

motion for the appointment of a Select Committee, but I cannot see what good an inquiry could possibly do in existing circumstances. If the Select Committee did not approve of the various clauses of the Bill, the powers contained in them would be administered under National Security Regulations, and there would not be the sympathetic administration that would prevail under local control. The appointment of a Select Committee would not get us anywhere. It is advisable that we retain control of our affairs as far as possible. We cannot expect sympathetic consideration from the Commonwealth authorities. This is a very important matter. The Leader of the House has assured us that the amendments contained in the Bill are provided for under Commonwealth regulations, and therefore we should proceed with the Bill and retain control of our own affairs.

**HON. J. CORNELL** (South): To refer the Bill to a Select Committee at this stage of the session might involve our losing something in an endeavour to get more. We are in a quandary as to whether and when Parliament is going to prorogue and, if it is not prorogued, when it is going to re-assemble. A date is set down in the motion on which the Select Committee is to report. I do not know whether the House will re-assemble in the New Year before the 19th January, but I suppose a Select Committee could report later. There is an alternative, however, which Dr. Hislop would be wise to adopt. That is to accept what is contained in the Bill and then give notice of motion for tomorrow for the appointment of a Select Committee to inquire into the necessity for further amendments to the venereal disease sections of the Health Act, and report. If we proceed in that way, we shall be sure of gaining something and will lose nothing, and therefore would be in a far better position. The Select Committee could draft a Bill containing provision for further amendments and the measure could then be sent to another place for its opinion. To refuse what is offered to us by this Bill would be almost suicidal.

**HON. E. H. H. HALL** (Central): Dr. Hislop would be well advised to accept Mr. Cornell's suggestion. The Government is anxious to do something in this important matter, and if it is hung up for another

month pending the receipt of a Select Committee's report, it would be too long a delay.

**Hon. J. Cornell:** And the same object could be achieved by adopting my suggestion.

**Hon. E. H. H. HALL:** Yes. This is an urgent matter. At the beginning of the session I quoted the Commonwealth Inspector General of Medical Services as saying there had been no increase in the incidence of venereal disease. Now we find that that statement was incorrect. The sooner we get to grips with this problem, the better it will be.

Question put and negatived.

*In Committee.*

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

*House adjourned at 5.10 p.m.*

## Legislative Assembly.

*Tuesday, 8th December, 1912.*

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The **SPEAKER** took the Chair at 11 a.m., and read prayers.

### QUESTION—WOOLGROWERS AND BROKERS.

**Mr. BERRY** asked the Minister for Agriculture: 1, Is it compulsory for woolgrowers to confine their dealings in wool to their present broker? 2, If so, what is the position of a woolgrower dissatisfied with his present broker? 3, Are woolgrowers permitted to deal with more than one broker?

The **MINISTER** replied: 1, 2, and 3, The Department of War Organisation of Industry has made proposals for the rationalisation of the wool industry among which is one for confining growers' dealings to their present brokers. However, it is proposed to place the administration of the regulations

in the hands of the Central Wool Committee and to give the committee wide discretionary powers. There appears to be nothing in the proposals to prevent a grower—who at present deals with more than one broker—from continuing to do so. The regulations have not been gazetted yet.

### **BILL—BUSINESS NAMES.**

Bill read a third time and transmitted to the Council.

### **BILL—COAL MINE WORKERS (PENSIONS).**

#### *Second Reading.*

Debate resumed from the 3rd December

**MR. J. H. SMITH** (Nelson) [11.5]: I propose to support the second reading in the hope that, when the measure becomes an Act, it will provide some compensation for a section of the community that has done so much for Western Australia. This Bill embodies a principle that I suppose every member has seen coming and has advocated for many years, namely, that men must be prepared to go out of industry at a much earlier age. To my mind it should be earlier than 60, while some people say 55 and others 50. This is an age of machinery; there is not sufficient work normally to go round, and therefore we have to make provision for the men who are retired. If the national Government does not do so, it must be done by the State Government. Provision must be made so that a man on reaching a certain age shall retire on a pension or allowance. This should apply to all industries throughout Australia; it should be a Commonwealth-wide provision. Other industries are equally entitled to similar consideration. That provision has not been made for timber workers has been a grievance to me and members representing the timber areas. Some 800 men are engaged in the State timber mills and timber workers in the aggregate probably number over 3,000 people, but no provision is made for them.

The Minister said members might be inclined to think that the proposed pensions were over-generous, but to my mind the Government has not gone far enough. I interjected that I feared there would be many heart-burnings. I am afraid there will be. When men now averaging £7 or £8 a week

on piece-work have to retire from the industry at 60 and receive only £2 a week, well knowing that they are still capable of earning full wages, there must be heart-burnings. Since the outbreak of war, many men have been brought back to the industry, men of 65 and perhaps more. The young miners enlisted before the manpower regulations came into force and have gone oversea. When the war ends, many of those young men will return to the industry and the old men will have to go out.

As regards the financial aspect, I am wondering how the Minister arrived at his figures that the Government will be advancing £2,000 for the first year or £1,000 for the first half year. Perhaps he will tell us when replying to the debate. I have analysed the proposals and I suggest that to simplify the whole matter the contributions should be divided into quarters. The miners would then pay one-quarter, the Government one-quarter, and the company one-half, but the company will have its contribution recouped. As members are aware, the chief consumer of Collie coal is the Railway Department, which takes about 90 per cent. of the output. The scheme proposed is that the Government will pay one-half, the company one-quarter and the miners one-quarter. I estimate there are a little over 850 miners, whose subscriptions to the fund, at 2s. per week, will amount to £4,500 per annum. The companies will pay £9,000 and the Government £2,000. Therefore, I cannot understand how the Minister arrives at his figures, but I presume he will explain them when he replies. In my opinion, one or two amendments to the measure will have to be made when it reaches the Committee stage.

If the war were to end tomorrow—as we all hope it might—we shall have men coming back into the industry. This measure will not become an Act this session, but I estimate that, when the war does end, of the 850 men now engaged in the industry at least 200 will immediately be retired from it. The measure provides that the men must retire at the age of 60 years. Consequently, for the first year alone after the war, about £30,000 will be required to pay pensions at £2 per week. That amount will have to be provided, and I presume it will be advanced by the Treasury and repaid as the subscriptions and contributions come in from the miners

and the company. To my mind, the measure is not liberal enough. I believe the scheme should be a national one. The coal-mining industry is a dangerous one and accidents are very frequent. I believe the member for Collie will give us the figures, but accidents are occurring in the mines every day. The industry is even more hazardous than is the timber industry. Members will be astounded when they learn of the number of accidents.

When the Bill becomes law, other workers—more especially those in the timber industry—will be clamouring for pensions also. That is why I think the whole scheme should be a national one. We are all aware that in post-war reorganisation drastic alterations will have to be made in our economic life, if we are to put our primary industries on a sound basis in order to absorb our manpower. If this State is to be a land worth holding, we must get increased population, and some provision will have to be made so that work can go round. In this machinery age, one or two men can now do the work that formerly required eight or 10 men to perform. Consequently, unemployment will become rife. Men will have to leave industries, which probably they joined after leaving school, when they attain 50 or 55 years of age, and some scheme will have to be devised to find them the wherewithal to live.

Another phase which I would like the Minister to explain is whether men reaching 65 years of age will be entitled to old-age pension rights. Will the miners be debarred from receiving such assistance?

Mr. North: They will be receiving more than the old-age pension.

Mr. J. H. SMITH: They are limited under the Commonwealth Pensions Act. Under that Act an old-age pensioner may draw £1 a week, plus cost of living allowances—I understand the present pension is 25s. 6d. per week—and he is permitted to earn 12s. 6d. per week, thus making a total of 38s. per week. The coalminers will be receiving a pension of £2 per week, but it must be borne in mind that they are contributing themselves to that pension. Will the Commonwealth Pensions Department say to these men, "You are receiving £2 per week pension and that debars you from any further pension rights?"

Mr. Marshall: That is provided for in the Bill.

Mr. J. H. SMITH: No. I have studied the Bill very carefully. It provides that it should not interfere with pension rights or other income; but I point out that the Commonwealth Pensions Act debars a man or a woman from receiving a pension if he or she has an income in excess of the old-age pension, except to the extent that I have already mentioned. Is it possible to provide in this measure that the Commonwealth Pensions Department shall not evade its responsibility to the men who have worked so long in industry? Generally speaking, I feel sure that every member will support the Bill. The member for Nedlands said, by way of interjection when the Minister was introducing the Bill, that similar provision should be made for our goldminers. But we must make a start somewhere. This has been a dream of the Collie miners for a long time. They have their own accident and other funds. I have heard the member for Collie speaking for many years about a pensions Bill for coalminers, and I am glad that the matter has reached its present stage. I cannot agree with the Minister, however, when he said, in a rather apologetic manner, that members might consider the scheme to be over-generous. I do not consider that £2 per week is over-generous when one takes into consideration the fact that the worker contributes 2s. per week himself to the pension. Neither do I consider £1 per week over-generous for his wife.

As regards the 8s. 6d. for each child, I fail to understand how one could feed and clothe a child on that amount per week, especially if the breadwinner has gone. A man 60 years of age has, generally speaking, a wife younger than he is himself, but he may have married a younger woman and may have three or four children. Therefore, in my opinion, there is not too much generosity in the amount of the pension. I commend the Bill. It looks formidable, but when one analyses it, one finds it is distinctly fair. As I have already said, one or two amendments may be required. I would suggest to the Minister that the privileges of the measure might be extended to the staffs, the superintendents and the managers of the mines. This would involve the inclusion of not more than 20 or 30 additional persons in the scheme. The men on the staff should, I think, be extended the same privileges that this Bill seeks to confer upon the workers.

They should receive the benefits of this measure. I commend that point to the Minister for consideration.

I took the precaution to ring up one of the companies in order to find out what its objections would be to such a proposal. I was not told of any objections, although I secured the adjournment of the debate. It seems that the Bill appeals to everyone. Even so, it does not embody the same provisions as are in the New South Wales Act, because the companies in that State do not contribute anything. Their contributions are added to the price of coal. The Government's contribution there is many thousands of pounds—about £80,000, I think.

The Minister for Mines: They have more coalminers, too.

Mr. J. H. SMITH: They have not got better miners. We have the finest in the world at Collie. Collie coal has been a wonderful asset to this State.

Mr. Marshall: And to the shareholders, too!

Mr. J. H. SMITH: Yes. The preferential shareholders receive about 8 per cent., but the ordinary shareholders have not received a dividend for a considerable time, although their shares may still be worth their original purchase price of £1. As a speculation, the ordinary shares are not worth anything. There may be some heartburnings over this Bill. I spoke to the member for Collie on this subject, and he says the measure is necessary. There are men working in Collie today with whom I worked at Greenbushes many years ago. They are older men than I and are still working in the industry. I do not know whether there is any heartburning on their account, but we must accept this for the good of the industry. As age creeps on, younger men come forward and the older ones go out. Under this pension scheme, they will go out like old worn-out horses and receive something from the industry by way of compensation. I support the second reading, but suggest, however, that we may have to make one or two minor amendments during the Committee stage.

MR. WILSON (Collie): I want to say at the outset that I am supporting the Bill. Before proceeding with what I would call my narrative, I want especially to thank the Minister for the simple and fair way in which he introduced the measure.

I also thank the member for Nelson for his kindly commendations. This Bill practically amplifies a promise made by the Government last year. During 1941, trouble arose in the Eastern States, and the Collie miners were asked to take part in those stoppages, but they refused to do so. The war was on, and many of them had sons in the Services. In the meantime, certain promises were made by the Eastern States Governments to help the coalminers by way of increased rates and pensions. At the present time, two Governments have passed Bills which have become Acts. New South Wales and Queensland are both working under pension schemes for coalminers. The Victorian Parliament is at present in Committee on a similar Bill. The Bill now introduced is practically on all fours with the Queensland and New South Wales Acts. At a conference between the Premier and the Collie Coal Miners' Executive in August last year the Premier stated that the Collie coalminers had done a lot for this country and, in effect, said that he would favourably consider any increases or benefits, such as applied in New South Wales or other of the Eastern States. Any such proposition, he said, he would leave to Cabinet for consideration. We are simply asking now that that promise be honoured, and that is what is being done by this Bill.

I make no apology for speaking on behalf of the miners. I commenced in the mines in 1879, and have had 64 years' experience in coal, shale, gold (both reef and alluvial) and ironstone. In fact, before I came to this country I was dusted with ironstone in 1882. I do not apologise for supporting this measure. I could give the names of people now working in Collie who are 70 years of age. They are still working, not because they want to but because they do not like to take the old age or indigent workers' pension. They think that they should have their own pension scheme, and that is why this Bill has been brought down. This measure was brought down to deal with the question of pensions, and one country member last week raised the point, "Why not a pension Bill for the farmer?" To that I say, "Hear, hear!" But the fact that no pension scheme has been brought forward on behalf of the farmer is no reason why any member should take exception to the coalminer getting one now.

Mr. Patrick: Have you also had experience of farming?

Mr. WILSON: Yes. The point is this: By no stretch of imagination can one compare the life of the farmer with that of the coalmining worker who is underground for three parts of the whole day. The farmer does not show any visible ill-effects, whereas the underground worker usually ends up with a hacking cough, known as the coalminer's cough. I can remember, when I was working on the ironstone deposits, big strong men of 30 and 40 years of age with their necks and heads sunken on their shoulders, caused through being dusted with ironstone; and I have seen men in the goldmining industry in a similar condition. We cannot pay them for their misery and ill-health; we can only compensate them by making their lives easier.

