. It might be said that suitable work for him would be the stacking of wood, but the wood might consist of green logs having a diameter of 10in. or 12in. The medical officer should be the man to decide whether an excluded employee was capable of doing particular work. A man might be put on filter press work and might get along all right for a little time, but there might come such a call on his energies that he would be incapable of carrying out the work. Then he might be discharged from the mine and be compelled to rely upon charity. Care should be taken that a man's fate shall not be decided by an officer of the Mines Department who may not be thoroughly conversant with the conditions under which the miner is called upon to work. There is another loophole against which the State is not protected sufficiently. Immediately we pass a law that affected men engaged in the industry shall be taken from a scheduled mine and found employment elsewhere, there is nothing to prevent a man coming here from Africa. Such a man would not be called upon to go before a medical officer prior to obtaining employment in a mine. He must produce a clean bill of health, but unless a minute examination is made, a man slightly affected might pass an ordinary casual test and shortly afterwards become a charge on the State. To safeguard the State, a certificate should be issued to every man engaged in the industry when the measure comes into operation, and anyone subsequently employed in any scheduled mine should have a certificate issued by the Government medical officer. I should like to know who will pay the fees for the certificates issued by the Government. Will the individuals present themselves to the medical officer and receive certificates free of charge, or will a fee be imposed? This question cropped up among men in the industry when the proposal was originally made that men should hold a certificate before being employed in the mines. Members seem to be seized with the importance of doing something, even in this small way, to safeguard the interests of the miners. I support the second reading and accept this Bill, as the Minister expressed it, as a preliminary step, and I hope that in the light of experience, we shall see the necessity ere long to make better provision for those afflicted by the dread miner's disease.

Hon. J. W. KIRWAN (South) [3.52]: I warmly support the Bill. Anyone who has lived on the goldfields or been associated with the mining industry has been impressed and saddened by the terrible ravages of miner's phthisis. We who have our homes there meet almost every day men stricken with this dreadful disease. Breadwinners, heads of families and men who in every way are worthy citizens, are cruelly afflicted whilst engaged in earning a livelihood and doing good work for the community at large. Anything within reason that Parliament can do ought to be done to prevent the ravages of the disease and alleviate the sufferings of the afflicted. The Bill does not do all that some of us would like it to do, but it is a commendable instalment towards legislative action which has been neglected too long. I must pay a tribute to my colleague, Mr. Cornell, who has always been deeply interested in the question of miners' diseases. When he went to South Africa, he made the most of the opportunity to inquire into methods there adopted for dealing with miner's complaints. He prepared without monetary reward, a valuable report, copies of which members have before them, and that report, together with the excellent address he delivered yesterday, has thrown additional light on the subject. After the Bill has been passed, the next stage will be to get the Commonwealth authorities to take the necessary action. I am glad to find that the Minister for Mines (Mr. Scaddan) has already done something in this direction in that he has brought the matter under the notice of the Prime Minister. In a foreword to the report of Mr. Cornell, the Minister for Mines stated:—

I hold the opinion that the question is too great to be confined to this part of the Commonwealth, but is essentially for Federal action, as affecting the mining industry throughout Australia. This being my belief, I have already approached the Federal authorities, and in Melbourne last year succeeded in enlisting the sympathy of the Prime Minister, who expressed concurrence in this view, and has promised to give careful consideration to any suggestion put forward for the betterment of prevailing mining conditions.

The good results that we expect from the Bill will largely depend on the action of the Federal authorities and whether they establish the necessary laboratory on the goldfields. In our requests to the Federal authorities, we of the goldfields have always been very well treated. With scarcely an exception we have received satisfaction, and I am sure that irrespective of the Government in power, questions of this kind, supported by the Government of the State, backed by the mining community and indeed by the whole of the people of Western Australia, will receive sympathetic consideration. The Federal Government would realise that it is not merely a State question, but one of wider

significance, and I am sure they would not turn a deaf ear to a plea for suffering humanity.

Hon. A. J. H. SAW (Metropolitan-Suburban) [3.57]: As a member of the medical profession, as well as a member of the House, I heartily welcome the Bill. When I have had an opportunity of speaking on the Address-in-reply and alluding to the question of miner's phthisis, I have expressed very strong views on the duty of the State towards the men employed in the mining industry, insofar as they are affected by the ravages of this disease. When a few weeks ago I stated, contrary to the opinion held by many members of this House, that I did not regard the mining industry as of supreme importance, I had in mind the terrible ravages inflicted on the miner by this disease. I hope that in addition to the benefit which will be conferred on men suffering from the tubercular stages of this complaint, there will also be an indirect benefit—due to the examination so many miners will undergo—in the early detection of what is known as fibrosis, silicosis and other names designating the ravages in the lung inflicted by the dust. I hope there will be strong moral pressure brought to bear on the men found to be seriously affected to get out of the mines and follow a more healthy occupation. I welcome the pecuniary relief to be given to those who are already affected by tuberculosis. In reply to a question which Mr. Harris raised with reference to who is to decide the matter of suitable employment in or about a mine, undoubtedly there can be only one person who should be capable of deciding the question—a member of the medical profession. It is not going to be an easy thing for a man, no matter how highly skilled he may be, to say whether an individual is suitable for any particular employment, and it will be still more difficult for him to say how long the man will continue to be suitable for that employment, because as time goes on, unfortunately the disease tends to be progressive, no matter how favourable the circumstances to which the man may be removed. I do not see in this Bill what provision is made for the continued re-examination of these men while they are following the new employment, whether that employment be in or about the mines, or whether it be such other work as the Principal Medical Officer may determine. What supervision will there be exercised over these men to see whether they are still fit for the employment allotted to them. It is an important point because, as we all know, as soon as a person affected with phthisis, begins to run a temperature, even if it be only a slight one, it is imperative that that person should be taken away from his employment and allowed to rest. It is going to involve a delicate supervision and a great deal of judgment in determining to what extent these men are suitable for any kind of employment, and how long they will continue

to be fit. I notice that Subclause 5 of Clause 9 says:—

For the purposes of this section, "suitable employment" shall mean (b) such other work as the principal medical officer or the principal medical officer of the Woorloo Sanatorium may certify to be suitable employment for the person to whom it is offered.

The Principal Medical Officer is usually situated in Perth, and he has many important things to do, and I am not sure that it is going to be wise to throw the onus on him of deciding whether or not a man is fit. I am by no means sure that he is going to be the best authority to determine. It would be much better for him to appoint a deputy, someone who is particularly skilled in diseases of the lungs.

Hon. H. Seddon: Would not the examining medical officer deal with the man?

Hon. A. J. H. SAW: I do not know who he is to be. The Principal Medical Officer may appoint a deputy. We should give the Principal Medical Officer the right to make such an appointment. I wish to allude to the remarks of Mr. Dodd with reference to the inactivity displayed by the Mines Department, and perhaps by the mine owners, following on the report of the Royal Commission which sat in 1911. At that time I was not taking an active part in politics, but if I remember rightly one of the stumbling blocks to action was that the miners themselves were extremely averse to submitting themselves for medical examination lest they should be pulled out of the mines. Therefore it was not altogether the fault of the Government or of the mining authorities. Undoubtedly at that time none of us realised the extensive ravages that were likely to be made by the disease. I do not think the miners themselves were sufficiently seized that the diseases was insidiously spreading amongst them. Therefore I consider that a share of the blame must undoubtedly be taken by the miners themselves. However, that is ancient history. I have much pleasure in supporting the Bill and I trust that in time some measure may be brought in whereby relief may be afforded to those who may not be suffering with tuberculosis, but who may have the tubercular virus engrafted on their fibrosis, who are also invalided and incapacitated by silicosis and fibrosis.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [45]: After the generally favourable reception accorded to the Bill, there is no need to say very much. The position so far as Dr. Lanza is concerned, is that he has been loaned to the Commonwealth Government by an American Bureau, and how long the Commonwealth will have his services, I cannot say. In conjunction with Dr. Robertson, he has been engaged in the establishment of laboratories, and while carrying out their work they will be Com-

monwealth officers, though when acting under this Bill, they will be acting under the authority of the State Government. I suggest that at this late stage of the session, and in view of the grave importance of having a start made with this matter, hon. members should not endeavour to perfect the Bill, but rather that they should take it as an instalment of something to come. I have no doubt that amendments will be necessary from time to time, but it is a matter on which we should make an early start, and for that reason I trust there will not be too many attempts to amend the measure in any direction which will be likely to jeopardise its passage.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Medical examination:

Hon. J. CORNELL: I move an amendment—

That the following subclause be added to stand as 3: "After every medical examination or re-examination of any person under this section, if such person is found not to be suffering from tuberculosis, he shall be supplied with a certificate in the prescribed form, which until revoked shall entitle him either to continue working or to commence work in mining operations on, in, or about any mines.

This will not interfere with the machinery of the Bill at all.

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

Clauses 5 and 6—agreed to.

Clause 7—reports:

Hon. H. SEDDON: I move an amendment—

That the following proviso be added to the clause: "The said medical officer shall prepare a tabulated statement in the form of the attached schedule and forward the same from time to time to the secretary of the Mineworkers' Relief Fund.

The schedule is on the lines of the South African system and contains the name and age of the individual and the name of the mine on which he was employed, and the state of the lungs as disclosed by examination. The secretary of the Fund will thus be able to ascertain the condition of the men who are on his books. At the present time this cannot be done, nor has the secretary the right to assist at the medical examination and he does not know who the men are.

The MINISTER FOR EDUCATION: This is introducing an entirely new principle which I am not prepared to agree to. The Bill as it stands provides for a report being presented to the Minister, and nothing can

be simpler than for the Minister to send a copy of the information in his possession to the secretary of the fund.

Hon. H. SEDDON: If, as the Minister says, the information can be secured from the Minister, I shall be quite content to let it stand at that and to withdraw the amendment.

The MINISTER FOR EDUCATION: There must be no misunderstanding on the point. I give no assurance of the kind. If it were desirable that the information should be supplied to the secretary of the Mine Workers' Relief Fund, the Minister would supply it, but I am not prepared to say that it is desirable. The hon. member should be willing to leave it to the Minister for Mines to decide whether it is desirable that the information should be forwarded. The Minister would only be desirous of facilitating the objects of the Act, and I think the hon. member should be content with that.

Hon. E. H. HARRIS: The question of the committee of the fund coming into the matter should be left in the hands of the Minister. The Leader of the House has put the case clearly and I think Mr. Seddon would be wise in the circumstances if he did not persist in his amendment.

Amendment put and negatived.

Clause put and passed.

Clause 8—Employment of miners suffering from tuberculosis may be prohibited:

Hon. H. SEDDON: I move an amendment—

That in line 3 of Subclause 1 after "tuberculosis" the words "or in the secondary stages of pneumoconiosis" be inserted.

It is important that we should get men suffering from the disease at this stage out of the industry before it is too late.

The MINISTER FOR EDUCATION: I am not prepared to accept the amendment. It is a far-reaching extension of the Bill. It means that a great many other people will be excluded from the industry and that compensation will have to be provided for them. After the Bill has been in operation for some little time, it may be found desirable to extend its scope to include other sufferers but at the present stage I am not prepared to accept the amendment.

Hon. J. CORNELL: I hope the amendment will be withdrawn.

Hon. H. Seddon: Why?

Hon. J. CORNELL: The hon. member may get a little political capital from the fact that he can say he has moved it, but others who have given consideration to this matter may fear that the fate of the Bill will be affected by such an amendment.

Hon. H. SEDDON: On a point of order. I do not think the hon. member is warranted in saying that the amendment is moved for the sake of political capital. It has been moved on the advice that I received from

medical men and others who considered it was a wise course to adopt.

The CHAIRMAN: I do not think Mr. Cornell will persist in that remark.

Hon. J. CORNELL: I do not want to infer that the amendment would be moved so that Mr. Seddon might secure political capital, but, at all events, that would be the net result. I am just as desirous as anyone else that such an extension should be made and compensation provided for the men affected. It has been laid down by the Minister very definitely, however, that the Bill will not be proceeded with if we insist on adding pneumoconiosis, with the consequent necessity for providing compensation. As there would be no chance of the Bill being put into operation if we insisted on such an amendment, I would be forced to vote against it and, in those circumstances, I would be called upon later to answer a charge that I was adverse to miners suffering from the secondary stages of silicosis or pneumoconiosis receiving consideration. Does Mr Seddon intend to saddle that burden on the industry itself? I agree with Dr. Saw that probably the revelations that will follow the medical examination, which is provided for in the Bill, will demonstrate how neglectful we have been in the past and the necessity for doing something more in the future.

Hon. H. SEDDON: We have had evidence from Dr. Saw of the necessity for taking men suffering from these diseases out of the industry. I consider that we should be prepared to extend to the men I have in mind the consideration which is extended to those suffering from tuberculosis. I would like to hear from some of the other goldfields members, in addition to Mr. Cornell.

Hon. E. H. HARRIS: If the amendment were agreed to, we would have to indicate what the first and secondary stages of pneumoconiosis really are.

Hon. J. Cornell: That is right, and we would also have to define pneumoconiosis.

Hon. E. H. HARRIS: I have in mind the remarks of the Minister for Mines in another place when he definitely stated that if goldfields members did not want to jeopardise the Bill, they would not press for the extension of its scope at the present time. Mr. Seddon would be well advised to withdraw the amendment.

Hon. J. CORNELL: In conversation this morning with Dr. Mitchell he removed some doubt that existed in my mind, for he held that the phrase "symptoms of miner's phthisis" covered pneumoconiosis, silicosis and fibrosis, so that we are safeguarded there. Mr. Seddon wishes to introduce a new phase dealing purely with pneumoconiosis. Does he intend to go further and define definitely the three stages of the disease or is the medical authority to make a declaration as to what is the secondary stage of pneumoconiosis? If he leaves it to the medical authorities to state that, they will probably make a declaration that is not satisfactory.

Hon. A. J. H. SAW: The hon. member will be well advised to withdraw the amendment. We are dealing with a very different principle from that involved in the consideration of tuberculosis. An imperative reason why men suffering from tuberculosis should be withdrawn from a mine is that there they are injuring, not only their own health, but that of their fellows in the mine, whereas one suffering from pneumoconiosis cannot be said to be affecting the health of his fellow workers.

Hon. H. SEDDON: Evidently the feeling of the Committee is against the amendment. The Committee are making a grave mistake in this. We could well take advantage of South African experience in framing this law. The amendment arose out of consultation with a number of men engaged in the industry, but since the Committee are against it, I will withdraw it.

Amendment by leave withdrawn.

Hon. J. CORNELL: I move an amendment—

That after "may" in line 2 of the proviso to Subclause 2 "within three months after service of the notice" be inserted.

Provision is made for an appeal against the decision that a man cannot work in certain places. Some definite period should be fixed for the lodging of such appeal.

The MINISTER FOR EDUCATION: If the hon. member will make the period a fortnight, I will accept the amendment.

Hon. J. CORNELL: I will agree to that and modify my amendment accordingly.

Amendment, as modified, put and passed.

Hon. J. CORNELL: I move an amendment—

That the following proviso be added to Subclause 3: "Provided that no medical officer or practitioner who shall have taken part in the clinical examination leading to the decision appealed from shall take part in any re-examination of the appellant on such appeal."

The MINISTER FOR EDUCATION: I move an amendment on the amendment—

That all words after "shall" in line 4 be struck out and "sit as a member of the board" be inserted in lieu.

Mr. Cornell's amendment would prevent a medical officer who had taken part in an examination conducting any re-examination. It is questionable whether the Commonwealth Government would permit any but their own officers to use the apparatus provided for such examinations. If the hon. member will accept my amendment, the re-examination may be carried out by the original examining officer, but he will not be able to sit on the appeal board.

Hon. A. J. H. SAW: This is entirely a matter of expediency. The person who makes the original examination will require special knowledge. In view of that, is it wise to

say that he shall not appear on the appeal board? I can see no necessity either for Mr. Cornell's amendment or for that of the Minister.

Hon. H. STEWART: The conditions in Western Australia are very different from those in South Africa, where a large number of mines are situated along one ore body, the permanency of which has never been exceeded in the history of the world. In this State the industry is very much smaller than in South Africa, and the mines are widely scattered. Only in Kalgoorlie are they all concentrated. Obviously, then, our methods must differ from those employed in South Africa. Moreover, we are only entering upon this class of legislation, and so it is necessary that we should feel our way.

Hon. J. CORNELL: Since the question has been ventilated, I will withdraw my amendment.

The MINISTER FOR EDUCATION: will withdraw my amendment on the amendment.

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

Hon. J. CORNELL: I move an amendment—

That in Subclause 4 the following words be added:—"The decision of the Board upon any question of fact shall be final and shall not be subject to appeal to or review by any court of law."

Only on a question of law should there be any appeal to the law; not on a question of facts.

Amendment put and passed.

Hon. J. CORNELL: I move a further amendment—

That a new subclause, to stand as Subclause 7, be added as follows:—"Whenever a medical officer or practitioner appointed under this Act reports in writing to the Minister that a person named in such report and engaged in mining operations has so developed symptoms of miner's phthisis, uncomplicated by tuberculosis, as to indicate that further employment on, or about a mine or part of a mine to which this section applies may be detrimental to his future health, the Minister shall, by notice in the prescribed form, notify such person accordingly."

Under the clause it is not compulsory for the examining authority to notify the Minister that a person is tubercular. Under my amendment the Minister would notify such person that he must leave the industry.

The MINISTER FOR EDUCATION: If a person is compelled to submit to examination it does not seem unreasonable that he should know the result. It must be understood, however, that there can be no claim for compensation in cases such as these. do not object to the amendment.

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

Clause 9—Compensation:

Hon. J. CORNELL: I move an amendment—

That in Subclause (1) all the words after "and," in line two be struck out, and the following inserted in lieu:—"by direction of the Minister, to insert in such register the names of every person whose employment is prohibited under section eight of this Act, which direction shall be given by the Minister forthwith after service of the notice mentioned in subsection (1) of section eight."

Before a person can claim compensation he must register his name on the register kept by the Mine Workers' Relief Fund. If his name is not on the register he cannot claim compensation. Surely the Minister can send the notification to the office of the fund that he sends to the individual.

THE MINISTER FOR EDUCATION: The difference is whether the Minister or the individual is to be responsible for the registration. Seeing that the individual intends to seek compensation, he should see that the registration is effected. Many persons may desire not to be registered.

Amendment put and negatived.

Hon. J. CORNELL: I move an amendment—

That in Subclause (5) all the words after "mean," in line two be struck out and the following inserted in lieu:—"such work as the Principal Medical Officer and the Principal Medical Officer of the Wooroloo Sanatorium jointly agree upon and certify to be suitable employment for the person to whom it is offered, and being either work on, in, or about a mine or part of a mine not declared under section eight to be a mine or part of a mine to which such section applies, or elsewhere, or of some other kind."

This is the most vital part of the Bill. I want to ensure that the two medical officers mentioned in my amendment shall together declare what is suitable occupation for a man to engage upon after he has left the mine. They should have full power in this direction.

THE MINISTER FOR EDUCATION: I hope the amendment will not be agreed to. There may be great difficulty in a decision between the doctors being arrived at. The amendment goes too far.

Hon. J. CORNELL: I should be prepared to leave the matter in the hands of Dr. Mitchell.

Hon. A. J. H. SAW: Mr. Cornell is piling a Mt. Macedon upon a Mt. Kosciusko. If the amendment is carried these two medical officers will require to live on the goldfields, and will also require to see the nature of the work to which the miners are to be put. I had intended moving an amendment providing for the appointment of a deputy medical officer,

so that we might have three competent authorities to deal with this question.

Hon. J. CORNELL: If the process of pulling out of the mines goes on I fear the compensation set out in the Bill will be only imaginary. Miners suffering from tuberculosis may be withdrawn from the mines and within three months left to their own resources. As a result of the action taken concerning them they may also have forfeited any right they had to relief from the Mine Workers' Relief Fund. I am rather concerned about this clause, which will be the determining factor as regards compensation. I have submitted the clause to the Solicitor General, who agrees that under paragraph (a) neither Dr. Mitchell nor Dr. Atkinson, nor the deputy suggested by Dr. Saw, would be called in to adjudicate at all. In South Africa a man pulled out of a scheduled part of a mine is privileged to work in an unscheduled part. Now, our Mines Department may direct the man pulled out to go and shovel sand in the unscheduled part of the mine, and if he refuses that work, good-bye to compensation. The man is then the creature of the Mines Department. There should be an appeal to the medical authorities. I would be prepared to leave the whole thing to Dr. Mitchell.

THE MINISTER FOR EDUCATION: When the clause was framed, the intention undoubtedly was that both (a) and (b) should be submitted to the doctors. Of course that is not so. I would support the amendment if the hon. member would make it read "The Principal Medical Officer, or such deputy as he may appoint, or the Principal Medical Officer of the Wooroloo Sanatorium," striking out "jointly."

Hon. J. CORNELL: The only objection raised as regards Dr. Mitchell was that it was not customary to put a subordinate over his superior. In determining the suitability of work, however, the best man to give an opinion should be selected, irrespective of considerations of seniority.

Hon. E. H. HARRIS: Men who have worked in the industry and have subscribed to the relief fund naturally cease to pay into the fund after leaving the industry. In the course of a certain number of years they cease to have a claim on the fund. Those who had the deciding voice might compel a man to go to some other work than mining, and then he might lose his claim on the relief fund. I suggest that the Minister report progress, to allow time for the drafting of a suitable amendment.

Hon. A. J. H. SAW: A point which I raised on the second reading has not been touched on in Committee. What is to happen to the man who is certified to be suitable for certain employment and in perhaps three months or a year breaks down because of the tuberculosis with which he came out of the mine? The Bill does not provide for such a case, though it is emphatically one for compensation. I thought that those interested in

the measure would have an amendment framed to deal with that matter.

Hon. J. E. DODD: I think we can trust the Government to administer the Bill sympathetically for the next 12 months. In any case, it is not long before we shall have another session, when the Government can be approached to introduce, if necessary, a supplementary measure. I am rather sorry that the board is constituted as it is. However, I look upon this as purely a provisional piece of legislation. The cases which have been instanced are undoubtedly matters for very serious consideration. Yesterday I had here some figures relating to New South Wales and Queensland, which might have been very useful, especially on this amendment. In New South Wales the board is constituted on an entirely different basis from this. It would be well if the Government paid more attention to the New South Wales and Queensland Acts than to the South African Act, conditions in Queensland and at Broken Hill being much more closely akin to ours than are those of South Africa. I would prefer that the Mineworkers' Relief Fund should decide whether work is suitable or not, the doctors being left to determine the physical capacity of the man. The whole of the onus should not be thrown on the two medical officers.

Amendment put and passed.

Hon. J. CORNELL: I am prepared to give and take, and therefore I move—

That the following be inserted in lieu of the words struck out:—“such work as the Principal Medical Officer, or such deputy as he shall appoint, or the Principal Medical Officer of the Wooroloo Sanatorium certify to be suitable employment for the person to whom it is offered, and being either work on, in, or about a mine or part of a mine not declared under Section 8 to be a mine or part of a mine to which such section applies, or elsewhere, or of some other kind.”

As soon as there are indications of the Federal Government meeting their obligations, I hope the State will appoint a committee to ascertain what improvements in legislation are necessary.

Hon. A. J. H. SAW: The deputy appointed by the Principal Medical Officer may have higher qualifications to decide the suitability of employment than he himself. What is required is an expert on lung diseases.

Amendment put and passed.

Hon. J. E. DODD: Though I and others tried very hard some years ago to induce Parliament to pass legislation to make the mines bear the whole of the burden of industrial diseases, I consider it impossible for the mines to do this, but I say emphatically that the men should not be asked to bear any of the burden. If we can only work along the lines of Queensland and New South Wales, we shall do fairly well. In Queensland the

mines bear the whole of the burden of insurance, but the Government contribute to the fund to provide for administration and other expenses. In New South Wales the mine owners and the Government equally bear the burden, but in neither State do the men bear any of the burden.

Clause as amended put and passed.

Clauses 10, 11—agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—ROADS CLOSURE.

Second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.22] in moving the second reading said: This is the usual Roads Closure Bill dealing with streets which it is necessary to close in different municipalities. The first one dealt with is portion of Hare-street in the Albany municipality. Mr. N. C. Forte, the owner of Albany lot A 22 constructed a metalled road to provide access to his residence from Rowley-road, and planted ornamental trees. He applied for the closure of that portion of Hare-street so that he could purchase the land together with lot 414 to enable him to control the storm water and prevent damage to the road. The Albany council have no objection to this closure. Since making his application, Mr. Forte has sold the property and therefore has withdrawn his request, but the present owner Mr. H. T. Hyem, desires that the matter be proceeded with. If the closure is agreed to, it is proposed to add the closed portion to lot 414 and make it available for sale as one lot. The next road dealt with in the schedule relates to portion of Wiesse-street in Narrogin municipality, which has been included in the Narrogin water supply catchment area, and the Water Supply Department have applied for its closure. The Narrogin council have no objection, and the district surveyor considers the road is not required. Part III. of the schedule deals with portion of Trench-street, Wagin municipality. The Wagin council have applied for the closure of portion of the street, in order that it may be added to the show ground, thus enabling certain improvements to be carried out. There is insufficient room at present to permit of the improvements being effected. The council have agreed to indemnify the Government against any reasonable claim for compensation in the event of any claim being established, but with two exceptions, the owners of the lots abutting on this portion of the street have agreed in writing to the closure. The Bunbury council have applied for the closure of Charles-street and Cornwall-street in the subdivision of Leschenau location 26. This is portion of a private subdivisional street and ends in a cul-de-sac. The owners of the land coloured green on the litho. (the Westralian Farmers Ltd.), have agreed to transfer to the council in consideration of this closure a small portion coloured

brown on the tracing, as an addition to Charles-street. This closure will enable the holders of the fee of the land contained therein to dispose of it. The council state that it can never be used as a street. Part V. deals with portion of Mary-street in the Bunbury municipality. The Wellington Agricultural and Pastoral Society has acquired the land comprised within the area bordered green on the tracing for the purpose of an extension of the show ground and a deviation of Clarke-street. Clarke-street as it stands at present is to be closed under the provisions of the Road Districts Act, 1919, while the society has agreed to transfer to the Bunbury council the land coloured pink for the purpose of a deviation of the street. That portion of Mary-street hatched blue on the tracing lies within the boundaries of the municipality, and the society desires to include this in the show ground. It will be useless as a street when the above deviation is made, but being within the municipality, it is necessary to obtain the sanction of Parliament before it can be closed. The municipal council have agreed to these proposals. I move—

That the Bill be now read a second time.

Hon. J. J. HOLMES (North) [5.26]: I have no objection to the Bill, because I note that in each case the local authorities have approved. On each and every occasion the local authorities should be consulted and their approval obtained before the Bill is brought before Parliament. Within the last few years a Bill was passed, at the instigation of the Minister for Works, I think, under the authority of which a street in Victoria Park was closed, and no one knew anything about it until the whole thing had been fixed up.