It is asked, "Why should coalminers get a pension rather than other people?" The Collie coalminer has always been ready to help others. No one at Collie has ever begrudged the assistance received by the dusted men on the goldfields from Consolidated Revenue. I wish their position could be improved. They received help from Consolidated Revenue, and the Collie men have contributed to that fund. During the past six years, £94,064 has been paid to dusted miners. I suppose £250,000 would be much better. We do not begrudge them that; we would prefer to aid them to secure even more. The House passed the legislation to provide for superannuation on behalf of other than manual workers. As regards that legislation in 1939 the Collie miners, as citizens of the State, helped to provide superannuation funds for the public servants and others. I find that in this respect the following amounts have been made available under the provisions of the Superannuation and Family Benefits Act:—

	£
1939-40 .. .. .	763
1940-41 .. .. .	47,846
1941-42 .. .. .	77,097

By no stretch of imagination can the work of public servants be compared with that of the Collie miners from the standpoint of danger. I believe Parliament acted wisely in providing a superannuation scheme for public servants, and similarly there should be no reason why members of the House in their wisdom should not enjoy a pension

scheme. Under the Superannuation Act of 1871 large payments have been made available from Consolidated Revenue and for the last few years the amounts have been—

	£
1939-40 .. .. .	135,944
1940-41 .. .. .	140,779
1941-42 .. .. .	147,614

The Collie miners have paid their share towards those amounts. They have not bemoaned their duty in that respect, and now members are asked to grant them in return a little assistance in their old age. Dealing with the question of dusted miners, I say advisedly that not even a soldier who is fighting at the Front can receive a payment later on that will be adequate for services rendered, in the event of his suffering disabilities that will be with him to the end of his life. So with the dusted miners! No payment will be too great to compensate them adequately for the misery they have to suffer as a result of their occupation. It is a hell of a life. We have to assist those men, and under the Mine Workers' Relief Act the following payments have been made by the Government:—

	£
1937 .. .. .	17,220
1938 .. .. .	15,844
1939 .. .. .	17,354
1940 .. .. .	18,362
1941 .. .. .	16,338
1942 (to 30th September) ..	8,943

That means to say that £94,064 has been diverted from Consolidated Revenue for payments as compensation to dusted miners. No one begrudges them the allocation for one moment, and, in fact, some such provision should have been made years ago. Now I come to the Collie coalminers. I say advisedly that coalmining is one of the most dangerous of occupations, and furnishes a greater percentage of accidents than does any other industry in the Commonwealth. I obtained some details from Collie this morning after telegraphing to the Inspector of Mines asking for certain particulars. The reply I have received from that official indicates the dangerous nature of mining at Collie. The inspector's telegram shows that the average number of men employed in the Collie coalfields during the past six years has been 953, and during the last six weeks there have been 343 accidents of a more or

less serious type. Some of the men who suffered accidents in the past were off-work from 6 to 10 days only, but many of them were off-work for upwards of 20 weeks. In 1920 I submitted to Parliament a coalmines regulation Bill with the idea that any person who was incapacitated should be provided for. The Bill did not pass the second reading stage, and the then Minister for Mines—I think it was the late Mr. John Scaddan—suggested that I should drop the measure so that he could introduce during the succeeding year an all-embracing coalmines regulation Bill. The Minister carried out his promise, and during the course of the Address-in-reply debate I referred to the fact that the introduction of that legislation had been forecast in the Governor's Speech, and went on to say—

I shall also be able to show that no Bill is more urgently needed than the measure it is proposed to submit to deal with the regulation of coalmines. I should like to see included in the Bill a special provision for the relief of those who are injured and for those who are suffering as the result of accidents or distress incidental to mines. There are certain occupations which are dangerous to follow, and included in these may be mentioned mining of gold and tin, sewerage and timber working.

I still maintain that those covered from the standpoint of underground working should also include men employed on sewerage works, because no more objectionable and dangerous occupation exists. Those were my opinions years ago and I adhere to them today. Some reference has been made to the work on the Collie coalfields. It should not be forgotten that 400 odd of Collie's best young workers are in uniform fighting the nation's battles on various fronts. The task of keeping the homefires burning—if I may use that term—or perhaps I should say more appropriately keeping the locomotives moving, rests now on the older men, many of them upwards of 70 years of age. I have a list of all the men who are working on the Collie fields today, showing for how long they have been employed in the mines. I shall not read the full details, but shall give the names of some of the men, their ages and the periods they have worked in the mines, so as to furnish members with an idea of what is happening. They will agree that it is only right that men who have reached some of the ages I shall mention should now be in a position to live above ground and enjoy God's good sun. Here are a few of

the names of men, their ages and the number of years they have been in the mines—

	Age	Years in Mining.
C. Tippetts ..	71	20
Evan Davis ..	70	40
Fred Mumme ..	70	21
J. L. Murray ..	70	27
M. Cannon ..	70	42
A. Kilpatrick ..	68	20
J. Jack ..	68	30
J. James ..	68	39
R. Bevan ..	67	25
W. Hann ..	67	42
B. McGurk ..	66	35

And so I could go on. I appeal to members to pass the legislation now before the House so as to enable men such as those I have mentioned to enjoy a little of God's light above ground in their declining days. I shall not say more at this stage, but if members wish for further information that I am in a position to supply, I shall be happy to give it during the Committee stage. I commend the Bill to the House.

**MR. TONKIN** (North-East Fremantle): While there are no coalmines in my electorate I have an interest in the introduction of this legislation, which may be regarded as a sign of the times. In these days we are disposed to take a more generous view of the requirements of persons engaged in industry who have reached the age of retirement, and we have come to the belief that they should be provided with some means of spending the rest of their lives in a reasonable degree of comfort and pleasure. While I naturally welcome the Bill, I would welcome it to a greater degree if it were more widespread in its application. Nevertheless, I recognise it as a commencement of a scheme which I hope will eventually have general application. Almost everyone believes there should be reasonable provision for old age. On the other hand, while that belief may be general, very few people have exerted themselves sufficiently to give concentrated attention to the subject with a view to introducing a worth-while pension scheme. In those circumstances it is necessary to make a start somewhere, and I regard the Bill as a step in the right direction. Certainly it will allow of payments considerably in advance of those provided as old age and invalid pensions under the Commonwealth scheme. It will provide, at any rate, an improved standard of livelihood of a livable description. I think that

ultimately we will find people quite ready to extend the provisions of the Act in other directions, so as to cover practically every industry operating throughout the Commonwealth. It may even be that the Commonwealth Government will realise that it is a national responsibility and not a State responsibility to see that adequate and reasonable provision is made for persons who reach the age of retirement. It is not generally recognised that the working man when he labours uses his capital in exactly the same way as, but at a far greater rate than does the person who invests money in industry.

The person who invests his funds in industry receives wages in the form of dividends. Then at the end of the period the individual very often finds that his capital has increased instead of becoming depleted because of the various processes that operate in business. But the working man has only his physical strength and mental capacity to offer. Each year the worker uses up portion of his capital with no possible chance of replacement, so that his is a wasting asset. Thus he reaches the stage at which he attains the age of 60 or 65 years when his asset has practically disappeared. He has no reserve of physical strength or mental capacity, and all he can do is to retire and exist. We have endeavoured to set up a scheme whereby there can be some recompense to the workingman for the loss of his asset.

The scheme under the Bill is a step in that direction, because it does propose to return to the workingman who has reached the age of retirement a certain regular income for the rest of his life, which income is, in a certain measure, a recompense for the lost asset which has been used up by him during the course of his work. For when a man is labouring, part of his asset passes into the goods produced; and, when those goods are sold and consumed, with them is consumed portion of the workingman's capital. But that does not apply in like manner to the use of capital in the form of money. Therefore I am indeed pleased to see a Bill of this nature before the House. True, the measure has not yet become law, and has several obstacles to overcome—one of them somewhat formidable. I hope, however, that good sense and reasonableness will prevail, and that we

shall eventually find that the Bill will become law and that the pensions will be payable.

This must be indeed a very happy moment for the member for Collie, who has striven over many years to realise this ambition. The hon. member has represented the coal miners in this House for a very long period, and his heart and soul have been bound up in the welfare of his constituents. I know how much he has striven to obtain a pension scheme for the worn-out miners who will benefit by the provisions of the Bill. When the measure, as I hope it will, finds its place on the statute-book of this country, the member for Collie will be able to say, "A duty nobly done"; and his recompense will be the gratitude of those hundreds of men who toil daily in the mines, as the member for Collie has said, without a sign of the sun. The Bill will make it possible for them to come to the surface and live as we are intended to live—in the fresh air, enjoying the benefits that Nature has made possible to mankind. I devoutly hope that the measure will become law.

On motion by Mr. McDonald, debate adjourned.

#### *Message.*

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

### **BILL—PIG INDUSTRY COMPENSATION.**

#### *Second Reading.*

Debate resumed from the 3rd December.

**MR. WILLMOTT** (Susssex) [11.48]: I listened intently to the Minister for Agriculture when he introduced the Bill; and I quite realise that, owing to the great loss sustained by the pig industry of the metropolitan area, something should be done for the growers. But having gone into the matter carefully I consider that the responsibility lies firstly with the Commonwealth Government for bringing in National Security Regulation No. 262 which allows the Army authorities to dispose of their swill to the growers.

Mr. Marshall: There is a reservation on that.

Mr. WILLMOTT: It is definitely stated by our health authorities that the swill will not be permitted to be sold to any grower

but shall be burnt or buried to a certain depth. The regulation was over-ridden by the Commonwealth authorities, who introduced the National Security Regulation stating that the Army could let growers have the swill on the understanding that it was to be all boiled. However, our Health Department and the State veterinary surgeons were unable to police the matter closely enough; and, as the Minister has stated, a quantity of swill has been sold to the growers and fed to their pigs without being boiled. That was where the trouble really began, and now we have the introduction of a Bill under which Western Australian pig-growers are to pay into a fund to recoup those growers who have suffered loss. I still say that although I agree with the Bill and acknowledge that something has to be done for the pig-growers who have sustained serious losses, I hold that the Commonwealth Government should also assist those producers.

It was the Commonwealth Government's mistake that caused the disaster, and I am of opinion that that Government should be approached with a view to endeavouring to obtain from it some assistance towards the desired end. In my electorate I have quite a number of pig-producers; in fact, in the Sussex electorate there are pig sales averaging between 1,000 and 1,100 pigs per month. All those pig-producers are to pay in threepence in the pound under the Bill, notwithstanding that they have never had the disease among their pigs—we certainly hope they never will. I have approached a number of the pig-growers during the week-end, and can state that they feel they should not be called upon to pay into the fund, the disease not having been among their pigs, although one producer was getting all the swill from an aerodrome and a military camp. That, of course, has now been stopped; and this has meant a heavy loss to the grower in question, who has had to turn round and purchase wheat and pollard and so forth in order to carry the pigs on until they reach the bacon stage. He did take all precautions prescribed, boiling the swill before giving it to the pigs. Nevertheless, the swill has been taken from him, and he is not allowed to go to the military camp for it any longer. He has to pay large prices for wheat and pollard to keep the pigs going, as I have stated; and when he has disposed of them

he will naturally reduce his herd to its ordinary size. Owing to the swill from the camp being available, he has had the opportunity to obtain it and to increase his herd of pigs considerably. That man already has a bill to meet in buying fodder, and yet he is expected to pay a further amount towards the proposed fund.

Some 2½ or three years ago we had a disease among the pigs in our area—not a very serious disease, swine plague. By reason of that disease numerous growers lost considerable numbers of pigs. Between 500 and 600 pigs were lost there in a very short time. I wish to point out to the Minister for Agriculture that the veterinary officers then in charge there declared that in many cases the disease arose from the dirty styes in which a number of the pigs were kept. This Bill, if it includes other diseases besides swine fever, may produce some bad results. I am wondering whether the inclusion of other diseases will more or less encourage some growers—I do not say anything against the pig-growers either in my electorate or in any other electorate—not to be as careful as they ought to be. There is a danger that some growers might say if a pig dies, "I will say it is a diseased pig, and I shall be compensated; so why worry?" That is why I wonder whether it is wise to include other diseases in the Bill. Undoubtedly swine fever is the worst disease Western Australian pig producers have ever experienced; and I do acknowledge that some assistance should be granted to those who have had heavy losses. The Minister stated that about 8,000 pigs had already been slaughtered because of this trouble, but that fortunately 3,000 of them, upon investigation being made after slaughter, were permitted to be made into bacon. But pigs already slaughtered and condemned represent something like £17,000, I understand; and it will take some time before the fund can be built up to that amount on the threepence in the £. But even with that rate we shall be the highest rated State in the Commonwealth, as regards pigs.

The Minister quoted rates in other States, and they ranged from 1d. to 1½d. and 2d. I understand the figures mentioned by the Minister were all lower than 3d. but I am open to correction on that point. The whole situation was stated in a letter from one of the United States officers, Lieut.



Colonel Mann, which the Minister read to us. It was dated the 27th March last, and it definitely laid down that the swill was to be burnt or buried to a certain depth. Then the Commonwealth regulation to which I have referred came in, and nullified the action of Lieut.-Colonel Mann. In fact, it upset the whole arrangement, and then this State has to bear the burden. The State is unable to meet the demand, and passes it on to the producers of Western Australia. All our pig-producers, whether the disease has been among their pigs or not, must pay into the fund. I fully realise that we should have a fund to help the present losers, but I do not see that all the poor unfortunate pig-producers, many of them miles away from the metropolis—the disease unfortunately spread, and reached as far as Geraldton—should contribute as proposed. No pig from the metropolitan area has ever been sent into the South-Western district. All our pigs are sent up here.

Mr. Marshall: Do they not buy any from the market?

Mr. WILLMOTT: No, they do not buy up here at all; they have never bought from the metropolitan area.

Mr. Seward: Is not the disease in the South-West?

Mr. WILLMOTT: No.

Mr. Seward: I think you will find it is.

Mr. WILLMOTT: There is no swine fever in the South-West at present.

Mr. Seward: I see the Minister is smiling.

Mr. WILLMOTT: I notice the Minister is smiling but, by George, he never mentioned the South-West, and I have never heard of any swine fever there, and I visited many of the pig producers in my electorate on Sunday!

The Minister for Agriculture: I did not mention the North-West or the South-West; I mentioned no district at all. I said it was within 300 miles of the city.

Mr. WILLMOTT: I do not think we have it down there. I do not see why all pig producers should pay into the fund. I intend to support the second reading, but hope some amendment will be submitted at the Committee stage, so that pig producers in my electorate who do not get any pigs from the metropolitan area will not be affected to such an extent.

MR. SAMPSON (Swan): In common with most other members, I propose to vote for the second reading, but there are principles in the Bill that I do not like. The pig industry is carried on by men who in most instances are very hard-pressed for capital. They find the industry is one that requires not only a fair amount of capital in order that it may be properly carried on, but also a good deal of supervision and hard work. In imposing upon the growers the cost of paying for swine fever, the Government is taking an action which is questionably fair. If the control of every disease with which animals or vegetable growth is affected were charged to those developing the particular product, one might say that the principle so adopted should stand and operate in this instance, but that is not the case. The pig farmers are faced with difficulties which in many cases are not general. At all events it is not always the case that those who are concerned must pay. I had something to do with the rinderpest trouble in 1923. Following that, a measure was brought down entitled the Dairy Cattle Compensation Act. That measure provides that the amount of compensation shall be 90 per cent. of the value of such cattle as determined under the provisions of Subsection (2) of the particular section.

Mr. Cross: Is that the Rinderpest Act?

Mr. SAMPSON: The title of the measure is the Dairy Cattle Compensation Act but it followed the outbreak of rinderpest in Western Australia. It was a very serious matter indeed and strict efforts were made in order to control the disease. The subsection to which I have referred sets out how the value of any cattle destroyed shall be determined. It states—

The value of any cattle so destroyed shall be determined by agreement between the owner and the inspector under whose authority such cattle were destroyed, and in default of such agreement the value shall be determined by some competent and impartial person nominated by the Minister and the determination of such person shall be final and conclusive.

The amount of compensation and its allocation are of very great interest because I think there is some similarity between these two problems. In Subsection (4) of Section 5, it is stated—

Three-fifths of the amount of such compensation shall be payable out of the Compensation Fund, and two-fifths of the amount of such compensation shall be payable by the

Treasurer of Western Australia, and such contribution is hereby charged to the Consolidated Revenue Fund, and such fund, to the extent required, is hereby permanently appropriated.

Under the Bill the pig farmer is to provide the compensation. That is going to be very hard on an industry which is already in an exceedingly difficult position, because in pigment production there is no fixed price; there is no minimum price. The producer gets what he can, and does not get very much. On many occasions he receives very poor payment. A man I knew very well decided to become a pig farmer. He set up a piggery in a district within 10 or 12 miles of Perth. After he had spent most of the money he possessed in building styes and buying stock and so on, he found the price had slumped so badly that he decided he would withdraw. So he got rid of his pigs. He gave up the job, and having received an invitation to New South Wales, left here altogether.

Mr. Warner: To raise pigs over there?

Mr. SAMPSON: No, to work for someone in the Eastern States, because he came to the conclusion that his experience here did not justify his expecting to be able to make a living from the industry. It is pathetic to find a man possessed of all the qualities a man should have, and also having some money, forced to withdraw from the industry on which he has embarked by reason of the fact that the market is so inconsistent. Recently I went through a district with a health inspector and had a look at some piggeries, and also at two places that had been carried on as piggeries but both of which had been abandoned. I know the Minister is anxious to do what is right in regard to compensation, but I persist in stating that to ask the pig grower to pay the cost of controlling swine fever is not right. It is adopting a principle in connection with pig farming which has been adopted in regard to fruit-fly. The work is one in respect of which there should be some dependence on the Treasury of the State. In Subsection (4) of Section 5 of the Dairy Cattle Compensation Act it is stated that three-fifths of the compensation shall be paid out of the Compensation Fund, but the pig compensation fund is entirely dependent on the amount paid into it by the pig-meat producers. Two-fifths are payable by the Treasurer in respect of the Dairy Cattle

Compensation Act. That, I think, is very important.

The Minister for Mines: What section is that?

Mr. SAMPSON: There is no reason why I should not mention it a third time. It is Subsection (4) of Section 5. I hope the Minister will give consideration to the control of this very serious disease at the cost of the State, because it is not a good thing that we should discourage the production of pig-meat. There are many people concerned with it and unfortunately many are going out of it. It is not regarded as a good progressive and paying type of industry and I hope that we shall not see, in connection with the incidence of swine fever, the imposition of another charge on the grower. The industry is so very unattractive, and so very poor in the return it provides to those engaged in it, that we should give the greatest possible consideration to the producers. If such is not done, the position is certain to deteriorate.

Mr. Warner: Some breeders have been very successful.

Mr. SAMPSON: I know. We can grow good pigs but the keeping of a piggery, generally speaking, is not a profitable proposition. I quite agree that a more nauseating and improper use of the matter used for pig feed could scarcely be imagined. Some 25 or 30 years ago—it might be a year or two more—there was quite a scandal in Perth because old poultices from the hospital were disposed of as pig wash and used to feed pigs.

Mr. Doney: That time has passed by.

Mr. SAMPSON: We very much hope that it has. I am glad that today there is no suggestion of that. But there is in the case of some piggeries a very careless viewpoint. When the swill is uncooked it is dangerous, particularly in the case explained by the Minister. There is the other point of view, namely that we should not add to the burden of the already hard-up piggery proprietor, who is in no position to afford this expense. In my opinion the cost should be met by the Treasury out of a charge against Consolidated Revenue. I hope further consideration will be given along those lines, and that the pig farmer will be sympathetically treated.

MR. SEWARD (Pingelly): I am pleased that the Bill has been introduced. Had it not been brought down and the House had

adjourned it is highly probable that many pig owners would have hesitated to notify disease in their herds on the ground that that would have meant a big financial loss to them. If this Bill is put on the statute book before the end of the session it should have the effect of checking if not stamping out the disease. I congratulate the Minister and particularly the officers of the department on what appears to have been the prompt and effective steps they took to arrest the spread of a very virulent disease. Had they been lax the whole of the pig population of the State might have been wiped out in a short time. The danger still exists, but the publicity that has been given to this matter, in conjunction with the advice and ready and practical assistance that have been made available by the department to pig owners will have a great effect in the direction of preventing the further spread of the disease.

The Minister drew attention to the danger of disease being brought into the State from other countries. I think he also referred to aeroplane transport. I hope that question has been brought prominently under the notice of the authorities. I was struck by what happened in England in that connection during the last war, because of what is erroneously described as the lower classes coming in from the Continent and being prevented from bringing their dogs into the country. On the other hand there were other people who came by aeroplane who were simply asked not to bring in their dogs, and there was thus that differentiation of treatment. Diseases can readily be introduced if people coming by aeroplane are not properly supervised. Although aeroplanes are controlled by the Commonwealth authorities I hope the Government of this State will bring the matter prominently under the notice of the Commonwealth to see that aeroplanes that are coming in daily from other countries are not allowed to be the means of endangering the stockowners of this State. The Minister has evidently taken as his guide in the preparation of the Bill the Victorian Act. One could say that 90 per cent. of the measure comes from that source.

There are, however, one or two exceptions. I would be glad if the Minister in his reply would say why in certain instances he has departed from the Victorian legislation. In the first case, swine fever in

the Victorian Act is defined as one of the diseases for which compensation is payable. In this Bill there are two clauses which refer particularly to swine fever. Why is that disease singled out and dealt with in a way that it is not dealt with in the Victorian Act? No doubt the Minister has his reasons for that. Under the Victorian Act, amongst the diseases for which compensation can be claimed is "infectious neurotic enteritis." In Victoria that is considered to be a disease for which compensation can be claimed, but it is excluded from this Bill.

What is the reason for that departure from the Victorian Act? There is another noteworthy departure from the Victorian legislation. Under the Victorian Act total compensation is paid from the compensation fund except in the case of tuberculosis. In Victoria in the case of tuberculosis 40 per cent. of the compensation is paid from the Treasury and 60 per cent. from the fund. Under this Bill tuberculosis is one of the diseases for which compensation can be paid, but all of it is to be paid from the fund. Will the Minister indicate why he has departed from the Victorian Act in this direction and why, as pointed out by the member for Swan, some of the burden has not been placed on the Treasury, as I understand, is done under the Dairy Cattle Compensation Act? Another feature with which I am not in accord is that in several clauses the Bill states that the market value will be paid to owners subject to the prescribed deduction. The Victorian Act says that the payment should be made subject to "deductions hereinafter prescribed." There is no "hereinafter prescribed" in this Bill. That is delightfully vague.

It seems that the House is being asked to give the Government a blank cheque in this respect. Presumably the deductions will be set out in the regulations over which we shall have no control until they are gazetted and Parliament has reassembled. I do not think that is a good idea. When we have to deal with a Bill like this we should not be asked to give a blank cheque to the Government unless we have some indication of what the regulations will contain. A schedule to the Bill could be provided setting out what the deductions will be and, so far as possible what they will amount to. We

should know where we stand. I do not claim that the Victorian Act is perfect; no doubt it has its defects—I understand it has been amended four times since 1927—but it is the Act upon which the Minister has drawn. Under this Bill the compensation that is to be paid to the owners of pigs that have been destroyed is not to exceed £7, whereas in Victoria the amount paid goes up to £15. The compensation payable in this State might well be increased to £15, seeing that the value of a good pig is certainly not less than £15.

Mr. Sampson: And that is a poor price for good stock.

Mr. SEWARD: A man with valuable stock may be unfortunate enough to get the disease into his animals, and it is only fair that his compensation should go up to £15 as is the case in Victoria, and that it should not be cut down to £7. Through the stamp system he will be paying into the fund, and he would be justified in asking for compensation in proportion to the value of his pigs. Under the Victorian Act, when a pig is found to be diseased compensation at the rate of seven-eighths of the marketable value is paid to the owner, whereas under this Bill only three-quarters is provided for. It is reasonable to ask that the rate should be brought up to that appertaining to Victoria.

The Minister indicated that in the majority of cases the head of the pig is the part affected by the disease and that is the least valuable part of the animal. To deduct a quarter from the marketable value of the pig because of the exclusion of the head is too great a deduction. The Minister stated that the Victorian fund has proved ample to meet all commitments in that State despite the fact that the contributions are not as high as are proposed in this Bill. The department in Victoria is able to pay to owners seven-eighths of the marketable value of the pig, as against three-quarters as is proposed in the Bill. The Victorian Act was passed in 1927. Another departure from it is in regard to contributions to the fund. In Victoria the contributions amount to 2d. in the £. The Minister indicated that that had proved more than sufficient in Victoria to meet all claims, even taking into consideration the fact that compensation is paid at the rate of seven-eighths of the marketable value of the pigs and goes up to as high as £15. In this State the maximum contribu-

tion is to be 3d., and no doubt the maximum will become the minimum, notwithstanding that the compensation is to be paid at the rate of three-quarters of the marketable value instead of seven-eighths and not to exceed £7 as against £15, in Victoria. The contributions in this State are on too high a basis for the benefits to be derived. If the contributions are to be at the rate of 3d. in the £, the rate of compensation should be seven-eighths and the amount should go to £15. The maximum contribution for one pig is to be 2s. 6d., the same as in Victoria, but there will be less compensation if the animal is destroyed.

I do not know whether the Minister noticed a somewhat humorous clause in the Bill. It states that if a pig is found to have swine fever and is killed because it has swine fever, and the post mortem examination reveals that it had not swine fever, the owner is to be compensated. How can an animal be killed for having swine fever and then be found not to have it? That may be an error in drafting. The Minister also stated that after the present outbreak compensation will only be paid to pig owners who keep their animals under reasonably clean conditions. There is nothing in the Bill about that, though I presume it is left to the regulations. Whilst I hold that pigs should be kept under reasonably clean conditions I see the possibility of a departmental expert prescribing most elaborate conditions covering what he considers to be cleanliness, etc. There should be some definition in the Bill covering that matter to ensure that pigs are kept under clean conditions before the owner is entitled to compensation. We should have some indication of what provision will be found necessary to bring about such conditions. A man may be called upon to put in concrete floors, concrete posts and all manner of other things. Pig owners should know what is expected of them.

The Minister for Agriculture: Unfortunately many people think anything is good enough for pigs.

Mr. SEWARD: Yes, but I do not believe that. Pigs should be kept under proper conditions. We should, however, know what are to be regarded as reasonably clean conditions before we hand over to someone else the power to define by regulation what those conditions are to be.

The Bill proposes that compensation shall be paid only to the owners of pigs slaught-

ered after the 27th October last. This means that some of the unfortunate owners—I speak subject to correction—who were the first to have their pigs slaughtered will not receive any compensation. They may have refused to accept certain advice given by the Minister and his department to prevent the spread of the disease; but it has to be remembered that they were the unlucky ones. Advice was given to cut out the use of swill from the camps, but the Commonwealth gave permission for the swill to be used, provided it was boiled and the vessels in which it was carried were disinfected, as well as other precautions which could not possibly be policed. But it will be hard on those who lost their pigs at the outset if they are to be denied compensation. I think that only a small number of the pigs concerned would be excluded, and it would not impose a heavy strain on the compensation fund if those owners were included. I should not think the amount involved would be more than a couple of thousand pounds, and as we propose to pay compensation, and as some of those who came in after the 27th October will be just as culpable as those who made blunders before that date, all should be included.