Hon. J. Duffell: It was at Carlisle.

The Minister for Education: I do not think a Bill was put through.

Hon. J. J. HOLMES: Was the street closed without such authority?

The Minister for Education: There may have been a Bill.

Hon. J. J. HOLMES: In view of what transpired on that occasion, we should insist upon having the approval of the local authorities concerned, as we have in this instance.

Question put and passed.

Bill read a second time.

In Committee.

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

BILLS (3)—FIRST READING.

1, Electoral Districts.

2, Perpetual Executors, Trustees, and Agency Company (W.A.) Ltd. (Private).

3, Hospital Tax.

Received from the Assembly and read a first time.

BILL—JARNADUP-DENMARK RAILWAY.

Assembly's Message.

Message from the Assembly notifying that it had agreed to Nos. 1, 3, 4 and 5 of the amendments made by the Council, but had amended No. 2, in which amendment the Council's concurrence was desired, now considered.

Hon. J. Ewing in the Chair, the Minister for Education in charge of the Bill.

Clause 9, new clause passed by Council—
"The construction of the whole or any section of the railway shall be carried out by contract after public tenders have been called":

Assembly's amendment.—Insert after "shall" the word "not," and strike out "by contract after" and insert in lieu "unless and until," the new clause then reading—"The construction of the whole or any section of the railway shall not be carried out unless and until public tenders have been called":

The MINISTER FOR EDUCATION: The amendment is one that we might accept because public tenders may not be satisfactory, in view of the sections in which the line will be built, and that fact should not prohibit the construction of the railway. Of course if tenders are satisfactory they will be accepted by the Government.

Hon. J. J. HOLMES: We should insist on our amendment. The proposal of another place means nothing. It might be all right for newspaper proprietors, who will get advertisements out of the calling of the tenders, but the result will be only to put contractors to the inconvenience of tendering, the Government knowing well all the time that they have no intention of accepting any tender.

The Minister for Education: That is not the position at all.

Hon. J. J. HOLMES: We should not accept the Assembly's suggestion because it will mean leaving the matter optional with the Public Works Department. If we bring in the contractor he will be bound by the price of the schedule he submits and will have to complete the line within a certain time. If the line is built by day labour, we shall have a repetition of what has taken place in the past.

Hon. A. LOVEKIN: The reason advanced by another place when putting up the modification they have sent to this House was that contractors might conspire together to put in an extortionate price which the Government would not be able to accept, and the Government would then be in the position of not being able to go on with the work. There may be something in that. What we want to prevent is the department putting in a lower price than the contractor, carrying on the work and then not sticking to the specification which the contractor would have to do. My desire is to, as far as possible, prevent the construction of such works by the department. I suggest that we agree to the amend-

ment of the Assembly subject to a still further amendment as follows:—"Provided that should no public tender be accepted, such construction shall not be undertaken departmentally until the sanction of Parliament has first been obtained." If the Government find themselves in the position of having called tenders and the price being too high, they will then have to report to Parliament, and it will be for Parliament to say whether, in the circumstances, the department shall or shall not go on with the work.

THE MINISTER FOR EDUCATION: I assure the Committee there is no desire on the part of the Government to construct the railway departmentally.

Hon. A. Lovekin: But this Government will not be in power for ever.

THE MINISTER FOR EDUCATION: There is no better method of securing the cheap construction of railways than to have contractors competing with the Public Works Department. The cheapest railways in this State have been constructed on those lines. Although we have no wish to carry out this work other than by contract, it is placing too much in the hands of the contractor to say that the construction shall not be carried out in any other way.

Hon. H. STEWART: I am sorry that I shall have to leave in a few minutes and that I shall not be able to take part in the division. But the reply of the Leader of the House is entertaining. A reply in another place recently given to a question asked by a member showed that six miles of clearing along the route of the Dwarda-Narrogin railway cost £8 per acre. The work done was over a distance of 2 chains. Work of this kind is generally carried out for about 30s.

Hon. J. A. Greig: And it was not cleared; it was only chopped down. Farmers would do that for 10s.

Hon. H. STEWART: We should refuse to accept the Assembly's amendment.

Hon. J. J. HOLMES: We would be wise to insist upon our original amendment. The Leader of the House has said that the Government have no idea of doing anything of the kind, but we must remember that the Minister for Works is in charge of these matters. We have had an indication this afternoon that he closed a street without Parliamentary authority. If he can do that, he can build a railway. The bogey that has been raised about contractors putting their heads together, is all moonshine. Some of the big contractors have been forced to take contracts in other States. I do not think I am wrong in stating that Mr. R. O. Law is carrying out contracts in the other States because the Public Works Department are able to do so much here. We know that the estimate by the Public Works Department for the construction of the Beadon Point jetty was £200,000 and the contractor is putting it up for less than £60,000! In the face of these things, we are asked to allow the Government to build railways by day labour! We know too that the Trades Hall

authorities in erecting additions to their building in Beaufort-street, turned down day labour and let the work by contract.

Hon. A. LOVEKIN: The amendment that I suggest really makes the position from our point of view much clearer and tightens it up. We know what we intended our amendment to mean, but another Government may come into power who will comply with the Act by calling for tenders and declare their own tender the lowest. I want to stop that sort of thing and we should add a proviso, that if a public tender has not been accepted, the department shall not undertake any work without the approval of Parliament.

Hon. A. BURVILL: I am in favour of public works being carried out by contract and not by day labour. The Government should have a right to submit a tender as well, but in the event of the Government tender being accepted, there should be a provision to bring them into line with other contractors and force the department to keep within its price.

Hon. J. A. Greig: Who has to pay if the department does not keep within the price?

Hon. A. BURVILL: The public pay at present, but we know that under existing conditions, the departmental estimate is sometimes exceeded by three times the amount, as was evidenced in connection with the drainage works at Herdsman's Lake. There is no reward provided for Government officials if they carry out public works within the estimate. On the other hand, if they exceed the estimates, the public purse is drawn upon to an unlimited extent. An amendment was moved in the Lower House to provide that an officer who exceeded the estimate should be dismissed and he who kept within the estimate should receive a bonus. That amendment was ruled out of order. A special Act should be agreed to amending the present legislation, so as to force the Public Works Department to keep within their tender price. It is admitted that the Public Works Department cannot get the same amount of work out of a labourer on day work as a contractor can, and it is also known that a public official in his private capacity can get more work out of a man on day labour than he can as an officer of the department. It is not altogether a question of day labour versus contract, because contractors employ day labour and get better results on account of supervision.

Hon. A. Lovekin: How can we prevent the department from exceeding their estimates any more than we can prevent a contractor from making a loss?

Hon. A. BURVILL: The people are concerned in having the work done more economically.

Hon. J. Duffell: According to your remarks, you should vote against the Assembly's amendment.

Hon. A. BURVILL: I do not wish to place the Government in an awkward position, for this will affect the group settlements which are already being established and for which

the railway is required. If the Assembly's modification be not agreed to, there is a chance of the Bill being shelved.

Hon. V. Hamersley: Why should it be shelved?

Assembly's amendment put and a division taken with the following result:—

| | | | | | |
|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 5 |
| Noes | .. | .. | .. | .. | 14 |

Majority against .. 9

AYES.

| | |
|----------------------|-------------------|
| Hon. F. A. Baglin | Hon. A. J. H. Saw |
| Hon. A. Burvill | Hon. J. W. Hickey |
| Hon. H. P. Colebatch | (Teller.) |

NOES.

| | |
|-------------------|-----------------------|
| Hon. R. G. Ardagh | Hon. A. Lovekin |
| Hon. J. Duffell | Hon. J. M. Macfarlane |
| Hon. J. A. Greig | Hon. J. Nicholson |
| Hon. V. Hamersley | Hon. G. Potter |
| Hon. E. H. Harris | Hon. E. Rose |
| Hon. J. J. Holmes | Hon. H. Seddon |
| Hon. J. W. Kirwan | Hon. J. Cornell |
| | (Teller.) |

Assembly's amendment thus negatived.

Resolution reported and a message accordingly transmitted to the Assembly.

BILL—APPROPRIATION.

Second Reading.

Debate resumed from the previous day.

Hon. J. W. KIRWAN (South) [6.0]: The speech made by the Minister for Education in moving the second reading was interesting and informative. It is extremely difficult to deliver a speech in the nature of a financial statement, crowded as it is with figures and dry as dust details, in such a way as to allow it to be followed with interest. It was said of Mr. Gladstone, when Chancellor of the Exchequer, that he was able to make a budget speech as attractive as a fairy tale. I cannot say the Minister for Education made his speech as attractive as a fairy tale, but I must say his speech contained some characteristics of a fairy tale. His speech brought the financial condition of the State right up to the end of the last month, whereas the budget speech delivered by the Treasurer dealt only with the 12 months of the last financial year. The House ought to appreciate the fact that such a speech as that of the Minister for Education has been delivered in this Chamber. This Chamber ought to have the latest information on financial matters, since its financial responsibilities are practically as great as those of another place; for although we cannot initiate money bills, we have to say whether such Bills shall or shall not pass. In some respects the Minister's speech was cheering. It was cheering to

bear of the improvement in the railway finances, amounting to nearly £150,000 as between the closing part of 1922 and the closing part of 1921. The Minister told us the expected loss on the Railways would not be more than £88,000, the lowest since 1916. He informed us that there were now about 1,000 men fewer employed in the Railways than there were 18 months ago, notwithstanding which there has been no loss of efficiency. I agree with Mr. Holmes that we might well ask the Government why they did not make that reduction before. Over and over again have I heard Mr. Holmes plead with the Government that something of the sort should be done. In my view congratulations are to be extended, not so much to the Government, as to Mr. Holmes and others who, in season and out, have pointed to the unpleasant fact that there was considerable room for economy. I hope that now the Government have made this reduction in the Railways, they will look around the other departments, for we all know that there is in the departments plenty of scope for reduction. The Treasurer in his budget speech estimated the deficit this year at £390,000, or something like £342,000 less than that of last year. The deficit of last year was a record, amounting to the enormous total of £713,000, and that without providing for substantial losses that might very well have been added. Another cheering statement made by the Minister for Education was that there is a distinct probability of practically cutting in half the deficit of last year. I hope that prediction will be realised. However, in his estimates for the last financial year, the Treasurer was £143,000 astray. Consequently it would be wise to withhold our congratulations until the financial year has been actually completed. I shall be surprised if there is not a substantial reduction in the estimated deficit, in view of the lessened amount to be paid into sinking fund, the increased taxation, the financial improvement on the railways, the increased charges on liquor, and the relief to be afforded to Consolidated Revenue by the financial clauses of the Hospital Bill. In view of all this, if the estimated deficit be not practically cut in half, it must be accepted as evidence, either of gross mismanagement or of gross extravagance. One part of the Minister's speech which particularly interested me was that relating to the Wyndham freezers. I am neither a strong opponent of State trading concerns, nor an ardent advocate of their disposal. They rather outrage my ideas of political economy, but in a new country still in the developmental stage, it is sometimes very difficult to distinguish between what is a State trading concern, and what is a public utility. Therefore I feel that some of the State trading concerns may well be retained, while others should be disposed of. For instance, when the State steamers were started, I accepted the argument in favour of them just as I would accept an argument in favour of State railways. With our long coast

line we require steamers other than those of a private company. We all know that if private companies have unrestricted power, they are inclined at times to use that power to their own advantage. It is unfortunate that the State steamers should appear to have been hopelessly messed up, as is shown in the report of the select committee. But, whatever views I may have of State trading concerns, I find it difficult to understand the attitude of the Government. They came into office bitterly hostile to State trading concerns, and determined to dispose of them. What is the position now? They say they will not sell the State trading concerns that are paying, and that they cannot get any buyer for those that are showing a loss. So long as that position continues I do not see how any of the State trading concerns can be disposed of. I have always been opposed to the Wyndham freezers. It is utterly impossible to control such a project from Perth. Many sound arguments were advanced against the passage of the Bill under which the freezers were established, but in this House some of the strongest advocates of the concern were anti-socialists. I was glad to hear the Minister say he had operated the works and found that the loss through operation was only £5,000 more than it would have been had the works not been operated this season. From figures quoted by Mr. Lovekin last night it would seem that the Minister's estimate will scarcely be realised, that the loss will be more than £5,000 additional. According to Mr. Lovekin, the loss last year was £95,000, without making provision for depreciation, which has been variously estimated at from 5 per cent. to 10 per cent. I understand that had the works not been operated, the loss would have been something like £78,000. So on those figures the loss occasioned by the operating of the works was approximately £17,000.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. W. KIRWAN: Prior to the tea adjournment, I was endeavouring to ascertain the position of the Wyndham Meat Works. The Minister informed us that the works when operating would lose about £5,000 more than if they were not operating. I agree that where the amount is a small one like this it is better to operate them in view of the advantages that accrue to the State, rather than that we should save the £5,000 and allow them to remain idle. There seems, however, to be some doubt as to the exact amount of the loss. The Minister himself was uncertain.

The Minister for Education: We cannot be certain until we get the returns.