I admit that when some owners found their pigs were sickening, they sold them as quickly as possible. That was a reprehensible act on their part, and should not have occurred. If a man has £100 worth of pigs and finds that a couple of them have died and that he is likely to lose the lot, there is a great temptation to get rid of them. Admittedly, it is not right, but I venture to say the same thing has been done since the 27th October. All pig-owners who have suffered loss through having their pigs slaughtered should be treated in the same manner. There is another defect in the Bill. When people are compelled to contribute to a fund of this sort in order to provide compensation for future losses, they are entitled to know how the fund is guarded and controlled. In other words, the fund should be placed in the hands of two trustees, one of them to be a representative of the growers, in order to ensure that the levy on the growers is kept as low as possible, and that too much money is not accumulated in the fund.

The Minister evidenced that this sort of thing happens because he said the present

condemnation fee of half per cent. on pigs up to £2 in value, which has been in operation for some years at the Midland market, was too high. Many growers are of the same opinion. When the Government stock saleyards measure was before us, I said that the fees were too high. They were fixed by a body on which the growers were not represented. The rule is generally accepted by all parties that those who provide the funds should be represented on the body disbursing them. I would not suggest a large committee; two trustees, say the Director of Agriculture as chairman and a representative appointed by the Pig Breeders' Association, should be ample to guard the interests of growers and give them particulars of the amount of money contributed so that they can be assured that the fund, while being sufficient, will not be too large. If growers had that advice from one of their own men it would carry much more authority than if it came from a civil servant, however competent he might be.

At the outset, I take it that the Government will have to provide some money for the fund. I am wondering whether interest will be charged on the money so provided. If interest is charged, I suppose it will be debited to the fund.

The Minister for Agriculture: There will be no interest charge.

Mr. SEWARD: I am glad to have that assurance. Presumably, when there is an accumulation of funds, the money will be invested so that the fund may increase from time to time. I support the second reading.

MR. FOX (South Fremantle): I congratulate the Minister on his prompt action in introducing the Bill. At the same time I regret that the measure is not more comprehensive, and does not include such owners as a dairyman in the Hamilton Hill area, who lost a lot of cattle owing to an outbreak of pleuro-pneumonia. He had 41 head of cattle, which were quarantined, and the beasts affected were destroyed. The owner was told that his property would be quarantined for a month, but if meanwhile another outbreak occurred, the affected animals would be destroyed and the quarantine period extended for another month. Ultimately he was advised by the department that it would be better to slaughter all the cattle and sell

the carcasses as beef, because his loss would not then be as great as it otherwise might be. That dairyman is in an exactly similar position to that of the pig farmers whose stock became infected with swine-fever. The dairyman had spent a number of years in building up his herd and, although his holding was small, he had to have his cattle slaughtered—the clean ones as well as the infected ones.

I believe that the Bill, with the exception of a very few provisions, will be acceptable to the pig-breeders. I agree with the member for Sussex that this should not be a State liability. The Commonwealth should compensate pig-breeders for the losses they have sustained. From the remarks of the Minister it seems clear that the infection was introduced through the swill taken from American troop camps. With the arrival of many American troops in the State, it was necessary to bring in also large shipments of foodstuffs for their use, and amongst those items was a considerable quantity of bacon and pork. Considering that the disease is prevalent in America, it seems quite clear that it must have been introduced into our piggeries through feeding swill collected from the camps. In some cases, the swill is boiled; in other cases probably it is not. It is a big job to boil hundreds of gallons of swill. Quite a lot of firewood is required, and it would be a 24-hour job to boil all the swill required. It is only logical to contend that, because of the relaxation of some of our laws and the consequent introduction of commodities into Australia, the Commonwealth and not the State should bear the cost of compensating growers for their losses.

The pig-farmers will have to provide for their own compensation. There is very little difference between the incidence of this outbreak and the outbreak of rinderpest that occurred in 1923, as mentioned by the member for Swan. That started in the South Fremantle district, and every head of stock—cows, pigs, goats, etc.—within the area was killed, and compensation was paid regardless of whether the stock was infected. Private people at Fremantle who had one cow, even though it showed no sign of disease, had to hand it over to be slaughtered, but those owners were adequately compensated. It is a calamity that this outbreak should have occurred at the present time.

Never before in the history of pig farming have the conditions been more favourable for the sale of pig products. This, of course, is due to the arrival of many troops from the United States of America, and to the influx of soldiers from the Eastern States. In my district, where there is a considerable number of piggeries, breeders had been looking forward to a prosperous time. One of them told me that he expected to make £9 or £10 a week throughout the next six months. But almost overnight these growers have lost everything.

Provision is made for assessing losses on the market value of the pigs. This is going to be hard on a few growers who have been a definite asset to the industry. These men have imported prize boars and sows and have raised the standard of stock in the State, and they are entitled to a little more consideration than is proposed. They should not be compelled to accept compensation on the basis of the price the pig would bring as pork or bacon in the open market. I assume that is the meaning of the term "market value of pigs."

Mr. Sampson: Today the price might be high and in a fortnight you might hardly be able to give those commodities away.

Mr. FOX: If the Minister could make provision for payment for loss of prize breeding stock, he would be doing no more than justice. It is just as essential to have good stock in the pig industry as in the dairying, sheep, or any other industry. The present outbreak of disease will impose an undue hardship. This the Government might alleviate by making a contribution to the fund sufficient to give those men who have lost their breeding stock an opportunity to re-stock their farms. I am told that some owners had orders for weaners for breeding purposes for as much as £3 each. If those pigs were put on the market, they might bring 17s. as pork. A pedigreed sow ordered to be slaughtered on account of swine-fever in the herd might bring £5 if sold for pork or bacon, whereas for breeding purposes it might be worth from £15 to £20. These instances show the need for making some discrimination between losses of bacon pigs and pigs intended for breeding purposes.

If pigs are not available to meet the demands of the factory in my district, a reduction of staff will probably result and

I point out that this is the principal factory in the State. Therefore it is to be hoped that there will be as little delay as possible and that the Minister will do everything in his power to get the industry rehabilitated. I hope he will also make regulations providing for the adequate sanitation of piggeries.

The greatest menace to our pig industry is the person who buys a few pigs at the Midland Junction sales, keeps them for a week or two under the worst of conditions, sells them and when prices slump a little gets out of the industry. Such persons take no precautions against disease and do not worry about sanitation. If the Bill becomes law, I hope the Minister and his department will pay particular attention to that type of person. The most valuable people we have in the industry are those making a business of it. They have perhaps 15 or 20 breeding sows and rear the progeny for about eight or nine months before putting them on the market. I understand that is the time required to prepare a pig for market, unless it is fed on wheat, in which case it may be fit for market in six months. But the price of such feed appears to be too high. I do not know whether anything can be done with some of our surplus wheat. It will be a long time before the wheat already harvested and that to be harvested this season is shipped from Western Australia. It might interest those concerned to dispose of some of it to the pig-growers. I know a considerable amount of waste is taking place, no matter how carefully the wheat is stored. In the Fremantle district weevils play havoc with the wheat stored there. Some attention might be given to this phase, so that wheat which otherwise might be wasted could be made available to our pig-growers and thus help to build up their industry.

The Bill contains a provision by which the maximum amount of compensation to be paid will be £7 per pig. That is the market value. I think that amount is too low and I suggest that the Minister should raise it to £10 or £12, thus giving the pig-growers a chance to receive greater compensation. Another matter that might be given consideration is this: Some of the older men in the industry, who have lost everything through this epidemic, should be given extra help to enable them to start again. In the district I represent there are

only three such men. They have been in the industry for a long time and have lost everything. They are too old now to do heavy manual labour, and they have a great deal of work to do about their piggeries pulling down sheds, etc.

Mr. Doney: This is purely a compensation Bill.

Mr. FOX: I do not know whether those men could be brought within the scheme of compensation, but I ask the Minister to give them favourable consideration. There would not be many such people in the whole industry. Those associated with the industry would be in a position to advise the Minister on this aspect. The member for Sussex said he considered that pig-growers in country districts should not be called upon to contribute to the compensation fund. I think they should pay for protection. I congratulate the department on the way in which it dealt with this outbreak of swine fever. Not only did the department kill off all diseased pigs, but it has made the industry safe for the country districts. Therefore, I think it but logical that country pig-growers should contribute to the compensation fund. In fact, all engaged in the industry in Western Australia should do so.

Mr. J. Hegney: Including those in Wiluna?

Mr. FOX: Pigs are not sent from Wiluna to Perth. Swine fever is a virulent and contagious disease. It is communicable by a man who may walk near a piggery and carry the germs on his boots. The germs may be spread by a dog or a bird. Country members would be well advised not to oppose the inclusion of country pig-growers in this scheme for compensation. The Bill will be generally acceptable to the pig-growers in my district. My main suggestion is that the compensation should be raised to £10 or £12.

MR. CROSS (Canning): I very much regret this outbreak of swine fever.

Mr. Doney: So does everybody else.

Mr. CROSS: I honestly believe that this will prove to be one of our most profitable industries. Since the outbreak of war, Great Britain has been unable to purchase pig products from Denmark or the Netherlands. Previous to the war, about seven or eight ships were engaged continuously transporting pig products from those countries to England. In a previous speech that I made

on this subject, I pointed out the wonderful opportunities we had to establish this industry in Western Australia. I influenced some people in my electorate to take on pig breeding; and it is with great regret that I have to say that at least one such person has lost large numbers of his pigs in this outbreak.

I congratulate the Minister and his department for the prompt and effective steps taken by them to arrest the progress of this disease. It cannot be emphasised too much that the disease affects only pigs, and not human beings. Some people seem to be afraid that the disease might spread to human beings. I was asked about that last night, and I replied that while the disease affected pigs, it did not affect human beings at all. The member for Swan, who spoke on the second reading, did not appear to know much about the Bill. He made comparisons between this measure and the Dairy Cattle Compensation Act. This Bill provides for something entirely different. I wrote to the Minister very early in the epidemic asking him to bring down a Bill providing for compensation, and I suggested that the necessary money might be raised by a tax on the sale of pig meat. I suggested that the sum required would be £75,000 and that the Treasury would have to make the advance.

Mr. Doney: Is that amount for the electorate of the member for Canning only?

Mr. SPEAKER: Order!

Mr. CROSS: Never mind that! My district has been smitten probably as badly as has any other. When I ascertained how many pigs there were in the Canning electorate I was astounded.

Mr. Doney: What is the number?

Mr. SPEAKER: Order! I must ask members to keep order.

Mr. CROSS: One pig-owner alone has lost hundreds of pigs in this outbreak. He had a couple of thousand pigs and he might lose more yet. He is one of those whom I induced to start in the industry two or three years ago. I am pleased the Minister has brought down this measure and hope it will receive favourable consideration. I desire to draw the attention of the member for Swan to one phase. Actually, the pig-growers will provide their own compensation. The Bill provides for a tax of 3d. per £ on sales. That is a maximum. No doubt,

regulations will be framed to control the industry. I suggest that, in the early stages, in order to recoup the Treasury for the advance which it will evidently be called upon to make, the contribution be 3d. per £. I do not object to that contribution, as it would be necessary to impose such a rate in the early stages in order to build up the fund.

I intend to move an amendment to increase the amount of compensation payable, as I consider the compensation provided for in the Bill is insufficient. If deductions are to be made before arriving at the amount upon which compensation may be paid, then I think those deductions should be the market charges, the cost of transporting the pigs to market and perhaps the cost of slaughtering. I take it, however, that this matter will be dealt with by regulations. Should the House not approve of the regulations, it will have a chance of disallowing them. After the deductions have been made, the amount of compensation should be more than three-quarters of the balance. I propose to move an amendment that it should be increased to seven-eighths, and I hope my suggestion will receive the favourable consideration of members opposite.

With regard to the spread of this disease, I am not certain that there is not another method by which it is spread. A few Sundays ago I visited one of my constituents who had lost a number of pigs. I advised him to inform the Health authorities, and an inspection was made on the following Monday. Of course, the inspectors could not say whether the disease was swine fever or not.

The Minister for Agriculture: You are not one of those people who do not believe in bacteria because you cannot see them?

Mr. CROSS: No, but I did observe, besides tens of thousands of flies, a number of maggots on top of the pigs' backs.

Mr. Thorn: You do not mean crows?

Mr. CROSS: They might have been crows. It could easily be possible for those birds to transmit the disease.

The Minister for Labour: Which birds?

Mr. CROSS: The magpies!

*Sitting suspended from 1 to 2.15 p.m.*

Mr. CROSS: I repeat that this pig industry has a tremendous future. When speaking before lunch I was astounded



at the facetious manner in which members of the Country Party regarded my remarks. Unless the matter under discussion deals with wheatgrowing they do not appear to be very interested, and seem to think that nobody else should be either. The wheatgrowers must make up their minds that there has to be a drastic re-arrangement of their business in the next few years, or there will be none of them left. They have to learn the lesson of the olden times and make their wheat walk to market.

Mr. SPEAKER: Order! I think the hon. member is getting away from the subject.

Mr. CROSS: I share the opinion of the member for South Fremantle that a considerable proportion of the surplus wheat of this State could be made available at cheap rates.

The Minister for Agriculture: When you speak of making the wheat walk to market, you mean it to walk as pigs, and not as wheat?

Mr. CROSS: Yes. A considerable proportion of the wheat could be made available to the pig breeders to enable them to build up an industry so that after the war we can capture the British market. That market offers an opening worth millions of pounds a year to this State. Britain cannot grow sufficient for itself, and £1,000,000 worth of pig products was imported each week from Belgium, Denmark and Holland before the war. Surely this State can supply £3,000,000 or £4,000,000 worth per annum. I hope that the Agricultural Department will not ease up, but will tighten up on the present restrictions in order completely to wipe out this disease. By interjection I said to the Minister that it ought to destroy every pig in the area so as to wipe out this epidemic. If that is not done, there is the danger that this scheme will crash and that every pig in the State will be attacked.

Mr. Sampson: That is a brilliant idea!

Mr. SPEAKER: Order! I ask the member for Swan to keep order.

Mr. CROSS: It is a pity I could not kill the member for Swan. It is bad luck that this swine fever has broken out, and the Minister has done the right thing. The pig producers in my area are satisfied and pleased with this Bill, and the prompt manner with which it has been introduced.

Mr. Sampson: And which you admitted you advised.

Mr. SPEAKER: Order!

Mr. CROSS: As a matter of fact the Minister did as I asked him in my letter. I did not hear any wonderful suggestions from the Country Party, and I heard less this morning from the member for Swan. He would not have made the remarks he did had he studied the Bill, or had he understood it. I support the Bill and hope that members will pass it as quickly as possible. I also hope that they will support the retrospective portion, and enable those people who have been so unfortunate as to lose their stock to be recompensed. The people in my district do not want to go to the Treasurer. They believe in helping themselves. There are no spoon-fed people among the vegetable-growers, pig-producers and dairymen in my electorate, as is the case with many people in the South-West. The compensation fund is one which will be subscribed to by the industry itself. In the initial stages the charges might be high, but when this outbreak is wiped out and the pig breeders compensated, provision has been made so that regulations can be passed to reduce the charges. If there is no disease and no loss they could be infinitesimal. The people in the industry are prepared to assist themselves and are worthy of the unanimous support of members.

MR. DONEY (Williams-Narrogin): I join with members on this side of the House and others in expressing appreciation of the action of the Minister in bringing down this Bill which he did, apparently, at the instigation alone of the member for Canning.

Mr. Cross: Is there anything wrong with that?

Mr. DONEY: I do not know to what extent the information just imparted by the member for Canning can be relied upon. I can hardly believe that the Minister is so devoid of ideas on this subject that he has to rely on the member for Canning.

Mr. Cross: He did not say he had to.

Mr. DONEY: The hon. member has now repeated what he told the House before the luncheon adjournment, that he was in actual fact, responsible for the Bill.

Mr. Cross: No.

Mr. SPEAKER: Order!

Mr. DONEY: Lest there be any misunderstanding on this point, the Minister might when he replies be good enough to tell the House of the date on which the hon.

member informed him of the matter, and the date on which he started to construct his Bill. When we have that information we will be able to decide just exactly where the credit for this very fine piece of legislation actually rests.

Mr. Sampson: It is—

Mr. SPEAKER: I must ask the member for Swan to keep order.

Mr. DONEY: As we have four days left before the House is to be adjourned, I would ask the Minister if he would be good enough to adjourn the Committee stage of the Bill until, perhaps, tomorrow afternoon. I make this request on behalf of the member for Beverley who, unfortunately, has been instructed by his doctor not to attend here today. He thinks, however, that he may be well enough to be here tomorrow. Members know that the member for Beverley is one of the State's best judges of pigs and I have no doubt that his contribution to the debate, especially as it deals with swine fever, will be of more than passing interest. I am with the member for Canning to this extent: I think other forms of stock should receive similar treatment. We know very well that cattle, sheep, poultry, etc., are all prone to their peculiar diseases and obviously should be protected in a manner similar to that outlined in this measure. The Fruitgrowers' Association, as the member for Albany would no doubt tell us, has already its own private means to compensate those growers who strike bad times on account of attacks of codlin moth, fruit-fly and such-like pests. The only point about which I am concerned is the Minister's reference to the retrospective date back to which the compensation payments will be made.

I have not been able to read the Minister's speech as it will appear in "Hansard," which we will receive tomorrow, nor was I able to listen to much of the speech when delivered by him. According to the report in "The West Australian," however, it appears that the Minister is likely to do a great injustice to many pig breeders. I suggest that the Minister is not entitled to assume that all pig breeders whose stock were affected by swine fever before the 27th October should not be compensated on the ground that the spread of the disease resulted from their carelessness in dealing with the initial outbreak. I do not think the Minister is entitled to assume

that at all. It is quite conceivable that the Minister did deal with that point in his speech. If he did not, and if he was correctly reported in the Press, I hope he will find time to explain the position and to justify, if he can, his action in exempting those poor unfortunate folk from the benefits to be derived under the Bill. I will go so far as to say, if he has clear evidence of guilt in specific cases let him act as would be quite right and proper; but to apply the penalty generally would be obviously unfair to the big majority of growers who may be affected by the retrospective clause.

MR. THORN (Toodyay): It is very hard for practical men in this House to listen to the member for Canning.

Mr. Cross: It is harder to listen to you.

Mr. THORN: Particularly is that so when he speaks on subjects of which he knows nothing.

Mr. Marshall: Who named any such subject to you?

Mr. THORN: The other day the member for Canning spread himself on the subject of venereal diseases.

Mr. SPEAKER: Order! The hon. member is not in order in referring to what the member for Canning said last week.

Mr. Cross: I did not mention the subject.

Mr. THORN: This week he is an authority on swine fever. His reference to the crow as a magpie was, I say very distinctly, an insult to the magpie. He talked about "The magpie riding on the pig's back." Practical men know that the member for Canning was referring to a crow—but he does not know that. I think it is up to the member for Canning, before he tackles a subject of this description, to be sincere in what he has to say about it.

Mr. SPEAKER! Order! The hon. member must not reflect on another member.

Mr. Warner: Nor yet on the magpie.

Mr. THORN: The member for Canning indulged in many cheap sneers at the member for Swan, who has made a study of this question over the years.

Mr. Cross: He has not made a study of the Bill.

Mr. THORN: He has more piggeries in his constituency that will be affected by the Bill than has the member for Canning.

Mr. Cross: You get the statistics and see what the position is.

Mr. THORN: There are many more in the Swan electorate.

The Minister for Labour: I think the less the member for Canning and the member for Toodyay have to say about figures, the better it will be.

Mr. THORN: That is the Minister's opinion, and he is entitled to it.

Mr. Warner: Anyhow, one good pig is better than a mob of runts.

Mr. THORN: Of course! I am glad the Minister has decided to compensate the pig breeders in respect of losses due to swine fever. The burden was a tremendous one for them to bear as individuals.

Mr. Cross: Now you are talking sense.

Mr. THORN: The expression of the hon. member's opinion makes me rather doubtful on the point. It was bordering on the criminal that pigs were marketed at a time when the producers who were guilty of that offence must have known that the animals were in ill-health. Nevertheless we must take into account human nature, and that is what will happen unless the State is prepared to pass legislation for the compensating of growers and the safeguarding against such actions as are most undesirable. If we make proper provision for compensating pig breeders and raisers, that in itself will be a safeguard against such actions occurring again. I sincerely hope, now it has been decided to prohibit the use of swill in pig feed, that embargo will be continued. We all desire that whatever meat is used for human consumption shall be obtained from the carcasses of animals that have been properly raised and fed.

The Bill represents a step in the right direction. Although it may occasion some inconvenience to a number of people, I hope we will never again allow swill to be fed to pigs. On the advice of the member for Canning. I wish the Minister had taken into consideration the barter question, whereby if it were made permissible for fruit to be exchanged for wheat, tons of fruit that now go to waste could be made use of and the pigs could be fed on good, clean, healthy grain. We have the spectacle of millions of bushels of apples and other types of fruit rotting whereas that could be utilised to the advantage of the people in the country if such a procedure were permitted. On the other hand, we have supplies of grain that are a drag on the market. A workable scheme could

be easily evolved to permit the exchange of those commodities which would admit of the pigs being fed with clean wholesome grain, instead of people having to scour the city for swill. The Bill is worthy of the support of the House for it will initiate a reform in the feeding and raising of swine and will compensate individuals who have undoubtedly suffered great losses, which are too heavy for the growers to bear individually.

If the compensation payments are spread, I think the Government should bear some share. I do not consider the pig raisers should have to bear the whole of the burden of providing the compensation fund. Although that does not apply when others are compensated, when it is a question of compensating primary producers they are expected to provide their own compensation fund.

Mr. Marshall: No!

Mr. THORN: Yes, that is so. It does not apply in other industries, in respect of which the Government has provided compensation. It will certainly be in the interests of the pig raiser and the stock industry generally if the compensation payments are spread, and I certainly adhere to my opinion that the Government should shoulder some portion of the compensation payments. It is pleasing to the producers to know that the Bill has been introduced, and I sincerely hope the Minister will not always accept the advice of the member for Canning, because he may be greatly misled.

The Minister for Agriculture: I have not admitted that I acted on his advice.

Mr. THORN: I thought that on this occasion the Minister had taken his advice—quite worthy advice, too—but I warn the Minister to be careful in that respect in the future.

MR. MARSHALL (Murchison): It seems to me that while sympathy and consideration are certainly due to those who suffered in consequence of the outbreak of swine fever, there are one or two aspects that have been entirely overlooked. I disagree with the suggestion by the member for Toodyay that compensation is paid by the Government in respect of other sections of the community in the manner he indicated, because that is not so. Not even does the goldminer get compensation without making contributions towards it. But that is not the point I desire to clear up. If I said that this was to a

large extent a Bill to compensate people who had deliberately flouted the law and suffered in consequence, I believe I would be telling a latent truth.

Mr. Doney: In very many cases those who did not break the law suffered.

Mr. MARSHALL: How does the hon. member know that? Merely because the epidemic broke out in one or two pigsties, the hon. member wishes to advance the argument that only those one or two growers fed their pigs with swill. The regulation mentioned by the Minister was No. 262, which provided that the swill must be boiled. These people, according to the Minister's statement, practised the feeding of their swine with swill and did not boil it. How does the member for Williams-Narrogin know the number who fed swine with swill without boiling it?

Mr. Doney: It could not be asserted of the whole number, could it?

Mr. MARSHALL: I can interpret human nature, and I know that practice becomes second nature with human beings. That drawback has to be considered. If one side began the practice of feeding with unboiled swill, it would become the general practice. Had it not been for the outbreak of swine fever, this Bill would not be here at all.

The Minister for Agriculture: I tried to get such a Bill introduced previously, but had no success.

Mr. MARSHALL: That is so. Let members be fair about this matter. Quite a number of people will receive compensation under this Bill who have not earned the right to compensation, having broken the law and thus brought about the need for compensation. I do not know that over the matter of compensation we should be too enthusiastic. As a rule, compensation is paid to people who have suffered through no fault of their own.

Mr. Doney: All these people were victims.

Mr. MARSHALL: Not all.

Mr. Doney: Yes, they were.

Mr. MARSHALL: The only time the hon. member could have advanced such an argument would be after it had been proved to the Minister, and the Minister had mentioned the matter here. Now I come to the other point. The Minister should make overtures to the Commonwealth Government. That Government, although it took precautions against an outbreak of this

sort, failed to do all that was required. I want members not to run away with the idea that because this is a Bill to compensate people who suffered loss, it is necessarily a just measure. I sympathise with growers who complied with the law, but in a measure of this kind they are not being compensated to the full extent of their deserts. However, to give several pounds a head to people who deliberately broke the law and invited the epidemic is a little too much. If the Minister has proof positive who those people were, he should not hesitate. But under the Bill they will receive compensation because the measure contains no provision for preventing it.

Severe action should be taken against the people to whom I refer. Action should be taken under the law, and they should be punished. I want to know from the Minister, when he replies, what prospect there is of this epidemic reaching places like Wiluna, Meekatharra and Cue, where small piggeries exist for the purpose of supplying very small markets. The people breed their own pigs up there, not buying at coastal saleyards at all so far as I am aware. It would have been wiser had the Minister provided not merely to bring the law into operation by proclamation but to restrict proclamation to certain districts. Once the measure is proclaimed, it will receive wide application. I would not say, of course, that no Wiluna pig-raiser has ever fed unboiled swill to his pigs, but I would say that if the source of this outbreak is correctly diagnosed by the Minister, the disease would never have reached Wiluna. I am merely building my argument upon that advanced by the Minister as to the source of the trouble. That is all I can argue on. The Minister says they have definitely traced it. If the source has been correctly traced and the analysis of the Minister is correct, the disease is never likely to become troublesome to piggeries so far removed from the coastal area.

But I do not argue that an epidemic could not break out in some of those centres, due to some other cause. I agree as to the possibility of that, but it has never happened yet. I have been on the goldfields all my life and have never heard of it. The climate there is very dry and healthy, and I have never heard of an epidemic amongst the herds on the goldfields.

I am not going to oppose the Bill on that account. I am just going to ask the Minister if he can state the possibilities of an outbreak there, so as to justify the imposition of this charge. If that can be done, there is no harm. They will obtain compensation if the epidemic should spread that far, or should break out there. These are aspects the Commonwealth Government should attend to, in view of the fact that it slackened vigilance and made it possible for the epidemic to occur. The Commonwealth Government is more liable in this regard than it was in the case of the rinderpest outbreak that occurred some years ago. There is a more legitimate case for responsibility to be sheeted home to the Commonwealth Government, and I hope the Minister will not overlook that fact.

I am basing my remarks on the Minister's statement as to where and how the outbreak occurred. If there is one man who would be likely to make a strict examination and who could be depended upon, that man is the Minister for Agriculture. He is very thorough, and I am prepared to accept his statement and build my arguments upon it. I support the Bill, notwithstanding the fact that I know some men are going to be compensated who would not be justified in expecting to receive compensation, because they were directly responsible for the epidemic, according to the diagnosis of the Minister. I am prepared, however, to have them paid compensation and to see them started in the business again. Nevertheless, they should be punished and should not be allowed to flout the law with impunity, as some did, consequently causing all the producers in the State to become liable to pay tribute. I support the measure because I am not strongly opposed to it. To listen to some members, however, one would imagine that this is a Bill to compensate people who have experienced an awful tragedy that could not be helped; something that happened over which they had no control.

Mr. Fox: That is so in any number of cases.

Mr. MARSHALL: It may be, but according to the Minister it was not so in this case.

Mr. Fox: In any number of cases!

Mr. MARSHALL: Yes, but not in this case! I want the hon. member to understand that up to date there have been outbreaks in different piggeries, but we have

never been called upon to ask the taxpayers to pay compensation.