Hon. J. W. KIRWAN: I will look for the exact position when these returns come to hand. Whilst the loss of £5,000 in order to operate the works is not a large one, there is a limit to which the Government can go. It is desirable to keep a close watch to see that this limit is not exceeded. I hope the

Government will get rid of these works. If they could only find a buyer who would take on the whole of the liability attached to them I really believe they might forego that 2s. 6d. of which we have heard so much. They constitute a white elephant. Anything that can be done to get rid of them, even at a substantial loss, the Government would be justified in doing. I hope we shall be freed from this terrible incubus. The Minister also referred to some comments which had been made by two prominent gentlemen of this city, Sir William Lathlain and Sir Walter James. I do not know Sir William Lathlain, but admire the boldness with which he comments on the Government and the proceedings of Parliament. I do not always agree with what he says about Parliament, but do not feel inclined to quarrel with a gentleman who has the courage to express his opinions freely, even when those opinions do not coincide with mine. A healthy controversy is often productive of good. The Minister by his remarks implied that these two gentlemen were disloyal to the State in what they had said.

The Minister for Education: I do not think so.

Hon. J. W. KIRWAN: That is the interpretation I placed upon his remarks.

The Minister for Education: I said they were unfair in their comparison.

Hon. J. W. KIRWAN: They had made a comparison between the state of affairs in Victoria and that in Western Australia. I am glad the Minister does not charge them with disloyalty to the State. Criticism of the Government is not disloyalty to the State, whereas if they think the Government are doing wrong and refrain from saying so, it would be a much nearer approach to disloyalty to the State. I have no desire to defend either of these gentlemen because they can easily fight their own battles. The Minister came out with a large number of figures concerning Victoria and Western Australia. The particular reference to these gentlemen was to a comparison between the indebtedness per head of the populations of the two States. This the Minister avoided making reference to, although the point is an important one. He might have pointed out that the net indebtedness per head in Victoria on 30th June, 1921, was £61 13s. 7d., and that of Western Australia, after making full allowance for our sinking fund, on the same date, was £124 7s. 6d. I take these figures from the official year book of the Commonwealth. For the last financial year I think Western Australia spent of loan money two millions and a-half. The amount of loan money we spent during the six months to the end of December last would be a fair amount. We have before us a Loan Bill which, when passed, will add to the indebtedness of the State £11 per head, that is assuming we retain our population through migration. That will mean, when all the loan authorisation has been passed, and even allowing for additional population, the indebtedness per head in

Western Australia will be on a stupendous scale. In his array of figures the Minister was silent about this, but it was the particular point that one of these gentlemen referred to. The principal words quoted by the Minister were: "Expressed a desire for sane stable government for the State" and regretted that the State had "a heavy burden of debt almost like a millstone around your neck." I now come to a matter in connection with which Mr. Lovekin and Mr. Holmes mentioned my name. That was the comment of the Minister regarding the relationship between the Commonwealth and Western Australia. A great deal of nonsense is talked and a great deal of harm has been done by certain statements of responsible men in this State to that very subject. The talk about the "Federal yoke" and "secession" is an absolute absurdity and much of the condemnation of Federation will not bear the slightest investigation when the facts of the position are taken into account.

Hon. A. J. H. Saw: "Piffle" might describe it.

Hon. J. W. KIRWAN: If the hon. member wishes to use that choice expression it will represent what I mean.

Hon. J. Duffell: It is typical.

Hon. J. W. KIRWAN: As an example of the nonsense that is talked I would draw attention to the remarks that have been made about "the Federal gold steal." This was spoken about in Perth among certain prominent men. I am glad to say no representative man on the goldfields—none who counted in any way or who had to do with gold mining there—supported these accusations in any way. There was no foundation for them. Neither the Chamber of Mines nor any of those who were engaged in producing gold made such absurd allegations. I mention this as an example of the utter nonsense that is talked as to the relationship between this State and the Commonwealth. Mr. Lovekin and Mr. Holmes referred to me as one of those who helped to bring Western Australia into the Commonwealth. I look back with a good deal of satisfaction to what I did on that occasion. I was then very much younger than I am now, but no effort on my part was spared to secure the inclusion of Western Australia in the Federal Union. What I did then I have no regrets about. If the same crisis were to occur again in the national affairs of Australia I would endeavour to do what I did on that occasion. Anyone who took part in the Federal movement and who assisted to bring Western Australia into the Union has no reason to regret the step he took. Despite the attitude of a certain number of people who are able to make their voices heard in Perth regarding federation, I say there is no State in the Commonwealth where the national spirit is so strong as it is in Western Australia. If a referendum were to be held as to remaining in the Commonwealth I have no doubt as to the result. We saw that on

two occasions. Since federation the people of Western Australia have twice been asked whether they favour the strengthening of the Federal powers. By an overwhelming majority on both occasions the people of the State sided with those who believed in strengthening the national powers. Not only this Government, but almost all other governments of Western Australia in their attitude towards the Commonwealth have been altogether out of touch with the spirit of the people. In approaching the question of the relationship between the Commonwealth and the State, one must always remember that one is a citizen of the Commonwealth as well as a citizen of Western Australia. It is not disloyal to the State of Western Australia to be just to the Commonwealth, nor is it disloyal to the Commonwealth to fight for the best interests of the State in which one lives, and in which one has all one's interests.

Hon. J. Duffell: What has that to do with the Appropriation Bill?

Hon. J. W. KIRWAN: A great deal. The hon. member might say that the Minister's comments on the relationship between the State and the Commonwealth have had nothing to do with this Bill. The question vitally affects the finances of this State. Further, the hon. member might know that a debate on an Appropriation Bill in every Parliament in the world is as wide as it can possibly be, that there is no subject connected with public affairs that has not a bearing on some matter in the Appropriation Bill. Consequently discussion on the Appropriation Bill always extends over a wide range. This is, in fact, the particular time at which references ought to be made to the relationship between the Commonwealth and the State. I was about to say, when interrupted, that in considering the question of the relationship between the two Governments a man would be more than human if his sympathies were not in favour of the State in which he lives, the State in which he expects to spend the rest of his days. But sometimes one's very zeal does more harm than good. I am quite convinced that the way in which the case for Western Australia has been presented by some public men of this State has not been in the best interests of Western Australia. There is a case for better treatment that can be presented to the Commonwealth. The way in which that case has so far been presented is detrimental to Western Australia. There are two things which, when presenting the case, we ought never to forget. One is that the Commonwealth is not a foreign power, for the Commonwealth consists of our own Australian people. The Commonwealth is endeavouring to build up an Australian nation which will be a source of strength and protection to us all. The other thing that we ought not to forget is that the Commonwealth has its financial obligations as well as the State, and that the financial obligations of the Commonwealth are very considerable.

The Commonwealth has had to pay the expenses of Australia's share in the great war. The cost of that war comes to something like £350,000,000 for Australia alone. The Commonwealth has been paying the interest on that amount. The Commonwealth also has to provide a great deal of money for repatriation purposes, for war pensions, and for the defence of Australia. There are a large number of obligations which the Commonwealth has had to take on, and which, if we were not a part of the Commonwealth, we would have to undertake as a State. Furthermore, under the Constitution which the majority of the Australian people agreed to, the development of the various resources and industries is a matter left entirely to the control of State Governments. Mr. Colebatch, in making out a case against Federation—

The Minister for Education: I made out no case against Federation.

Hon. J. W. KIRWAN: I am very glad to hear it. I am inclined to think the Minister did not. It sounded as if he was trying to make out a case against Federation. However, I am very glad to have the hon. member's denial. What seemed to me to be an endeavour to make out a case against Federation was his reference to the evil effects of Protection on Western Australia. I am in thorough accord with the hon. gentleman on that question. I think that Protection has had a most injurious effect on Australia generally. In what Mr. Colebatch has said against Protection I am with him heart and soul.

Hon. F. A. Baglin: But the people are not with him.

Hon. J. W. KIRWAN: I was coming to that point. I am afraid that those who share my view are in the minority. I am very sorry that it is so. What little I could do I have done in order to oppose the policy of Protection. It is not making a case against Federation to say that the policy of Protection is injurious to Western Australia or to any other part of the Commonwealth. Who is to blame for Protection? Mr. Baglin says the majority of the Australian people are in favour of Protection. I am inclined to think they are. It is not the fault of Federation that Protection is the policy of Australia. It is the fault of the people and of the Governments that favour Protection. But it is no argument against Federation that Protection happens to be the policy of Australia. It would be just as absurd if, supposing a revenue tariff were in existence, those who desired a protective tariff were to urge secession in consequence of that. The fact that one may differ with the policy of the Government of any country is not an argument against the system of government. It is an argument against the Government, and those who do not agree with that policy are justified in opposing the Government. But Protection is no argument, and its evil effects in no way strengthen the case against Federation. It is a

most peculiar thing that those who so strongly object to the protective policy of Australia are the very people who constantly object to goods coming into Western Australia from the Eastern States. It seems to me that certain people in Western Australia want a protective policy against the products of the secondary industries of Victoria and other Eastern States, but a Free-trade policy towards the outside world. They must be consistent; they must be either in favour of a protective policy or in favour of a revenue tariff. They cannot have it both ways. One cannot be a Protectionist against goods from Victoria and a freetrader as regards the goods of the world generally. Mr. Colebatch pointed out that the policy of Protection had built up a number of factories in Victoria, and he quoted numerous figures in proof of that contention. I do not envy Victoria its city industries, which have been established there under the artificial conditions of Protection. I do not believe that it is wise for the people of Western Australia to concentrate upon secondary and city industries. What is the great wealth of Western Australia? Its agricultural resources, its timber resources, its mining resources, its wool and meat and wheat, its fruit and its dairy products. Those things are the real wealth of this State. I think that if we encourage the natural industries of Australia here, that is to say the primary industries, subsidiary industries will grow out of them naturally, and without undue stimulation. That will be very much better for Western Australia than to establish the unhealthy condition of things existing to-day as regards many of the city industries of Victoria. Another fault frequently found with Federation is as regards the Senate. It is said that the Senate does not carry out the duties for which it was originally intended. I agree with that. The Senate has been somewhat of a disappointment, inasmuch as it has not been the place where the interests of the States have received any great consideration. But I would ask, whose fault is that? Is it not the fault of the people of Australia with respect to the personnel of the men whom they sent to the Senate? The cure is entirely in the hands of the people and it is not the fault of Federation or of the Constitution if the personnel of the Senate be not all that it ought to be. The chief grievance, as I understand it, of Western Australia is based on the statement that this State does not get its adequate share of the Customs and Excise revenue. It will be remembered that when Federation was first instituted, the financial arrangements between the Commonwealth and the States were governed by what was known as the Braddon Clause. Those who were strong Nationalists, who wished to see the power of National Government strengthened, always referred to that clause as the "Braddon blot." The Braddon Clause was in operation for some ten years. It will be remembered that the clause provided that of the amount collected in Customs and

Excise, three-fourths was to go to the States and the remaining fourth was to be retained by the Commonwealth for the services of the Federal Government. A 10-years limit was fixed to the duration of the Braddon Clause, and that limit was fixed in order that the States might have an opportunity of adjusting their finances in view of the complete alteration which had been effected by the establishment of the Commonwealth. Section 94 of the Commonwealth Constitution provided for what was to happen at the expiration of the Braddon Clause—that then the Commonwealth Parliament might provide on such basis as it deemed fair for the monthly payment to the several States of all the surplus revenue of the Commonwealth. Section 94 of the Commonwealth Constitution gives full discretionary power to the Commonwealth Parliament to do what it likes in connection with the surplus revenue. It says—

The Commonwealth Parliament may provide on such basis as it deems fair for the monthly payment to the several States of all surplus revenue of the Commonwealth.

Hon. A. J. H. SAW: There ain't going to be no core.

Hon. J. W. KIRWAN: There is a core. That is where the hon. member shows he knows nothing about the subject. The Federal Surplus Revenue Act was passed in 1910. That Act was agreed to by the representatives of the States at the Brisbane conference. It was also agreed to by Sir John Forrest. In this State we are constantly harking back to the Surplus Revenue Act passed 12 or 13 years ago and claiming that it was not fair. It was the Surplus Revenue Act that gave special consideration to Western Australia and placed Western Australia in an exceptionally favourable position, as I shall show, but opponents of Federation are constantly harking back to the Surplus Revenue Act which was settled and agreed to as the result of a conference between the States and the Commonwealth some 12 or 13 years ago. Under the Surplus Revenue Act it was decided that the States should receive 25s. per head of population, but a special grant was made to Western Australia of a quarter of a million to be reduced at the rate of £10,000 a year until ultimately it was extinguished. The surplus revenue was paid into a trust fund and after allowing for the per capita distribution to the States, the balance was spent on invalid and old age pensions, which I am sure was a worthy object, on maternity bonuses, on coastal and other defence and on war pensions. The case for Western Australia, as it has been presented in some quarters, would imply that Western Australia is not receiving her adequate share, because of the high amount that is paid per head of the population of the State in Customs and Excise. There is one statement which was made by the Minister and, as a bald statement, it created something in the nature of a sensation in the House, but as soon as it is explained, it has a very different meaning

from that which would be conveyed to anyone who simply heard the statement made. From the "Daily News" report I quote the exact words of the Minister—

Victoria is obtaining only 8s. 6d. per head per annum returned to her from the revenue collected by the Commonwealth in Customs and Excise less than was paid at the start of Federation, whereas we in Western Australia received £3 14s. less than during the first five years of Federation.