Mr. Seward: They are not going to pay now.

Mr. MARSHALL: Are they not?

Mr. Seward: No.

Mr. MARSHALL: They will find the money to make this scheme workable for a start.

Mr. Berry: It will be repaid.

Mr. FOX: It will be a loan free of interest.

Mr. MARSHALL: Yes, that is like the Prime Minister's statement a few days ago to the effect that every penny of the money now being borrowed will be paid back. He did not say how or when. Having regard to what the Minister said in introducing the measure, I consider I have been warranted in making these few observations.

MR. HILL (Albany): I support the Bill whole-heartedly. I desire to point out that the payment of compensation to those who have lost pigs in the last few weeks is only a small part of the legislation. The Bill was introduced not as a temporary but as a permanent measure. We in Western Australia and people in Australia generally should not forget our geography. If we look at the map, we will notice that we have Japanese bases closer to Fremantle than we are to Melbourne. At all times those countries in the East and the Middle East are a very great danger to Western Australia, and no one is more fully aware of that fact than are our own Agricultural Department officers. The Agricultural Department is continually on the lookout for any disease that may be introduced into this State. A few weeks ago we had an outbreak of swine fever, and all must congratulate the department on the prompt action taken to wipe out that disease. This legislation has been introduced with the object of assisting the Agricultural Department to stamp out the disease, and it is obvious that if producers know that they have a fund to compensate them if their pigs suffer from the disease, they will be more ready to report any suspicious circumstances.

To give my own case! A few years ago I had what I thought was fruit-fly in my orchard. I immediately telephoned our inspector, who is now Superintendent of Horticulture. The then State Entomologist, Mr. Newman, was spending a holiday in Albany

and within an hour those two gentlemen were in my orchard. Fortunately it was a false alarm. Last year I stated that I would sooner pay 1s. 6d. an acre to fight fruit-fly in the metropolitan area than pounds to fight it on the banks of the Kalgan.

The Minister for Agriculture: The member for Swan does not agree with that principle.

Mr. HILL: I do. Personally I think the Commonwealth and State Governments should provide a fund to pay compensation in this case but, if they fall down on their job, the producers will not fall down on theirs and will not hesitate to provide this fund. It is absolutely essential that the fund should be established, so that when there is an outbreak of disease, those unfortunate enough to have it in their herds will not suffer financially. For all we know, next week we might have a similar outbreak at Denmark. I would like to see similar legislation introduced in respect of other diseases. Another complaint that needs to be stamped out is T.B. in cattle. Here again I would strike a personal note. Two or three years ago I had a cow that was sick. I gave it treatment and communicated with Mr. McKenzie Clark. He said he would get Mr. Bignol the local veterinary officer, to go out and inspect the cow. Eventually I shot it, and burnt it, because it had T.B. I had another nice Guernsey cow, which he inspected, and it also responded to the tuberculin test. I had that slaughtered and sold as beef. I did not get much sympathy from the officer. He said, "I am glad it happened to you, you are a public man, and know what it means." That is all the sympathy I got. But we have to consider not the individual but the State as a whole and the welfare of industry. We must establish a fund to fight disease and help compensate those who suffer as a result of it. The workers have a Workers' Compensation Act. They do not have to pay for that; the money is paid by the employers. But it seems a recognised thing that if the producers want anything, they must pay. The main object of the Bill is to assist the producers, and I support it for that reason.

MR. J. HEGNEY (Middle Swan): I listened with a great deal of interest to the eloquent speech of the Minister in moving the second reading of the Bill. He outlined

the ravages of swine-fever in the recent outbreak, and gave illustrations of how such diseases were brought into the State, and how the Agricultural Department does its best to stamp them out. Generally speaking, the Bill has been well received. There appears to be very little opposition to it. Unlike the member for Canning, I cannot take credit for having made any suggestion to the Minister in respect to the Bill, but I would like the Minister when replying to table what the hon. member said, together with the Minister's reply, for the information of the House. Exercising common-sense in reading the Bill, I find that to a large extent it is based on a measure introduced in the Victorian Parliament some years ago. Having regard to the outbreak here, the Minister, together with his advisory veterinary officers, formulated this Bill. Yet the member for Canning desires to take 99½ per cent. of the credit for the introduction of the measure. I think the hon. member is going a bit too far. Surely he can give other members credit for being interested in the outbreak, and for being anxious to assist in its prevention.

Every member is willing to help in every direction possible. It was over-emphasised egotism on the part of the member for Canning to suggest that he was responsible for the measure. The only thing he did not mention was that he did not send instructions to the Governor-in-Council to send the Message to Mr. Speaker. I can only claim that I made contact with many of the men engaged in the pig industry in connection with swine-fever. On Sunday last I met about 70 pig-keepers in the Belmont town hall. I sat there for three hours. They went through the Bill clause by clause, and discussed various aspects of it. Generally speaking, they approved of the measure. They had no complaints. The substance of the Bill appealed to them, and they realised that something had to be done. The member for South Fremantle has contended that the suggested amount of compensation, namely £7, should be raised. I am favourable to that. I do not want to cover ground traversed by other members, but there are points in connection with the recent outbreak that are not provided for in the Bill. Let me give an example. Primarily the Bill deals with pigs that are marketed and eventually reach the butcher. But there are men engaged in the industry

from the point of view of breeding, and they pay fairly substantial sums for sows and boars. Many of their herds have been destroyed. If the maximum of £7 remains in the Bill, many of those persons will not be fully compensated.

It is regrettable that we should be considering an important Bill like this when there is so little time left to us. It is unfortunate that we cannot delay the Bill for a few weeks in order that the industry could be consulted thoroughly with a view to our ultimately passing a measure of great value to the industry. This Bill is based on the experience of Victoria in many respects, but certain points in it are the result of local recommendations. The outbreak of swine fever has destroyed many herds in the metropolitan area and even extended farther afield. Many of those engaged in the industry are not responsible for that outbreak. They have a high regard for their herds, and have tried to raise their animals under proper conditions. Notwithstanding their care the disease has spread to their piggeries, and they have suffered as a consequence. Many of those herds have had to be destroyed. The disease has had to be stamped out. Blame may be attached here and there, but the fact remains that the onus of stamping out the disease rested on the department, which lost no time in setting about the work of doing it. The disease has been brought almost entirely under control. The problem now is to compensate the pig-raisers whose animals have had to be destroyed. In my electorate some men have lost 350 pigs, and others have lost a lesser number.

Under the Bill, in the case of diseased pigs, the compensation is to be based on three-quarters of the market value of the animal. When that compensation is paid and the piggeries have been cleaned and sterilized, and the breeders are permitted to start off again, their difficulty will be to buy pigs with which to stock up their herds. Pigs will be both scarce and dear. It is obvious that many men will not be able to start pig-raising again without great difficulty because of the scarcity of pigs. The Bill provides for compensation for losses incurred as a result of the recent outbreak, but takes no cognisance of the fact that pig-raisers will have to start off again when prices are much higher and when it is much

more difficult to get stock. The measure was fairly well received amongst the pig-keepers, but certain complaints have been made. Pigs have been destroyed because the outbreak occurred. One man said yesterday that he had always kept his piggeries clean. He himself is a valuable citizen. When the outbreak occurred 64 of his pigs and 3 sows were destroyed or died. He did not know how he would get on in the matter of compensation. He burned the bodies and cleaned up his piggery.

As the Bill reads, unless it can be proved by some competent authority that pigs died of swine-fever, this man would not be entitled to compensation, although it was fairly evident that the pigs either died or had to be destroyed as a result of swine fever. There are also complaints in respect of the transport of pigs to Robb's Jetty. Some men said that sows in pig were simply put in the chute and were not certified with respect to their market value. It was questionable whether any compensation would be paid in those cases. The animals were put in the chute for subsequent canning, and consequently it was feared that no compensation would be paid. There was a fairly big discussion regarding the Bill, and it was eventually decided that a union should be formed. Those concerned were anxious to affiliate with the Primary Producers' Association. I dissuaded them from that and said they would get better consideration if they remained neutral. Subsequently an organisation was established. It was realised that with an organisation it would be easier to police the industry and see that it was put on a satisfactory basis.

It is unfortunate that the outbreak occurred just at a time when the industry was at its height. Had it not been for that trouble there is little doubt but that the industry would have been in a prosperous condition for a considerable time. There was some criticism with respect to the amount of the levy which is set down at 3d. in the £, with a maximum of 2s. 6d. The Minister informed us that a charge would be made by the agents for both the buyer and the seller. The pig-keeper will not have a much heavier burden placed upon him than he has at present. If the fund that it is proposed to establish builds up to substantial dimensions no doubt the charge to the growers can be reduced, as was the case in Victoria and

New South Wales. Provision is made for the money to be advanced in the first place from the Treasury in all cases of compensation, and for the growers to repay that amount over a period. It will, therefore, be the growers' money that will be recouped to the Treasury, and we have to see that they get the best deal possible in the circumstances and that reasonable compensation is paid in all instances.

Many growers think they are not going to receive from the compensation fund the amount to which they are entitled. Circumstances may arise when the compensation could well be increased. There is no doubt the disease broke out as a result of the relaxation by the Commonwealth Government of the restrictions that have been imposed. I join with others in the belief that the Commonwealth Government should be approached to contribute to the compensation fund, because it was owing to the relaxation of the quarantine regulations that the disease entered the Commonwealth. The opinion of veterinary officers is that all swill ought to be boiled and treated and distributed at central depots. It could then be made available to the pig men. I asked an officer of the department how it was that pigs that had been certified as clean were not sold in the open market but were sent to Robb's Jetty for canning purposes. I was informed that when the animals were canned the meat was boiled, whereas no such precautions were observed when the pigs were sold in the market.

The disease has been a great blow to the industry. The growers would like to see the price set out in the Bill raised above £7, and feel that it should at least go to £10. They think that £10 would cover all pigs that were marketed for butchering purposes, and that that would be a fair thing in all cases. Some men have been engaged in raising quality stock. To get over the difficulty that arises there, something more than a medium amount of compensation would have to be paid. Of course, if a person was recompensed for the loss of pedigree pigs it would not be fair that he should only pay on the basis of the ordinary levy. No doubt the Minister will take that point into consideration and consult his officers to see that attention is paid to that aspect. Many men are engaged solely in breeding pedigree stock, and have spent a good deal of money

upon them. Some have paid £70 for a boar, and a considerable sum for sows. If a man has had service from a sow and it is finished as a breeder it would not be of the same value as it was before. Such points could be taken into account when fixing the compensation to which breeders may be entitled. The Bill has my support and should be passed.

**MR. McLARTY** (Murray-Wellington): I join with other members who have expressed appreciation of the efficient manner in which the officers of the Agricultural Department have dealt with the recent outbreak. I am sure the Minister will not exempt certain districts from the provisions of this legislation. Saleyards have been established throughout the State. Farmers come to Midland Junction, buy pigs and take them into the country. Pigs are also purchased in various saleyards in the country and may change hands half-a-dozen times. It would not be possible to exempt any part of the State from the operations of this measure. A good deal has been said about the feeding of pigs in the metropolitan area with swill from military camps. Some alarming statements have been made about how that swill is fed to the pigs. I am told that on occasions it has not even been put into troughs but has been emptied on to the ground week after week. Pigs have eaten it when on the ground with the result that the earth has become contaminated and infected with any germs that may be in evidence. I believe there is need for more inspectors, particularly stock inspectors. The Minister will doubtless tell us that the manpower shortage is the difficulty. I am aware of that, but it would be worth while to try to get the manpower authorities to make men available for this duty. In the saleyards one may see sheep suffering from foot-rot being sold and sent all over the country. Men who have endeavoured for years to keep their properties free from foot-rot are likely to have their flocks infected and, unless we can get more inspection and efficient inspection, I am afraid we shall have diseases of all sorts spread throughout stock in this State.

I cannot say that I am particularly keen about the Bill. Members have expressed pleasure at its introduction and given it their whole-hearted support. I am as sympathetic towards the farmers who have suf-



ferred loss as is any other member, but I cannot see that there is any justification for imposing this tax. It is generally agreed that the Commonwealth Government has played a part in the introduction of this disease by allowing swill from the camps to be used, despite the fact that the State Government issued a regulation prohibiting it. The Commonwealth over-rode the State regulation and provided that under certain conditions swill might be used. It was provided that the swill must be boiled. Yet no provision has been made for policing the Commonwealth regulations. Consequently the regulations are useless.

Dealing with the compensation fund, a levy of 3d. in the £ is a severe tax. I regret that I did not hear the whole of the Minister's speech; unfortunately I was called out of the Chamber when I was most interested in his remarks, but I do not think he told the House what he expected to collect per annum from the tax.

The Minister for Agriculture: It will take four years' collections at 3d. in the £ to compensate for the present losses.

Mr. McLARTY: That is a further argument why the Commonwealth should contribute to the compensation fund. My reason for objecting to this impost is that it is becoming a habit to tax the farmer. Since I have been in Parliament, hardly a session has passed without our imposing some additional tax upon him. We tax his orchard, his stallion and his bull. Then we brought in a gun tax, and almost every farmer owns a gun. His dairy has to be registered. If he grows potatoes he has to pay a license fee. If he is a producer of butter he is taxed again. Wherever we look, every item is taxed. Seemingly the list has been carefully considered and a tax imposed on each item.

Mr. Hughes: He adds it to the price of his commodities.

Mr. McLARTY: How can he do so? He has not the least say in the matter of prices. His commodities are placed on the open market and he has to take what is offered for them. He is the one man who is unable to pass on increased costs. I wish provision could be made for him to pass them on.

Mr. Hughes: What has been the price of pork recently in the metropolitan area?

Mr. McLARTY: I do not wish to enter upon a discussion of that subject. What-

ever the price has been, the farmers have had no say in the fixing of it. The Minister has just informed me that it will take four years to compensate the growers who have suffered loss.