It is not surprising that members should be rather startled by a statement of that kind. In order to show what little bearing the statement has upon the position to-day, it is necessary to give the Customs and Excise duties collected per head in the various States of the Commonwealth at the time Federation was inaugurated. We all know what existed in Western Australia in the year Federation was consummated. We know how things were booming on the goldfields. We know that the population consisted of a very large percentage of adult males, who spent an extraordinary amount on dutiable commodities, and one-half of the Customs and Excise revenue was derived in those days from stimulants and narcotics. The amount of stimulants and narcotics consumed in Western Australia in those boom days was three times per head of what it was in some of the Eastern States. I have the exact figures here. Customs and Excise duties in the various States per head in 1901-2, the first year they were collected by the Commonwealth, were as follows: New South Wales, £2 per head; Victoria, £1 18s. 3d.; Queensland, £2 8s 8d.; South Australia, £1 17s. 5d.; Tasmania, £2 1s. 5d., and Western Australia £6 14s. 8d., a marvellous tribute to the amazing capacity of the mining pioneers of this State as regards the consumption of stimulants. That is the explanation why the difference was so great between the amount returned in Victoria and Western Australia in those days, as compared with the amount returned to-day.

The Minister for Education: Are those figures for all commodities?

Hon. J. W. KIRWAN: Yes. The explanation was that the enormous amount of taxed commodities we consumed was so much greater than at any other period.

The Minister for Education: What are the figures for to-day?

Hon. J. W. KIRWAN: It is utterly impossible to get them. No record is kept for each State. Only the figures for the whole Commonwealth are available. That is the explanation of the statement made by the Minister, and without that explanation, the statement sounds very extraordinary indeed. When that explanation is given, the statement can readily be understood. When the Minister was quoting the Customs and Excise duties per head collected in Western Australia, I several times asked by way of interjection where he got his figures. Mr. Lovekin seemed to think that I was bringing

against the Minister a charge of having invented or concocted the figures. I did not wish to do anything of the kind. I am perfectly certain the Minister gave us those figures in good faith and I am equally certain that the figures were wrong. I am certain there is not a member of this House who, when he knows the way those figures were arrived at—and I know how they were arrived at—would not be perfectly satisfied they were wrong, and the Minister, too, will recognise it. No official record has been kept of the Customs and Excise duties in each State since the expiration of the book-keeping period. For 10 years after the institution of Federation there was what is known as the book-keeping system in operation. It was necessary in those days to know exactly the amount collected in each State. Therefore, figures were published showing the amount of Customs and Excise collected in each State. It was extraordinarily difficult to get those figures. The Commonwealth spent a great deal of money, and even the Commonwealth Statistician said the figures for the 10 years, though as nearly correct as they could be made, still were full of inaccuracies. The State in which dutiable goods are landed is not necessarily the consuming State. There was the distributing State and the consuming State, and in order to ascertain the figures, it would be necessary to follow the goods from the distributing State to the consuming State, and no endeavour has been made to do that for the last 10 years. It was abandoned because there was no necessity for it and because it would have cost a great deal of money. It was impossible to follow the goods across the borders with the Customs Houses abolished, and therefore any figures that are provided concerning Customs and Excise duties collected in any State are merely estimates. I happen to know the exact system by which the figures of the Minister were arrived at, and I know that the proper considerations were not taken into account. The Minister was correct in saying, in reply to my interjection, that members could get the figures for themselves. Members had a Parliamentary paper supplied to them in 1919 dealing with the financial relations between the State of Western Australia and the Commonwealth, a report by the Under Treasurer, a gentleman who everyone knowing him holds in the highest possible respect. If he has one fault, it is a good fault, namely, excess of zeal for the State of Western Australia. Anyone who has studied this report will see how anxious he is and will admire his anxiety to make out a strong case for Western Australia. But there are times when over-zealousness is dangerous; if we overstate a case we injure very materially the cause we have at heart, and that is what can be found by an examination of this report. There will be found a statement of Customs and Excise duties collected in Western Australia, but it is an estimate. The way in which the estimate is arrived at is dealt with very fully,

but some most important considerations have been omitted from the estimates of the collections in this State. The paragraph which shows how he arrived at his figures is to be found on page 13. Earlier in the report he deals with the question why the book-keeping clauses were abandoned, and he states that the reason for their abandonment by the Commonwealth may be summarised as follows: (1) The trouble and expense which the necessary record entails, (2) practical impossibility of ensuring that in every case a consuming State would be duly credited with revenue collected in its behalf in a distributing State. Then he gives the figures for the 10 years that were prepared by the Commonwealth under the book-keeping system. He endeavours to bring the figures up to date by a process which I will read. It is as follows:—

“From the male population in the several States on the 31st December of each of the 9½ years of the book-keeping period, namely, from the 1st January, 1901, to the 30th June, 1910, as shown in Table E, and the customs and excise revenue collected in each of the financial years ending on the succeeding 30th June respectively, as set forth in Table F, I obtained the customs and excise revenue per head of the male population in each State, the amounts of which will be found in Table G. It may be mentioned that in Table F the duty collected under the Western Australian special tariff during the period October, 1901, to October, 1906, was omitted, as it would have had the effect of disarranging the regular progression of the figures and was of a temporary nature only. I ascertained in this manner that in the year 1907-8, for example, the average amounts of customs and excise per head of the male population on the 31st December, 1907, in the respective States were: in New South Wales, £5.483; in Victoria, £5.303; Queensland, £5.050; South Australia, £5.175; Western Australia, £6.830; and Tasmania £4.222 per head, while for the whole Commonwealth the average per head of the male population was £5.391. I next calculated the ratio which each amount per head of the male population in the several States bore to the Commonwealth amount per head. These ratios I have shown in Table G, below the respective amounts per head; thus for the year 1907-8 the several ratios which the Commonwealth amount per head (£5.391) bears to the amounts per head in the several States, taking the Commonwealth ratio per head as the index of unity, are as follow: In New South Wales the ratio is 1 to 1.017; Victoria, 1 to .983; Queensland, 1 to .937; South Australia, 1 to .960; Western Australia, 1 to 1.267; and Tasmania, 1 to .783. I observed that during the last three years 1907-8 to 1909-10, the ratio assumed such a measure of regularity as to satisfy me that by taking the average ratios of these three years as a basis I might fairly assume that they

represented the law which was in operation.'

He then works out an average and he adds this paragraph which is significant—

"The method which I have adopted and described above produces results which appear to me, as set forth in Table II, to represent the actual amounts of customs and excise paid by the people of each individual State year by year, less cost of collection. The said method incidentally makes due allowance for the changes which have operated from year to year in the numbers of the male population and at the same time it gives effect to the increased or decreased revenue resulting from alterations in the tariff, and the shrinkage of revenue resulting from the large body of male citizens who were absent on active service during the war, or left the State as munition workers, etc."

According to that the compiler of the figures made allowances for the masculinity of the population which is an important consideration, but in doing that there were two things which should have been taken into account. Adult masculinity is chiefly responsible as the consumer of revenue producing commodities. Anyone who knows the goldfields is aware that for years they were made up of a very large male adult population. Then as years went on the women folk and the children followed, and the result was that, although the adult male population considerably decreased, the population did not decrease, because of the large number of women and children. Adult masculinity is different from masculinity that includes male children. Furthermore, even in the case of adult males the consumption of dutiable commodities considerably decreased as the mining boom declined. We all know what happened in the early years of Federation. Prosperity abounded on the goldfields. Almost every second or third house in Hannans-street was a hotel, and not only that, but the hotels were three and four deep with people awaiting to be served with drink. The amount of champagne and liquor of all sorts and luxuries generally consumed was enormous. That was the reason of the exceptionally high per capita collection of Customs revenue from Western Australia. My contention is that the condition of things in Western Australia has changed tremendously. Mining is no longer as relatively important an industry as it was in those days. The agricultural industry absorbs the activities of a large proportion of our people, and the number who to-day spend as freely as was universal in the old days of the gold boom is few. I claim now that we have reached somewhere about normal as regards the consumption of dutiable goods in Western Australia. The per capita consumption would be about the same as in New South Wales, but the figures quoted by the Minister are based upon statistics collected in the years when the consumption per head was enormously high. The compiler of the

figures did not take into full account the change in the life and character of the people. I can understand how the Minister getting the figures from such a source would readily make use of them. Being a busy man, the wonder to me is how he is able to do all that we know he has to do. I am perfectly convinced, however, that if the Minister will take these figures himself and look into them, he will soon be convinced that sufficient allowance has not been made for circumstances which would show that we have reached about a normal state of affairs in connection with the consumption of dutiable goods per capita of the population in Western Australia. By adhering to figures of that sort I claim the Minister rather spoils an excellent case that this State has for better consideration at the hands of the Commonwealth. I feel sure that there is not a Minister of the Crown who on reading through that report would not agree with me that sufficient allowance had not been made for all the circumstances to which I have referred.

Hon. A. J. H. Saw: Are you making allowance for the increased amount being spent by women on dress compared with what the men spend on drink.

Hon. J. W. KIRWAN: I realise the hon. member's point, but the same thing applies in the other States. The increased expenditure on women's clothes in Western Australia I would be sorry to think was higher than similar increased expenditure in New South Wales or Victoria.

Hon. A. J. H. Saw: You missed the point—the number of women and the increasing amount that they spend in clothes.

Hon. J. W. KIRWAN: That does not affect the position at all, because the same thing applies all over Australia. It is the per capita consumption in Western Australia relatively to the other States that we are discussing. I have shown that at the beginning of Federation we in Western Australia consumed three times the amount of dutiable commodities that were consumed in New South Wales and more than three times the quantity consumed in Victoria.

Hon. A. Lovekin: Is our masculinity in the same ratio as that of the Eastern States?

Hon. J. W. KIRWAN: It is taken into account by the compiler of the figures, but the difference between adult masculinity and masculinity generally is not taken into account. The masculinity is only one factor, but I claim that there are two factors not taken into account even in connection with the masculinity by the compiler of these figures. One consideration is the masculinity in the early days of the goldfields when there was an enormous proportion of adult males, and that it is the adult males who consume the dutiable commodities. To-day that position is modified by the large number of male children who do not consume the same quantity of dutiable commodities. There is also a second consideration that the adult males in the State to-day do not spend their money as freely as

they did in the boom days on the goldfields. That is an important consideration which should be taken into account, and anyone presenting Mr. Owen's figures on behalf of Western Australia would find himself in a very awkward fix. The case for Western Australia is not injured by stating the whole of the facts and by presenting the position exactly as it is. Too often when we hear a reference to Federation there are important considerations that are altogether overlooked, considerations which should not be overlooked. In connection with the relationship between the Commonwealth and Western Australia there are various special concessions that have been granted to this State which ought to be mentioned. Before we entered Federation we asked, and it was agreed, that we should be allowed to retain our duties for five years, to be reduced at the rate of 20 per cent. per annum. At the end of five years, uniform duties were to obtain. That was the request made on behalf of Western Australia. Personally, I did not think that the request was of any value, but it was what we asked for. There is another matter we should not forget. What was the next thing we asked for, as with one voice? It was the construction of the Great Western railway. We gave the Commonwealth authorities no peace until they built that line. The Commonwealth constructed it in spite of the opposition in the Eastern States, and they spent over seven millions in the construction.

Members: They wasted a lot of it.

Hon. G. W. Miles: That was a day labour stunt!

Hon. F. A. Baglin: Would it have been done better by contract?

Hon. J. W. KIRWAN: At any rate, the Commonwealth spent that money. They gave Western Australia what she asked, and today the Commonwealth generally has to bear the loss on that railway.

Hon. J. Ewing: What has Federation done for New South Wales and Victoria?

Hon. J. W. KIRWAN: The Great Western railway has not been of any great advantage to New South Wales and Victoria. However, whether it has been of advantage to the other States or not, this was the one thing asked for by Western Australia, and in Victoria particularly there was considerable opposition to what was called the "desert railway." There is still another matter we should remember when considering the relationship between the Commonwealth and the State. Since 1910-11, Western Australia has received from the Commonwealth £2,340,000, calculated on the per capita basis, more than Victoria, New South Wales, South Australia or Queensland. That is what we receive by virtue of a special concession which began with a quarter of a million and was reduced at the rate of £10,000 per annum. Last year, I think, we received £130,000. Tasmania has a special concession but it is small compared

with ours. Furthermore, we have in the Senate the same number of members as New South Wales or Victoria. We will not spoil the case for Western Australia by being perfectly fair and admitting these facts. There is a very strong case indeed to be made out for Western Australia. I can say on the best of authority that had our case been presented by Ministers from Western Australia, it would have received most favourable consideration. The case for Western Australia, as one of the States of the Commonwealth, is that we represent a mere handful. We have 330,000 people and the State comprises a third of the continent. We are struggling to develop and people one-third of Australia. That task is not merely a Western Australian matter. The work of peopling the North and North-West of the State is essentially a national question. The emptiness of that part of the State is a menace to the safety of Australia as a whole. Considering the mere handful of people we have here, and the tremendous amount of work that has to be done to people and develop such a vast area, we should receive special consideration from the Commonwealth and when we are doing such a national work, we should ask the National Government to assist us.

Hon. J. Ewing: That argument has been used on many occasions.

Hon. A. J. H. Saw: Of course it has.

Hon. J. W. KIRWAN: I have it on the best of authority that it was never used by any Western Australian representative at conferences in the East. A strong case can be made out for a special grant to aid us in developing the North and the North-West because the task is an Australian, and not a Western Australian one. A much stronger case can be made out on those lines than by merely wasting time in talking about the Surplus Revenue Act, which was settled and done with 13 years ago, about the evils of the protective policy, the alleged gold steal, or other absurdities which are usually brought forward when the relationship between the State and the Commonwealth comes up for discussion.

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

BILL—JARNADUP-DENMARK RAILWAY.

Reasons for disagreement.

The MINISTER FOR EDUCATION: Before we proceed with the next order of the day, I would draw attention to the fact that after dealing with the Jarnadup-Denmark Railway Bill, when members decided not to agree to the amendment made by the Legislative Assembly, we should have appointed a committee to draw up reasons for so disagreeing.

The PRESIDENT: What do you move?

The MINISTER FOR EDUCATION: I merely direct the attention of the House to the fact that three members should have been appointed to draw up reasons for disagreeing. I take it those who favoured the disagreement will be prepared to move for the appointment of that committee.

Hon. A. LOVEKIN: I move—

That a committee consisting of the Hon. G. W. Miles, Hon. J. Nicholson and the mover be appointed to draw up reasons for disagreeing to the Assembly's amendment.

Hon. G. W. Miles: I suggest the Leader of the House should be on the committee.

The Minister for Education: I dissented from the course taken. I cannot be expected to give reasons for disagreeing.

Hon. A. LOVEKIN: I took it that the Minister did not desire to be on the committee.

The Minister for Education: Certainly not; the House could not expect me to draw up reasons for disagreeing.

The PRESIDENT: Do I understand the Committee's decision was carried against you?

The Minister for Education: Yes. Let the members who disagreed draw up their reasons!

Question put and passed.

Reasons for disagreeing to Assembly's amendment adopted and a message accordingly transmitted to the Assembly.

BILL—HOSPITALS.

In Committee—Defeated.

Resumed from the previous day. Hon. J. Ewing in the Chair; Minister for Education in charge of the Bill.

Clause 2—Interpretation:

Hon. V. HAMERSLEY: I move—

That the Chairman do now leave the Chair.

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

| | | | | | |
|--------------|----|----|----|----|---|
| Ayes | .. | .. | .. | .. | 9 |
| Noes | .. | .. | .. | .. | 8 |
| | | | | | — |
| Majority for | .. | | | | 1 |
| | | | | | — |

AYES.

| | |
|-------------------|-------------------|
| Hon. F. A. Baglin | Hon. J. W. Hickey |
| Hon. G. F. Baxter | Hon. J. W. Kirwan |
| Hon. J. Duffell | Hon. A. Lovekin |
| Hon. V. Hamersley | Hon. H. Stewart |
| Hon. E. H. Harris | (Teller.) |

NOES.

| | |
|-----------------------|-------------------|
| Hon. H. P. Colebatch | Hon. J. Nicholson |
| Hon. J. A. Greig | Hon. E. Rose |
| Hon. J. M. Macfarlane | Hon. A. J. H. Saw |
| Hon. G. W. Miles | Hon. J. Mills |

(Teller.)

PAIRS.

| AYES. | NOES. |
|-------------------|------------------------|
| Hon. R. G. Ardagh | Hon. A. Burrell |
| Hon. J. Cornell | Hon. F. E. S. Willmott |
| Hon. J. E. Dodd | Hon. H. Seddon |
| Hon. J. J. Holmes | Hon. G. Potter |

Question thus passed; Bill thus defeated.

BILL—GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

In Committee.

Resumed from the previous day; Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 2—Amendment of Section 18 (Partly considered):

Hon. A. LOVEKIN: I move an amendment—

That in line 1 "hereby" be struck out. At a later stage I will move that in line 2 "inserting therein in place of" be struck out, and "omitting" be inserted in lieu. In the principal Act the rate of interest is limited to 4 per cent. The Bill proposes to limit it to 6 per cent. There could be no more foolish legislation.

Hon. E. H. Harris: But there is! You have never seen the Drowning Bill.

Hon. A. LOVEKIN: The rate of interest and the rate of discount are inextricably interwoven and the market price of money must be paid, whatever it may be. If we were to limit both the rate of interest and the rate of discount, we should not be able to float a loan at all unless we paid large sums of money for getting it underwritten, which would bring us back to the market price. It is much better that a Minister or an Agent General when doing any financing should have a perfectly free hand to take advantage of the fluctuations of the money market. Only last week the President, when I mentioned that Commonwealth 6 per cent. bonds were quoted at £108, almost left his seat in surprise. I was equally surprised when on Monday I was shown a telegram stating that the price of 6 per cent. Commonwealth bonds was £108. On turning up the "West Australian" to check that information, I found that the middle price of 1931-41 bonds was £106 12s. 6d., while New South Wales 6 per cent. bonds were quoted at £107 17s. 6d., and New Zealand 6 per cent. 1936-51 bonds were quoted at £108 17s. 6d. I mention this merely to indicate how great can be the variation of the market. Obviously our representative should be in a position to take advantage of such variations. The amendment gets rid of the section of the prin-

cipal Act limiting the rate of interest. I propose to strike out the word "hereby," to begin with.

The MINISTER FOR EDUCATION: The Government have no objection to the course proposed, but it is in opposition to the view this Chamber has always taken, namely, that the rate of interest should be limited. The amendment will not help in any way. The Bill before us gives the Government all the liberty of negotiations they require.

Hon. J. W. KIRWAN: There was no conflict, as suggested by the Minister, between the views held by Mr. Lovekin and those held by me, although the Minister was very clever and amusing in his remarks on the subject. What is the use of limiting the rate of interest without providing for the issue price of the loan? Then there is the question of the flotation expenses and the duration of the loan. In an endeavour to improve the Bill I have framed an amendment dealing with the issue price of the loan, but I do not feel inclined to proceed further in view of the reception my remarks had last evening. The amendment I intended to propose was to insert the words "the issue price thereof," and if members desire I am prepared to move it. If, however, Mr. Lovekin's amendment is carried, I shall have no opportunity of moving it.

Hon. H. STEWART: I see no harm in Mr. Kirwan's proposal, but I am not going to vote for that of Mr. Lovekin. It will not carry us any further forward. He practically condemns the judgment of members of this Committee over a period of years. We should leave the matter as it is.

Hon. A. LOVEKIN: If the position of the market is as I stated just now, we do not want a margin of 6 per cent. One of 5 per cent. would be quite sufficient. It is understood that at some future date the Minister has to go to London.

The Minister for Education: What has that to do with the matter?

Hon. A. LOVEKIN: He will have to be a party in connection with these loans, and knowing his astuteness, I would give him the freest possible hand. I do not press the amendment.

Amendment by leave withdrawn.

Hon. J. W. KIRWAN: I move an amendment—

That in paragraph (a) after the words "per annum" there be inserted "on the issue price thereof."

This will mean that the rate of interest of 6 per cent. per annum will be calculated on the issue price of the loan. That will give a wide margin upon which the Government may operate. The New South Wales loan was floated at a low rate of interest. The Minister pointed out that some loans floated in London, including some short dated Treasury bills, were also at a low rate of interest. There is a big margin provided for in the 6 per cent. The amendment some-

what extends the power of Parliament over the price to be paid for money which we borrow in London. It will in no way embarrass the Government. I will not repeat my previous remarks on the amendment, which is more in the nature of a safeguard.

Hon. Sir Edward WITTENOOM: My only excuse for trespassing upon the attention of hon. members on this occasion is that the subject is one of which I have had considerable experience. In my opinion, the Council would be ill-advised to limit in any way the issue price of loans. It is very difficult to know, when a loan is to be floated, at what price it will be floated. One has to take the advice of financial experts in London. Therefore the person in charge of the loan should have as free a hand as possible regarding the issue price. I am quite in accord with the limitation of the rate of interest, because it is an indication to the Government how far Parliament considers they should be allowed to go. I take it that no Government, whether a Labour Government or any other, would raise money at a higher price than it could possibly help; because if members of Parliament have sufficient confidence in their Government to give it power to expend two or three millions of money, surely they have sufficient confidence in it to allow it to raise that money on the best terms it possibly can. It would be almost suicidal to bind the Government down to a certain issue price, because there might be an opportunity of raising money which would have to be refused by the Government because Parliament was not sitting at the time and therefore could not be consulted.

Hon. J. W. Kirwan: May I point out that this amendment does not limit the issue price of loans?

Hon. Sir Edward WITTENOOM: Not in actual words, but the amendment is a delicate way of doing it.

Hon. J. W. Kirwan: But a very wide margin is allowed to the Government, as I think you will recognise, Sir.

Hon. Sir Edward WITTENOOM: Aft er all, it is to the advantage of a Government to be able to come to Parliament and say, "We raised that money on the best terms." My experience tells me that the Government should be left unhampered as regards the issue price, while an indication should be given of what the maximum rate of interest is to be.

Hon. A. LOVEKIN: I cannot agree with Mr. Kirwan on this question. His amendment appears to me equivalent to raising the rate of interest from 6 per cent. to 6 per cent. plus something dependent upon the issue price. The maximum rate fixed last year was 6½ per cent., but the Auditor General's report shows that the Government have borrowed at 7¼ per cent. The year before last the maximum rate was still lower, and that makes the position worse.

The Minister for Education: That is not so.

Hon. A. LOVEKIN: The Auditor General's report shows that money was borrowed at over 7 per cent.

Hon. A. J. H. SAW: Do you mean 7 per cent. for the whole duration of the loan, or for the first year?

Hon. A. LOVEKIN: I do not know. The Auditor General's report says—

Interest has been charged by the Commonwealth on various portions of the loan at varying rates—£5 0s. 6d., £6 15s. 2d., £7 5s.

I see no point in Mr. Kirwan's amendment. If it were carried, we would have to pay a higher charge to the underwriters, or a higher brokerage rate.

Hon. A. J. H. SAW: It seems to me that if one is going to borrow money on the London market and one fixes the rate of interest, one must allow the Government discretion as to the price at which the loan is to be floated. Otherwise, one is riding for a fall. This House cannot say what the rate on the London market is going to be next week, or a month hence. Therefore, if the Government are limited on the one hand, they must be given discretion on the other.

Hon. J. W. KIRWAN: What is the use of fixing the rate of interest without fixing the issue price?

Hon. A. J. H. SAW: We must allow the Government latitude at the other end.

The MINISTER FOR EDUCATION: In regard to loans from the Commonwealth, the position is that the Commonwealth finances them and charges us the rate of interest it has to pay itself. There have been in all five loans from the Commonwealth in connection with soldier settlement, at rates of interest ranging from £5 5s. 3d. to £6 15s. 2d. There was one loan of £500,000 on which the Commonwealth desired to charge £7 5s. The States all protested against that rate, which was the chief reason for the Treasurers' Conference of last year. Representations were put up to the Federal Government then, but up to the present no reply has been received. The average rate of interest on these repatriation loans, even including the rate of £7 5s. which was objected to, would be £6 4s. 6d.

Hon. J. W. KIRWAN: The President and Dr. Saw have taken up the position that we ought not to restrict the operations of the Government in securing money by loan. I can quite understand that position being taken up by those two gentlemen and other members. But if we pass a Bill which contains a limitation in the matter of interest, why not complete the thing and take full control? Either that, or take no control. Limitation of the rate of interest is really no limitation at all. I can also understand Mr. Lovekin's attitude. He came forward earlier in the discussion with an amendment to strike out the limitation of interest in the original Act. Mr. Lovekin takes the stand that we should give the Government full discretion as regards interest paid, flotation expenses, duration of loan, and all other points. It is useless to limit the rate of interest

while leaving the issue price and other conditions open. That is the motive which caused me to move this amendment. However, the House seems satisfied with an absolutely futile limitation. Of course we have to pass the Bill because it seeks to amend the Act providing four per cent. In view of the remarks which have been made I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—WORKERS COMPENSATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. J. DUFFELL (Metropolitan-Suburban) [9.32]: I congratulate the Government on bringing forward this small amendment. At the same time I regret that they have not seen their way clear to bring down other necessary amendments. This Bill is interesting in many respects. The Minister referred to the Lewis & Reid case. By virtue of a position I hold in Perth, it has been my duty to review the circumstances attending a number of accidents and applications for compensation under the Act.

Hon. J. CORNELL: In what capacity?

Hon. J. DUFFELL: The Bill seeks to amend the definition of worker. It is not generally known that the workers referred to in paragraph (a) include men who usually follow their calling around the timber mills in the South-West. They take contracts for hewing sleepers, practically on their own account, working in paddocks assigned to them by Millars and other firms, but not under the employment of recognised employers of sleeper cutters. I have obtained particulars of the case mentioned by the Minister last evening. The man Groseff lost his life when following this calling. The conditions under which these men work are not such as would bring them within the definition of worker. The definition states that worker shall not include any person whose remuneration exceeds £400 per year or a person whose employment is of a casual nature and who is employed otherwise than for the purpose of the employer's trade or business, or a member of the police force, etc. These men follow the calling in their own way, working when they feel disposed, leaving off when they have had enough.

Hon. H. STEWART: And working in the way they want to.

Hon. J. DUFFELL: Yes, but under the conditions set forth by the firms on whose property they are engaged. The people for whom they are cutting sleepers cannot sack them. These men start when they like and

knock off when they like. They can stay in bed for a week if they choose.

Hon. J. CORNELL: Provided they do not starve.

Hon. J. DUFFELL: They can cut for someone else on Crown lands and sell the sleepers to whom they please. When they go on an area set apart for Millars or other companies, they must sell their sleepers to the particular firm on whose area they are cutting. The only instructions they have are as to the size of the sleepers to be cut. This shows they do not come under the ordinary definition of master and servant. Master and servant may be defined as follows:—

A master is one who not only prescribes to the workman the end of his work, but directs or at any moment may direct the means also, or as it has been put, "retains the power of controlling the work." A servant is a person subject to the command of his master as to the manner in which he shall do his work, and the master is liable for his acts, neglects and defaults. An independent contractor is one who undertakes to produce a given result, but so that in the actual execution of the work he is not under the order or control of the person for whom he does it, and may use his own discretion in things not specified beforehand.