Mr. Doney: Four years to collect sufficient money to pay the compensation.

Mr. McLARTY: Yes. I agree with the member for South Fremantle in the opinion that the Commonwealth Government should be approached and asked to pay something towards the compensation fund.

Mr. Doney: Could we submit absolute proof of the Commonwealth Government's responsibility?

Mr. McLARTY: That authority allowed the swill to leave the camps without inspection.

Mr. Doney: That is not to say we could prove its responsibility.

Mr. McLARTY: The member for Pingelly suggested that the growers should have representation and be given a say in the disbursement of the funds. That is a reasonable request. We should not have taxation without representation. I have confidence in the officers of the Department of Agriculture; yet I think it only fair that the producers should have representation and I hope the member for Pingelly, in the Committee stage, will move to provide for one of the representatives of the producers having a right to say how the money shall be expended. If the Minister will agree to that, it will afford some satisfaction because the producers are always more contented when they have representation on the body responsible for the expenditure of such funds. I again protest against the amount of taxation the farmers are being asked to pay.

#### THE MINISTER FOR AGRICULTURE

(in reply): I am very pleased to find that the Bill has been accorded a generous reception. Seemingly members are favourably disposed towards it. Regarding the points on which difficulty has been expressed, I hope my explanation will cause the objections to disappear. First of all, I shall refer to the sentiments expressed by the member for Murray-Wellington regarding this extra tax. The same sort of sentiment was expressed by the member for Swan. It is remarkable that many people persist in alleging that the farmer, by making an arrangement for a contributory scheme in

an industry sense, is being particularly singled out for special taxation. Of course, such argument is fallacious and will not bear examination. What is the foundation for all friendly societies, for all arrangements where mutual help is involved, where a party of individuals, in case some difficulty befall one of their number, make contributions to meet the disability? I feel almost diffident about talking of the life insurance policy that I hold and the policies the member for Swan would hold, and of their receiving a bonus addition because of my humble subscription. If we have a contributory basis, let us make a reasonable analysis of what benefits arise from it.

I differ entirely from the member for Swan in his statement that the principle of imposing a levy within an industry or a group for a particular purpose is wrong. I consider it to be the ideal method. In the Swan district serious infestations of fruit-fly occur; in the district of the member for Albany, there is no fruit-fly. Yet the district interests of Albany are anxious to pay a tax in order to assist in combating the fruit-fly, while Swan is anxious to avoid the tax. If I had my way I would extend that principle much further. I would say, for example, that sectional taxation should be increased in many directions. I should like to see evolved a plan to tax newspapers and impose a super-tax on newspaper proprietors because, by their very acts and by staring, startling, nerve-wracking headlines, they set up all sorts of mental disorders in hundreds of people. We have the "Beverley Bugler" and the "Bruce Rock Reveller"—

Mr. SPEAKER: Order! Is the Minister's reference a reply to the debate?

The MINISTER FOR AGRICULTURE: Yes; I am replying to the member for Swan on the sectional taxation of industry. We might extend the principle much further so that those who cavil at an industry contribution should make a personal contribution, or have their own assessments greatly increased to meet the general taxation necessary if such compensation is to come out of general taxation. On the other hand, we have heard nothing at all of what the Government has done and is doing. I have not heard it mentioned in this Chamber that because of representations personally made by members of the Government, departmental men and by permanent heads,

the pig industry in this State has been relieved of the 15 per cent. discrimination in price, which will mean to the industry, humble though it may be, an improvement of £60,000 this year. This is due to our being able to convince the Commonwealth authority that it should remove the 15 per cent. differentiation in export prices.

Mr. Boyle: Did others not make any representations?

The MINISTER FOR AGRICULTURE: I should like to table the papers to show who made the representations and from whom the telegrams came.

Mr. Boyle: I myself have made representations.

The MINISTER FOR AGRICULTURE: Taking the matter of this outbreak of disease amongst pigs, an excess of £2,000 on the vote of the Department of Agriculture has already been approved and there have been other added costs to the department. We expect to have these added amounts continuing weekly and monthly. The member for Swan, on the argument against the principle of an industry imposing a levy to benefit itself, needs to make a much fuller examination of the position. The opinion expressed by the member for Sussex that because the disease has not manifested itself in his district, his people object to paying 3d. in the £ will not bear scrutiny. I do not think we could get an insurance company to assure a prospective premium-payer after he had been run over by a tram, and I do not think we should consider payment to any section or district if such section or district had not contributed to the scheme. Surely it is in the interests of Sussex and other South-West districts that contributions from them, as well as from pig sales in any part of the State, should be applied to doing something more to curb this disease.

The member for Murchison raised a point that it might be wise to prescribe districts. I do not think that would be sound. The hon. member wondered how the swill-feeding of pigs at Wiluna could be the means of spreading this disease. That is very simple to explain. Suppose some pork or bacon from a diseased pig in the metropolitan area is consumed at Wiluna and the scraps from the kitchen pass uncooked into a swill barrel and are carried out and fed to pigs, we would very soon have the disease at Wiluna, Meekatharra, or else-

where. Therefore, it is not merely the question of the prohibition of swill unless cooked. This is a most important matter. The stage has been reached when it is extremely important that no swill at all should be consumed. That aspect is consequently eliminated.

I desire to refer to the point raised by the member for Pingelly, who it was obvious had given much thought and consideration to the Bill. Firstly, on the point of the date, the 27th October, he said—as did also the member for Williams-Narrogin—that we might be unduly penalising and causing injustice to a large number of pig breeders, unless all of them, from the very commencement of the outbreak, were brought within the scope of the Bill. We have, however, definite information as to the actions of two pig-raisers in particular, previous to any report or any isolation of the disease, and the 27th October will, since it is necessary to pay compensation retrospectively, be a satisfactory and suitable starting date. The information respecting the two pig-raisers I mentioned is that, notwithstanding that a suspicious disease developed in their pigs, they marketed the pigs at an extremely satisfactory price on a short market. They marketed all the pigs they possibly could that showed no signs of the disease.

Mr. Doney: Had the department been notified at that time?

The MINISTER FOR AGRICULTURE: No. This happened previous to any notification.

Mr. Doney: Previous to the notification of the disease in any part of the State?

The MINISTER FOR AGRICULTURE: Yes. Those pig-raisers lost some pigs, which they destroyed, and as to the numbers of which we have no evidence. I point out, too, that they received the cream of the market in price, and in all fairness to the Government it must be conceded that, on the point raised by the member for Murchison, instead of paying those people compensation, the question of taking action against them might be considered if it can be proved that they deliberately and willfully spread this disease through the medium of the saleyards. Our desire is to be as fair as possible in the matter, and we have selected the 27th October as the date which is fairest to everyone who will be brought within the scope of the Bill.

Mr. Doney: There must be quite a number of breeders in respect of whom you have not all that specific evidence.

The MINISTER FOR AGRICULTURE: Ever since the first recorded incident of the disease, we have particulars of every death, whether it occurred at the piggery or at the slaughter yards. I shall deal with that matter on the point raised by the member for Middle Swan. As regards swill, members know that that has been prohibited entirely. Notwithstanding that prohibition, there are still some pig-raisers who are prepared to take the risk of infringing the law by feeding swill to their pigs. With them, it is a case of "Heads I win, tails you lose." If they can get through, then they will get the benefit of the existing market; if the pigs die, they hope to come within the scope of the Bill. That is a terrible thing to say in this House, but the practice is going on today. We are tracing such people day by day.

Mr. Patrick: If you trace them, then they will not come within the scope of this proposed legislation.

The MINISTER FOR AGRICULTURE: Exactly! I intend when the Bill is in Committee to move an amendment to the last clause by adding a paragraph in respect of the penalty that might be inflicted on the persons concerned. In regard to the regulations, it will be noticed, if the Bill is examined, that the first paragraph relates to the manner of making and dealing with applications for compensation. I intend that the Chief Veterinary Officer and the Under Secretary, when they make a collective review of all claims received, shall have with them a member of the Pig Advisory Committee. He will scrutinise the applications with the two officers concerned. I think that meets the requests made by the member for Pingelly and the member for Murray-Wellington. It is unnecessary to appoint trustees of the fund, as it will come under the control of the Under Secretary for Agriculture.

The member for Pingelly also raised a doubt as to whether the regulations to be introduced will be wholly acceptable and satisfactory. The regulations will be tabled as quickly as possible; they should be on the Table of the House within the next six weeks. Members will have every opportunity to study them and criticise, amend or reject them as they think fit. We have

our own disabilities in regard to the drafting of regulations. Our circumstances are not the circumstances of Victoria. That raises another point. The member for Pingelly said that we had followed the Victorian Act so far and no further. We say, however, that the conditions of Victoria are entirely different from the circumstances existing here. We therefore find we differ with respect to several particulars, notably in the use of the words "swine fever," to which the hon. member drew attention. Swine fever is specifically mentioned in certain clauses instead of disease generally; and it will be found, on examination of certain clauses, that swine fever is particularly mentioned in order to draw attention to deaths from that disease. We wish that to be understood, so that deaths from this outbreak of swine fever may be compensated for if the Bill becomes an Act.

On the point raised by the member for Swan as to why we did not follow the principles of the Dairy Cattle Compensation Act, that is easy to understand if the hon. member will scrutinise that Act and this Bill. The basis of contribution under the Dairy Cattle Compensation Act is that owners of stock within prescribed areas shall pay a fee at a rate per head on all stock owned. If that principle were followed in the case of pigs, we would find that instead of the rate being 3d. in the pound, it would be about 2s. in the pound. In the case of cattle there is an annual registration and an annual fee for all stock owned. Under the Dairy Cattle Compensation Act, if a cow is to be destroyed, it is destroyed and compensated for after a clinical examination. Therefore the principles are entirely different.

We have, I think it must be conceded—as a matter of fact one member has spoken privately to me on this point—erred, if at all, on the generous side. South Australia, with a very rigid Act, compensates only for deaths at abattoirs, that is, for carcasses condemned and destroyed as unfit for human consumption. Victoria, as I mentioned when introducing the Bill, passed an Act under which a fund was built up exceeding £40,000. By telegrams and letters we have received information from Victoria to the effect that, without that State being the victim of an epidemic, it has disbursed from that fund by way of compensation £26,000.

It is, in point of fact, £2,000 in debt today. We have struck a reasonable rate, not imposed an unreasonable tax, as the member for Murray-Wellington suggested; 3d. in the pound, he protested, was unreasonable. Yet it might be the means not merely of preventing the spread of the disease to his district, but even to the confines of it.

In regard to similar legislation in the other States, New South Wales has different provisions. We have incorporated in our Bill what seems to the authorities to be best for us to adopt. As to the point raised by the member for South Fremantle—it was referred to also by the member for Middle Swan—that is, the increase of the maximum compensation to be paid, it is interesting to note that we have 60 or 70 stud breeders in the State. Some of them have sold stud pigs for large sums at sales, but it is interesting to note that the sales were effected at the Royal Show, with the flush of victory and the ribbons upon the pigs. In such circumstances the pigs are sold for many guineas higher than the ruling rate in a normal sale, away from such surroundings. Forty guineas or 50 guineas might be paid for pigs at the Royal Show, but the following week a similar type of pig might be sold for 10 guineas or 15 guineas less, away from those surroundings.

As to the point raised by the member for Middle Swan, if there is to be differentiation in the price paid for stud pigs, then there should be differentiation in the contribution to be made in respect of them. They should be dealt with on the principle contained in the Dairy Cattle Compensation Act. But even if we take the average of a herd of stud pigs, we shall find that there are but few owners in this State whose pigs would exceed on the average £8 or £10 each. In legislation of this kind, we must strike an average. While I have no objection to the bringing in of stud pigs, I do not think we should introduce into this Bill the principle that stud pigs should be paid for at a preferential rate, although sales will only be levied at 3d. in the pound. There are one or two valuable studs in the State, but the breeders do not hold the pigs very long. They are usually sold as suckers, and the buyer takes the risk. I do not think we should endeavour to make provision for a matter of that nature in this Bill.

The member for Williams-Narrogin has asked that the Committee stage be postponed

so that we can get the opinions of the member for Beverley. If that were done we might not merely lose revenue on current sales, but postpone and prolong the hardships likely to be experienced by many people owing to the unfortunate position of being afflicted as a consequence of this disease. We should proceed with the Bill so that it can be dealt with by another place and put into operation. On the pertinent point dealing with regulations and the fears that regulations might be introduced which will impose hardship, all I can say is this: Although we have already commenced the preparation of regulations and specified the aspects and particulars to be covered I can assure members that as far as we can interpret them nothing irksome will be introduced, and if there is anything objectionable in them, although they will be put into operation as quickly as possible for the absolute protection of the industry, in a matter of weeks—five or six weeks—members will have the opportunity to disallow them if they so wish.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Marshall in the Chair; The Minister for Agriculture in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Interpretation:

Mr. SEWARD: I move an amendment—

That in line 1 of the definition of "disease" after the words "swine fever" the words "or swine plague" be inserted.

This disease is included in the Victorian Act. I see no reason why it should not find a place in this measure. We had an epidemic of swine plague some years ago. Although not so severe as swine fever it resulted in numbers of people being compelled to have their pigs destroyed. In those days there was no fund or compensation.

The MINISTER FOR AGRICULTURE: This matter was discussed with the Chief Veterinary Officer. There are many diseases known as swine plague and it was felt that the term should not be included until we could isolate the exact disease. Some of them are seasonal. It would be unwise for the hon. member to proceed with this amendment. In the succeeding clause provision is specifically made to enable the Government by proclamation to add to the diseases already listed. Were

we to include some of the ailments known as swine plague, but which are purely seasonal, four times the levy suggested would be insufficient. Apart from that, many of these complaints are brought about by insanitary circumstances and improper conditions. We would need an army of officers to live up to the principles set out in the measure, namely, that officers shall inspect, and proceed to any reported outbreak. We experience in some years, in July, August and September, an outbreak of certain diseases that could not be brought within the scope of this Bill, the mortality being amongst the suckers and young pigs.