That shows that these men are only casual workers and, unless this Bill is passed, they cannot avail themselves of the privileges of the Act. There are quite a number of cases which have been cited in the courts in all of which the injured person has failed to obtain compensation. In the case of Groseff the relatives were unable to recover compensation. If the Bill is passed, such workers will be brought under the Act. There is another case bearing particularly on this clause, that of Corcoran v. the Great Fingal Gold Mining Company, reported in 9 W.A.L.R. 192. Corcoran took a contract known as a rearing contract and the conditions were that he was to do the work to the complete satisfaction of the company's superintendent. The contract contained a provision as to the rates of work and the company reserved the right to object to the employment of any particular man. Corcoran, while working on the job, was injured. Chief Justice Parker in holding he was an independent contractor and not a workman whereby he was excluded from the benefits of the Act, said while dealing with some English decisions bearing on the point:—"The fact that in this rearing contract which was made by Corcoran with the Great Fingal, he (Corcoran) undertook that all work was to be done under the direction of the company did not constitute him the servant of the company." The other judges of the Full Court concurred and Corcoran was held not entitled. Another case, that of Curtis v. Plumtree also has a bearing. There a tree-feller, Curtis, was engaged by a bailiff to cut down certain trees. He asked that his son might help him and also recommended another man.

These men, with a further man, were all engaged by the bailiff and the whole gang worked under the direction of Curtis. The tree fellers were paid a lump sum for the job, which sum was distributed amongst the gang by arrangement amongst themselves. The men found some of the tools, the bailiff others. On one occasion the bailiff told the men how to let a tree fall and after the accident he (the bailiff) engaged two other men to take the place of Curtis who was injured. There the County Court Judge's finding that Curtis was not a workman but an independent contractor was upheld by the Court of Appeal. The amendment contained in the Bill is no innovation. Similar amendments have been made previously. During last session an effort was made to amend the definition of worker to include certain other employees, but members opposed the alteration. Prior to that an amendment was made whereby tributers in a mine were brought within the definition of worker. That was achieved by an amendment similar to the one now under consideration. Tributers were formerly excluded from the definition of worker and there is some analogy between the work of tributers and that of sleeper cutters. Both are paid by results. Both have freedom of action as to when and how they shall do their work and whom they employ. Had it been intended to include sleeper cutters, no doubt the amendment would have said so. The only regret I have is that the Bill does not include further amendments. It is generally admitted that many amendments are required before the Act can be brought to a state of perfection. One which I think should have been included, is an amendment of the first schedule of the Act. The schedule reads—

In addition to the compensation payable under this section there shall be payable a sum equal to the reasonable expense incurred in respect of medical or surgical attendance including first aid on the worker in respect of his injury, but not exceeding £1.

It is important that we should amend that. Take a sleeper hewer who may be injured and who may be compelled to engage a motor car to drive some distance before he can receive attention. If we limit his expenses to £1, how is he going to receive that adequate compensation he should get and is justly entitled to? Generally speaking, hon. members must realise that the provisions contained in the Bill, widening the definition of "worker" in the direction set out in paragraph (b) will be admitted to be imperative, and in the circumstances I support the second reading of the Bill.

Hon. J. NICHOLSON (Metropolitan) [9.50]: The Bill is certainly short but it involves a very important principle. As has been mentioned by the Leader of the House, it is intended to meet certain cases which it was thought worked a hardship. The main object of the Bill is to provide those advantages

which are conferred by the Workers' Compensation Act on men who have more or less been regarded as contractors, and probably not even pieceworkers. It is confined largely to the timber industry as well as to persons injured at group settlements. The Leader of the House mentioned the fact that it was not intended to interfere with the right of contract. That is to say, a person who has entered into a contract might still do so. But what I wish to refer hon. members to is Clause 2 of the Bill in order to realise exactly how far this will extend. The first part of the clause extends the advantages of the Act to any person to whose services any industrial award or agreement applies. That is very wide indeed. The words are very definite. There are very few services which are not specified in some award or some agreement, and chief amongst those services rendered are services which are given in connection with contracts made by hewers, just the very class of men referred to in paragraph (b). In every award affecting the timber industry one finds that hewers and others who are in the habit of contracting for the supply of sleepers are mentioned, and prices are specified, and these men accordingly will reap the advantages of the measure. I remind hon. members of the definition of "worker" in the principal Act. The definition was referred to by Mr. Duffell. "Worker" it sets out—

does not include any person whose remuneration exceeds £400 a year or a person whose employment is of a casual nature. . . but save as aforesaid means any person who has entered into or works under a contract of service.

I wish to emphasise those words "Contract of Service."

or apprenticeship with an employer whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing.

That definition is comprehensive enough to include even the timber worker or the hewer who is engaged under a contract of service.

Hon. J. Cornell: You are stretching it now.

Hon. J. NICHOLSON: Not by any means. Paragraph (b) of Clause 2 of the Bill provides "that the Act shall apply to any person working in connection with the felling, hauling, carriage, sawing or milling of timber for another person who is engaged in the timber industry for the purposes of such other person's trade or business under a contract for service." So long as a man is engaged and has been employed under a contract of service then no one can have any possible objection to him enjoying the advantages and privileges of the Act. But when a man changes that character and says "I am going to undertake and perform certain work under a contract," why should that man have extended to him the advantages and privileges of the Act to enable him to claim compensation. It is admitted that the Bill has been introduced largely because of a recent case against a timber

firm. We should not in a Workers' Compensation Bill seek to interfere with the relationship between a contractor and the principal, and seek to apply to that contractor the same rights and advantages as the servant would be entitled to receive where the relationship exists only of master and servant. That is my point, and I emphasise the fact that if we pass this measure we shall confer upon those people who are really contractors, but who do not stand in the relationship of master and servant, the right to claim compensation which the worker alone is intended to claim under the principal Act. Therefore it will be wrong to pass the Bill.

Hon. F. A. Baglin: How will you protect the men on group settlements?

Hon. J. NICHOLSON: The men there are doing certain work. It will depend on the relationship that exists. If a man is working not for himself, but for an employer, then possibly he can claim the advantages that are given under the Workers' Compensation Act. If, however, he worked for himself, he has to take certain risks.

Hon. F. A. Baglin: He is not working for himself until the Government hands the block over to him.

Hon. J. NICHOLSON: I am not going to say that he is not working for himself.

Hon. F. A. Baglin: If he met with an accident and could not go on with his block he would have to give it to somebody else.

Hon. J. NICHOLSON: If I take up a C.P. block, for whom am I working?

Hon. F. A. Baglin: For yourself.

Hon. J. Cornell: It is hard to forecast for whom you may work. You may be working for the storekeeper or the publican.

Hon. A. J. H. Saw: He would hardly be working for the publican.

Hon. J. NICHOLSON: I confess I do not know what sort of title the man who is working on a group settlement would get.

Hon. F. A. Baglin: He gets 10s. a day for working for the Government.

Hon. J. NICHOLSON: In the same way as a C.P. holder gets a certain form of title, he may get a certain form of lease when he gets the land. A group settler gets a certain form of title when he takes up his block.

Hon. F. A. Baglin: He does not take up his block; it is allotted to him.

The Minister for Education: He does not hold it at all.

Hon. F. A. Baglin: If the man on the group settlement meets with an accident, he has to retire, and someone else gets the block.

Hon. J. NICHOLSON: If that is so, he is entitled to some special consideration in the shape of insurance. To return to the point I was dealing with, we should not seek to interfere with the relationship between contractor and principal, or give to the individual some advantage which is not conferred on a worker by the principal Act. If a man contracts to do certain work, we know he does not hold the same relationship to an employer as an ordinary worker.

Hon. J. Cornell: Suppose he sub-lets his contract, who is responsible?

Hon. J. NICHOLSON: That is all provided for in the parent Act, and as a rule these liabilities are always subject to insurances. In endeavouring to stretch the definition of "worker" as set out in the Workers' Compensation Act, the Government are seeking to extend it not only to the worker but to a contractor.

Hon. F. A. Baglin: But he is a worker all the same.

Hon. J. NICHOLSON: In paragraph (b), Clause 2, the wording is calculated to mislead. It contains the words "under a contract for service." If it be intended to extend only to persons working under a contract for service, the advantages of the Bill, there is no need to add the clause, because such a man is already protected under the principal Act.

Hon. J. Duffell: Not under the definition contained in the Act.

Hon. J. NICHOLSON: It says, "Save as aforesaid 'worker' means any person who has entered into or works under a contract of service." I do not care whether such a worker be engaged as a timber hewer or anything else. He is fully protected under the Act at the present time.

Hon. F. A. Baglin: Is not a contractor a worker?

Hon. J. NICHOLSON: He is a principal. A contractor is a man who stands in the relation of principal to principal.

Hon. J. Duffell: He can start when he likes and stop when he likes.

Hon. J. NICHOLSON: He is not, in that sense, a worker at all. It is common knowledge that in the South-West many men engage in doing the work themselves or employ other men to do work under their supervision. It is recognised that in the timber industry many such men go to work when they please and stop when they please. They have a contract to supply a certain number of sleepers, but do not contract to work for eight hours a day; they are not subject to orders nor are they supervised or directed by an employer. A man who is in that position cannot be said to be a worker.

Hon. F. A. Baglin: Force of circumstances makes him a worker.

Hon. J. NICHOLSON: The position Mr. Baglin has referred to was dealt with fully in the courts recently. The point arose in the case of Pozzi versus Aylen. The head note to that case reads as follows—

The appellant was a woodcutter and held a woodcutter's license. He was paid by the respondent at a certain price per load. It did not appear that the respondent exercised any control over the appellant, but the respondent had pointed out to the appellant that a certain kind of wood was not wanted by him, and that he must not cut beyond a certain distance, because the cartage would then become excessive. *Held*, that in the circumstances the appellant was an independent con-

tractor and not a worker within the meaning of the Workers' Compensation Act, 1912.

If this man had not been in that position, but had been subject to orders from an employer, the position would have been different. The opinion of the Chief Justice is set out in his judgment. It is brief and I will read it to hon. members. He said—

This is an appeal from a judgment of the resident magistrate sitting in the Kalgoolie local court. The appellant, Pozzi, brought a claim under the Workers' Compensation Act, 1912, asking for compensation for injuries which he said he received whilst he was working for the respondent. The respondent Aylen, is a wood contractor who supplies firewood to the mines, and Pozzi is a wood cutter who, at the time the accident happened was working under a wood cutter's license. The magistrate came to the conclusion that the relationship of master and servant did not exist, and that, therefore, the applicant was not entitled to receive any compensation, and that is the only point which is to be decided on this appeal. It is clear that a worker, in order to be entitled to the benefits of the Workers' Compensation Act, must, at the time of the accident in respect of which he claims, have been engaged under a contract of service with his employer at a remuneration which could be properly described as wages. That was decided by this court in the case of *Coreorau v. The Great Pingall G.M. Co., Ltd.* (a), and the Chief Justice, in the course of his judgment, said (at page 195) "I think a careful perusal of the Act and the authorities to which I shall shortly refer, bearing on the question, show that a worker must be engaged under a contract with an employer, and at the time he was injured must be working for the employer at a remuneration which can properly be described as wages." Then there was a passage in my judgment to which I am going to refer, because it was relied on by Mr. Smith on behalf of the appellant:—"I have come to the same conclusion, but I prefer to deal with this case without paying very much attention to the English authorities. It has been pointed out that each case must be decided on its own particular facts. It seems to me that the only question to be determined on this appeal is whether the plaintiff was a worker or an independent contractor. If he is a worker he is entitled to compensation; if he is an independent contractor he does not come within the provisions of the Workers' Compensation Act. I agree with the learned Chief Justice that in order to come within the Act, a man must be a worker for wages. I think that is shown by the sections of the Act to which the Chief Justice referred. If a man is employed to do work himself, and is subject to interference as to the manner in which the work has to be done, although he may be called a contractor and be paid by results, he is still, in my

opinion, a worker within the meaning of the Act.

That is the law if a man comes within the meaning referred to by the Chief Justice. He will still be a worker within the meaning of the Act and be entitled to compensation.

Hon. F. A. Baglin: This Bill makes doubly sure.

Hon. J. NICHOLSON: Perhaps so. The remainder of the judgment relating to this point reads as follows:—

The various authorities on the difference between an employee and a contractor are summarised in Halsbury, vol. 20, p. 67, par. 134, "To distinguish between an independent contractor and a servant the test is whether or not the employer retains the power, not only of directing what work is to be done, but also of controlling the manner of doing the work. If a person can be overlooked and directed in regard to the manner of doing his work, such person is not a contractor, and it makes no difference that his work is piece work.

That summarises the position very clearly and shows also that, in the opinion of the Chief Justice, if a man answers the description he refers to although engaged in work suggested by Mr. Baglin, he will still be a worker. If we agree to the Bill, the position is that we will open up the door—I do not know that I should object to it in a professional sense—to greater conflict and greater argument than is necessary. No benefits can arise from it.

The Minister for Education: What about the Lewis and Reid case?

Hon. J. NICHOLSON: The point in that case was that the man, with others, undertook a contract for the supply of sleepers. As the result of an accident he died, and a claim for £400 by way of compensation was made. The issue was whether the deceased was a worker within the meaning of the Act, since he was one of a party of sleeper hewers. He was not directly employed by Lewis and Reid. The whole party were free agents, entitled to work when they liked. They were not employed to obey directions given them from time to time; therefore they could not claim the same privileges as another who would be a worker within the meaning of the Act. Of course they could have provided themselves with some other method of insurance.

Hon. F. A. Baglin: What do you suggest?

The Minister for Education: Is not the Bill simpler?

Hon. J. NICHOLSON: It would not be fair. There is an important point to be considered. Under the existing Act no man whose wages exceed £400, is entitled to the benefits of the Act. Under the Bill there is no limitation.

The Minister for Education: What nonsense! Read the Bill.

Hon. J. NICHOLSON: It specifies a certain type of man engaged in the timber industry, but does not limit him in the same way as an ordinary worker is limited. Many

men in the timber industry earn big wages, and it is obviously necessary that in any amendment it should be clearly stated that no man whose remuneration exceeds £400 should enjoy the benefits of the Act.

Hon. F. A. Baglin: He cannot get it under the Bill.

Mr. NICHOLSON: There may be something to be said in favour of the group settlers. The position is a difficult one. I do not intend to oppose that provision except paragraphs (a) and (b), which I do not think are in conformity with the principles of the Act.

Hon. F. E. S. WILLMOTT (South-West) [10.21]: I cannot see that paragraph (b) is going to include the people whom Mr. Baglin, Mr. Duffell and the Minister think it will include. Suppose Lewis & Reid, whose names have been mentioned, secured a South African tender for the supply of a million sleepers. Lewis and Reid do not cut the sleepers. Probably they will let contracts in varying lots all over the South-West. Then Jones, who takes a contract from Lewis and Reid, goes around amongst his friends who own horses, and asks them if they can get hewers to cut the sleepers and bring them in, Lewis and Reid paying so much per load. The horse owners in their turn make their agreements with the cutters. Who is responsible?

Hon. F. A. Baglin: Why, Jones.

Hon. F. E. S. WILLMOTT: In turn the men who cut the sleepers employ billeters. Suppose a billeter chops his foot when billeting out, whom is he to sue? Will he sue the man who gave him the job?

The Minister for Education: The man who employed him.

Hon. F. E. S. WILLMOTT: But the man who employed him is employed by five others. This will lead to such a tangle that no one will know where he is. It is merely turning a contractor into a wages man and turning the wages man out to look for somebody to sue. I can see grave danger in the Bill. As for the group settlers, they get 10s. a day sustenance, not merely until they secure their blocks, but until those blocks are brought into production. Both before and after a man gets his block the payment is sustenance, not wages. It has always been distinctly stated that these men are not wages men, but are people settled on the land under a peculiar settlement system.

Hon. J. M. Macfarlane: They have to clear the whole of their blocks while on sustenance.

Hon. F. E. S. WILLMOTT: Certainly not; neither their sons nor their grandsons will succeed in clearing the whole of the blocks. Suppose after the blocks have been allotted, the men are working as a group under the Government supervisors who, at the close of the day says: "Now boys, we can all go to our homes." Bill Jones goes home to his wife and, there being still two or three hours of daylight, he does a little work

about his place; for he and his wife are anxious to make a home as quickly as possible. But Bill Jones is injured on his own block. Does he come under the Bill? Whom is he working for? Undoubtedly for himself. I do not think he can come under the Bill.

Hon. F. A. Baglin: He does not deserve to come under it.

Hon. F. E. S. WILLMOTT: Why? Because he has dared to do a tap of work after the supervisor said he could go home! If that were the idea of the group settlers the country would never be settled.

The Minister for Education: He is protected only while he is working for the Government.

Hon. F. A. Baglin: Then the whole system is wrong, and the sooner we stop it the better.

The Minister for Education: Why is it wrong?

Hon. F. E. S. WILLMOTT: Because we have been told by the Premier hundreds of times that those men are not working for wages, but are settlers in receipt of sustenance. Every thinking man who knows that country will come to the conclusion that these men are not settlers but wages men at 10s. a day, and once that is admitted, we are certainly doing an injustice because other wages men are paid 15s. 4d. a day for doing similar work. Every way we look at it, it is wrong. The more I look at this Bill, the less I like it. Perhaps the Minister will be able to relieve my mind when he replies.

The Minister for Education: You may not be present.

Hon. F. E. S. WILLMOTT: I shall be present. The Minister has to sit here longer hours than I would, but it is the fault of the Minister and of other members of the Government that he has not someone to assist him.

Hon. F. A. Baglin: What has that to do with the Bill?

Hon. F. E. S. WILLMOTT: What has the interjection to do with the Bill?

The PRESIDENT: You are both wrong, but it is very interesting.

Hon. F. E. S. WILLMOTT: I hope the Minister will point out where I am wrong. I dread the Bill. I think there is great danger ahead.

Hon. F. A. BAGLIN (West) [10.33]: I imagined there would be very little discussion on this Bill. It is one of the few measures in connection with which I give the Government credit for endeavouring to mete out justice to those to whom it is due. If I read the Bill aright it seeks to protect a section of workers who to-day have no protection whatever. If members carefully read paragraph (b) of Clause 2, they will agree that the men therein referred to require protection. Even if the clause as drafted does not meet with approval, it can be amended in Committee. If any body of men require

protection it is the body engaged in group settlements. An instance was recently brought under my notice. A man joined a group with the intention of establishing a home for himself, his wife and family. While engaged by the Government at 10s. a day, a limb fell from a tree and injured his skull, and that man is not now reasonably sane. He is receiving no compensation from the Government, and if any assistance is given him, it is by way of compassionate allowance.

Hon. E. Rose: An extreme case.

Hon. F. A. BAGLIN: The same thing might happen to anyone.

Hon. F. E. S. Willmott: But he would not receive compensation. Why protect this man more than another?

Hon. F. A. BAGLIN: He is engaged under certain conditions. If the Government were putting these men on conditional purchase land and giving them an Agricultural Bank advance, the position would be different. I hope members will take this view. The Government have undertaken to place a certain number of settlers under the group scheme and have contracted to pay them 10s. a day until such time as they are placed on their blocks.

Hon. F. E. S. Willmott: That is incorrect.

Hon. F. A. BAGLIN: It is not incorrect. I know as much about the scheme as does the hon. member.

Hon. F. E. S. Willmott: It is possible you do not.

Hon. F. A. BAGLIN: Mr. Camm and Mr. McLarty explained it to a big meeting at Fremantle and a number of lumpers have since gone into the scheme. Either those officers are wrong or Mr. Willmott is wrong. The statement was that the men would be settled in groups and would be engaged by the Government and paid 10s. per day sustenance.

Hon. J. W. Kirwan: Have they to repay that 10s.?

Hon. F. A. BAGLIN: I shall explain that. The 10s. was to provide sustenance and the blocks were to be allotted, but the men could not go on to their blocks until the 20 were partially cleared. If one man out of the 20 was not doing his work, he could be put out of the group.

Hon. J. Duffell: They do not want any drones.

Hon. F. A. BAGLIN: If a man cannot do his work, he is put off.

Hon. J. Duffell: If he gets injured before, this Bill will provide a remedy.

Hon. F. A. BAGLIN: That is the point. There is the particular instance of the friend of mine who went down with the intention of settling on the land. Whilst he had identified himself with the group settlement scheme he met with this accident. He is a married man, and has no redress under the Workers' Compensation Act.

Hon. J. Duffell: That is why the Bill is brought in.

Hon. F. A. BAGLIN: We should support it. That man should be entitled to compensation, but under the Act can get nothing. While a man is working for the Government in this way—

Hon. J. Nicholson: He has not the same tenure as the conditional purchase holder.

Hon. F. A. BAGLIN: He should be protected.

Hon. J. Ewing: Everything is charged up against the settler.

Hon. F. A. BAGLIN: That is so. Whatever a block has cost it is charged up to the settlers, who have to refund the amounts to the Government. The Government have nothing to lose and everything to gain. If a man is prevented by accident from going on to a block that he has assisted in partially clearing the Government hand it over to another individual. There are many people anxious to take over blocks that are cleared and ready for occupation. The Bill undoubtedly affords the protection that is needed in this direction. Some persons should also be held responsible for the protection of those who are engaged in hewing timber and working on sawmills. Mr. Willmott spoke about a contract given by Messrs. Lewis & Reid. Jones employs a team of horses. Lewis & Reid contract with him for a given number of sleepers. If Jones employs men to do the work, or sub-lets the contract to others, he should be compelled to pay compensation in the event of injury to the men carrying out the work.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [10.45]: I am surprised at the opposition to this Bill. No member can conscientiously reject the principle underlying it. It is surely desired by all that when an accident happens to a man he should have some compensation, and when he is killed there should be something for the widow and those dependent upon him. No injustice is imposed upon anyone. It is the practice of most companies operating in this way to insure their employees. It is only in this one instance that the obligation has been successfully resisted. The intention of the clause in question is to overcome that position. It is undesirable that any person by employing his men on piece work or contract should by that means escape the obligations resting upon other employers to insure their employees, so that in case of accident there should be some recompense for them, or in case of death some relief for those who are left behind. I cannot follow Mr. Willmott's argument. There is no analogy between the group settler working under the controller of group settlements, and the conditional purchase holder. The conditional purchase holder is working on his own block and doing his own work as he pleases. The group settler, during the whole time the different blocks are being prepared in readiness for individual occupation, is working under the direction of

the controller. He is doing what he is told to do, working under orders. He would be, but for the fact that he is not technically a worker, entitled to recompense under the Workers' Compensation Act. The hon. member instanced the case of the group settler who at the end of his day's work, while not actually in possession of his own block, desires to work upon it in the evening. He is of course not then under the controller of group settlements, and is in the same position as the conditional purchase holder. It is not contemplated that he should be brought under the Bill. If that were so it might be argued that many other people should be brought under it. We do not go so far as that. We say that whilst these people are working under the direction and orders of the controller of the group settlements, they ought not because of the technicality of their positions be deprived of the privileges of the Workers' Compensation Act. Mr. Nicholson has suggested there ought to be some other way of doing this. We do not want to set up another insurance scheme with all the conditions which have been carefully thought out in the Workers' Compensation Act. These are already reasonable and good enough. There is a right of recompense for every class of injury. Surely the simplest thing is to say that these conditions shall apply to these people, that it shall be the duty of the Government to insure them, so that the conditions of the Act can apply to them, and the cost of the insurance be divided up amongst them all. There is no danger in this. It is the duty of the Government, with the assistance of Parliament, to provide in the case of accident that these people shall not be left unprotected, and that if they are killed their dependants shall not be left unprovided for.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4:

Hon. J. NICHOLSON: It should be made clear that this clause, which enlarges the definition of "worker," does not apply to any person who is receiving remuneration in excess of £400 per annum. Such a person should not be entitled to compensation.

The Minister for Education: The wording is exactly the same as that of the interpretation. The words "save as aforesaid," in line 3 of the clause, show that.

Hon. J. NICHOLSON: Possibly that is so. If the Committee are satisfied, I will not move an amendment.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—PENSIONERS (RATES EXEMPTION).

Message received from the Assembly notifying that it had agreed to the Council's amendment in the Bill subject to a modification.

House adjourned at 10.52 p.m.

Legislative Assembly,

Wednesday, 31st January, 1933.

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

QUESTION—MEAT EXPORT, JAVA.

Hon. W. C. ANGWIN asked the Premier: Has he received any reply to his correspondence with the Commonwealth Government regarding the export of corned meat and small goods to Java by Messrs. Baker Bros., of East Fremantle?

The PREMIER replied: No, but analyses of samples submitted by the Collector of Customs have been made by the Government Analyst, and a report, highly favourable to the quality and condition of the beef, has been submitted. As a result of this, it is expected that approval for export will shortly be given.

QUESTION—WOOLLEN MILLS AND I.A.B. CLIENTS.

Hon. W. C. ANGWIN asked the Premier: 1, Is the following statement correct, sent to farmers by the organiser of the Western Australian Worsted and Woollen Mills, Ltd.:—“Emanuel Buildings, Perth. Arrangements have been made with the I.A.B. by which fully assisted settlers may apply for shares in this company and for which payment will be made by the board and charged to the settler's account. Already many settlers have signified their desire to take up shares if they can do so under these conditions, and it is felt that you will appreciate such an opportunity. I enclose an abridged prospectus and application form, and upon receiving the latter back completed, with the exception of the amount payable on application, same will be submitted to the I.A.B. and, if approved by them, you will be duly notified and the shares placed to your name on the company's register. The value of the shares will be paid in full by the Industries Assistance Board. Yours faithfully, E. B. Ayris.” 2, If correct, are not the I.A.B. made aware of the fact that Parliament refused a similar concession to the Western Australian Grain Elevator Co.? 3, Would it not be preferable for the I.A.B. to pay the creditors' accounts before giving consideration to the establishment of any company? 4, Under which section of the Industries Assistance Act have the board power to advance money to settlers for such purposes as the establishment of worsted and woollen mills?

The PREMIER replied: 1, No. Instructions have been issued by the I.A.B. that if any client, against whom no claims have been lodged by outside creditors and who has a surplus over and above retention money of £1 per acre, applies for shares, payment may be made out of his credit balance. 2, The same procedure was laid down for the Grain Elevator Company. 3, Answered by 1. 4, Answered by 1.

QUESTIONS (2)—RAILWAYS.

Nyabing-Pingrup extension eastwards.

Mr. A. THOMSON asked the Premier: In view of the extensively signed petition presented to him praying for a ten-mile extension of the Nyabing-Pingrup railway in an easterly direction, and in view of the fact that the Railway Advisory Board have recommended that any extension should be in that direction, will he give his earnest consideration to the question of submitting this proposal to Parliament while the construction plant is in the district?

The PREMIER replied: The Advisory Board did not recommend this extension, but this, together with other railway proposals, will receive due consideration. There are railways long authorised still to be laid down, and railways such as the line to serve the land between the Eastern Railway and the