Amendment put and negatived.

Clause put and passed.

Clauses 4 to 6—agreed to.

Clause 7—Amount of compensation:

Mr. SEWARD: I move—

That in line 2 of paragraph (b) of Sub-clause (1) the words "three-quarters" be struck out and the words "seven-eighths" inserted in lieu.

There again I am following the provisions of the Act from which this is taken. The Minister mentioned that the usual part of the pig to be condemned is the head, and it is the least valuable part of the animal. To say that one-quarter of the carcase should be deducted from the marketable value seems to be too much. I think seven-eighths would be a better proportion.

The CHAIRMAN: I cannot accept this amendment. Standing Orders and Parliamentary procedure prevent private members increasing the amount of taxation on the people.

Mr. SEWARD: This is a contributed fund. This compensation is not to be met from Consolidated Revenue.

The CHAIRMAN: Under this Bill the possibilities of Consolidated Revenue being drawn on for compensation payments are particularly bright. Later in the Bill a clause provides for that. In these circumstances I cannot accept the amendment.

The MINISTER FOR AGRICULTURE: This Bill has formed the subject of a Message, and therefore anticipates money being taken from Consolidated Revenue, but I would not oppose the amendment on that ground.

The CHAIRMAN: I do not propose to allow any discussion on the amendment.

Amendment ruled out.

The MINISTER FOR AGRICULTURE: I intend to move an amendment to the pro-

viso by striking out the word "seven" in the last line, and inserting in lieu the word "ten," thus increasing the maximum amount payable to £10. It would have been unwise to allow more per head because Subclause (1) provides that where a pig is not suffering from disease total compensation shall be paid. Much disease is due to the pig owners themselves because of inconsiderate treatment and carelessness in feeding and other ways, and bad conditions generally. Where these circumstances arise the responsibility of the individual has a distinct bearing on the amount of compensation payable. In connection with this proviso there is reason why consideration might be given. Even though they are not stud pigs they are valuable. I move an amendment—

That in line 3 of the proviso to Subclause (2) the word "seven" be struck out and the word "ten" inserted in lieu.

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

Clause 8—agreed to.

Clause 9—Application for compensation:

Mr. SEWARD: I do not want to amend this clause, but simply to draw attention to the wording of Subclause (6). Surely there is something wrong there. The subclause speaks of the pig having been destroyed because it was suffering from swine fever, and then when dead being found not to have been suffering from swine fever. Surely the clause has been badly drafted.

Mr. Cross: That is where a mistake has been made.

The MINISTER FOR AGRICULTURE: On examination that has been found to be exactly what was intended. That clause deals with the future and not the past. A subsequent clause deals with the incidence of the disease in the past. Where, in the future, a pig is found to be dying or has died from swine fever, this clause gives the Chief Veterinary Officer the right to say that the owner shall receive compensation. It does not deal with the case of a pig having died at the abattoirs, or found, on examination, to be suffering from a disease. It is to cover an outbreak in the future, provided a pig has not been fed on unboiled garbage or household scraps. If the owner can prove it has not been so fed he shall be compensated.

Mr. SAMPSON: I was wondering whether it were possible for a pig to be fed on

unboiled garbage without the knowledge of the owner, and whether it would make the position safer by adding to the clause the words, "with his knowledge."

The Minister for Agriculture: I do not want to leave any loopholes of that sort.

Clause put and passed.

Clause 10—Compensation payable in certain cases in respect of pigs which were destroyed:

Mr. SEWARD: I had intended to move to delete the words "27th October." There are, I believe, only two pig-owners affected.

The MINISTER FOR AGRICULTURE: They will not be affected. The position is that we did not want them to claim unreasonable compensation.

Clauses 11 to 20—agreed to.

Clause 21—Regulations:

The MINISTER FOR AGRICULTURE: I wish to deal with a point that was raised in the course of the debate relative to those who may insist on procuring swill because it is cheap, hoping that they may get away with it and that, if their pigs should develop the disease, they will be compensated. I move an amendment—

That a new paragraph, to stand as paragraph (i), be inserted as follows:—"Prohibiting the feeding to pigs of food which in the opinion of the Chief Veterinary Surgeon is likely to be a source of infection of disease to pigs."

Mr. SAMPSON: The Minister made quite clear in his second reading speech the menace of feeding uncooked swill to pigs. Could it be made an offence for uncooked swill to be sold? If that could be provided for, the danger would be minimised.

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

Title—agreed to.

Bill reported with amendments and the report adopted.

## BILLS (2)—RETURNED.

- 1, Constitution Acts Amendment.
- 2, State (Western Australian) Alunite Industry Partnership.  
Without amendment.

## BILL—EVIDENCE ACT AMENDMENT.

*Second Reading.*

Debate resumed from the 4th December.

MR. McDONALD (West Perth) [4.5]: The Bill refers to a branch of the law in

which I confess I have not had a great deal of experience. I refer to the law of criminal evidence in relation to proof of identity by fingerprint evidence. The intention of the Bill is that where it is desired to prove a conviction in any other part of the King's Dominions, the record of conviction in such other part of the King's Dominions may be received as *prima facie* evidence if a fingerprint expert, by affidavit, states that in his opinion the fingerprints of the prisoner in this State—

Mr. Hughes: The Bill does not say the affidavit is by the expert.

Mr. McDONALD: —are identical with those of a prisoner who has been convicted in such other part of the King's Dominions. That is the most important provision in the Bill. Another clause extends the facilities for the proof of evidence in connection with bank books, and to that provision I have no objection whatever. Returning to the question of proof by means of fingerprints, the clauses in the Bill now before the House are taken substantially from the Evidence Act Amendment Act, 1940, of South Australia. The same principle is involved in that Act, but there the convictions outside South Australia that are sought to be proved by fingerprint evidence are limited to convictions in any other State or territory of the Commonwealth, whereas in our Bill the intention is that convictions may be proved by fingerprint evidence even if the offence arose in any other part of the King's Dominions. Our Bill, therefore, will have much wider application.

I had an opportunity to talk with a lawyer who has had a fair amount of experience in criminal cases, and he informed me that he saw no danger of a miscarriage of justice arising from the terms of our Bill. I personally approach the matter with some hesitation, because the policy of the English law is to guard to the utmost against any possibility of a miscarriage of justice. This provision has been adopted in South Australia, although limited in the sense that in that State the only convictions that can be proved are those that have taken place in other States or territories of the Commonwealth, and it has apparently been the experience of the Crown authorities, and possibly of the legal profession, in South Australia that a measure of that description can safely be

passed seeing that their Act has remained on the statute-book for the last two years. I do not know that there is any more danger in this Bill, which extends that principle to any Dominion of the King, than there would be if that operation was limited, as in the South Australian Act, to other States or territories of the Commonwealth, because the real safeguard in Western Australia will depend upon the ability and care of the fingerprint expert who gives evidence in our State to the effect that the fingerprints of the prisoner on trial in this State are identical with those of the fingerprints of a person of the same name, who has been convicted in some other part or parts of the King's Dominions.

From that standpoint I do not know that there is any great danger in the application of the Bill extending to any part of the King's Dominions, because all that can be done in other Dominions in relation to this matter will be that the fingerprints of the prisoner who has been convicted there will be placed on the conviction card by some officer of a department in that Dominion outside Australia where the prisoner is alleged to have been convicted. When it comes to care being exercised, it is a matter for the skill of the local fingerprint expert in making sure that the fingerprints of the prisoner in Western Australia are identical with those of the man alleged to have been convicted in some other part of the King's Dominions. That evidence of identity of the fingerprints must, according to the Bill as I read it, be made by the fingerprint expert attached to a Government department. The Bill does not say what department that will be, but I presume it normally would refer to the Police Department. Of course it might be the Department of Civil Security or some other department that retains the services of the fingerprint expert. As I read the Bill, it requires that the person providing the affidavit must be a fingerprint expert.

Mr. Hughes: Where does the Bill say that?

Mr. McDONALD: That appears in the form of affidavit in the schedule.

Mr. Hughes: That is not specifically stated.

Mr. McDONALD: It may not appear in the body of the Bill, but it says that the affidavit must be substantially in the nature

of the form set out in the Sixth Schedule. No variation would be accepted by the court that would, in my opinion, include any essential alteration. The form of affidavit set out in the Sixth Schedule indicates that the man who makes the affidavit is, by description, the fingerprint expert attached to a certain department. That would be regarded by any court or judge as an essential part of the affidavit, as to which no variation would be permissible. It is common knowledge with us, and must be so to a much greater degree with courts and judges, that the comparison of fingerprints is a specialised task, and I do not think any judge would contemplate for one moment allowing evidence regarding fingerprints to be given by any person other than one who had proved himself to have specialised knowledge in the reading of fingerprints.

The formal affidavit of identification appearing in the Schedule to the Act, although in the same form for all practical purposes as that contained in the South Australian Act, is not very clear. I think it would be read to mean that the records of convictions in other parts of the King's Dominions with which a comparison is made must be records containing fingerprints. That is not stated in so many words, but it appears to be the only interpretation that could be given. If the Minister would draw the attention of the Crown Law officers to that aspect of the matter, they might consider whether the form of affidavit might be made more explicit by inserting a few words to show, and make it essential, that the records of convictions obtained in other parts of the King's Dominions must be records on which there appear the fingerprints of the man convicted there. But even so I think the interpretation would be, as the whole matter is one of comparison of fingerprints, that no convictions could be brought in evidence that had been obtained in other parts of the King's Dominions unless those convictions obtained in such other parts of the King's Dominions included fingerprints which could be compared by the fingerprint expert with the fingerprints obtained here in this State.

A Bill of this kind does not involve the conviction in this State, as I read the Bill, of the man, but does involve sentence or length of sentence. The matter is important because it affects the length of the man's detention in gaol, but I feel that any hesi-

tation I might have about the Bill is not sufficient to justify me in opposing it, in view of the fact that it has been the law for the last two years in South Australia. The proof of convictions is not necessarily confined to prisoners. From my reading I think it might be extended to any other case where it was necessary to prove convictions of any other person in any other part of the King's Dominions.

**HON. N. KEENAN** (Nedlands): This Bill purports to amend the Evidence Act in unimportant but most desirable particulars, and in one very important particular. These errors apparently have been contained in the Act since 1896. The only important variation is to be found in paragraph (b) of one section which provides for the proof of a previous conviction for an indictable offence where that previous conviction has been obtained in any part of His Majesty's Dominion. I interjected, perhaps not audibly, that the Evidence Act we have in force here allows a witness to be asked whether that witness has been convicted of such an offence. Then under Section 23 of the Evidence Act, of course for the purpose of discrediting the witness's evidence, the witness may be questioned as to whether he has been convicted of any indictable offence; and if he refuses to answer, the cross-examining party may prove such conviction.

The present law provides, by Section 23—and also by Section 47, to which I shall refer in a moment—the method of proof of a conviction which has not been admitted by the witness. I may point out that only when the accused is in the witness box can he be asked the question of previous conviction, or only because it is a case in which that charge against the accused cannot be proved unless he had a previous conviction. But otherwise the accused is not liable to any question of his prior conviction for the purpose of damaging his chance of acquittal in the case in which he is then a prisoner at the Bar. No evidence is allowed to inform the jury of that character unless the accused is a witness in the box giving evidence on his own behalf, or unless he has called a witness to give evidence on his behalf and that witness has made some reflection on the prosecution or otherwise left himself open to be cross-examined on his own previous conduct and has been asked the question whether he has been convicted



of an indictable offence. Section 23 of the Evidence Act provides—

(1) A witness may be questioned as to whether he has been convicted of any indictable offence, and, upon being so questioned, if he either denies or does not admit the fact, or refuses to answer, the cross-examining party may prove such conviction.

(2) A certificate containing the substance and effect only (omitting formal parts) of the conviction for such offence, purporting to be signed by the clerk of the Court or other officer having the custody of the records of the Court where the offender was convicted, shall, upon proof of the identity of the person, be sufficient evidence of such conviction without proof of the signature or official character of the person appearing to have signed the same.

So at present it is only a matter of identity that in any way troubles the party, representing generally the police, that the witness has been convicted of an indictable offence; and then identity can be proved, and is proved, by persons who have had experience of proving it—by calling in the police officer, for instance, who was present in court and saw the accused in the dock and heard the verdict pronounced by the jury. The present Bill is brought down because it is a matter of some expense to bring over the person to establish that proof if the offence was committed in, say, Queensland. Apart from the score of expense, I do not see how any difficulty whatever can be justified in the present or existing law which enables proof of conviction. Now, Section 47 reads—

(1) A conviction or an acquittal of any person may be proved in any proceeding whatever by producing a record or extract of such conviction or acquittal, and by giving proof of the identity of the person in respect of whom the conviction or acquittal is sought to be proved with the person appearing in the record or extract of conviction to have been convicted or acquitted.

(2) A record or extract of a conviction or acquittal may, in the case of an indictable offence, consist of a certificate containing the substance and effect only (omitting the formal part of the indictment and conviction or acquittal), and purporting to be signed by the clerk of the Court or other officer having the custody of the records of the Court before which such conviction or acquittal took place, or purporting to be signed by the deputy of such clerk or officer . . .

Like Section 23, Section 47 has the drawback that one has to prove the identity. Otherwise it is very feasible to establish all the necessary proof that is required. Now we are asked to pass a Bill to amend the

Evidence Act which will admit of some person swearing an affidavit as set out in the Sixth Schedule to the Bill as to the necessary identity that is not open to any cross-examination, and not open to investigation of any kind, but simply produced. If the members of the Committee will be good enough to look at the affidavit, they will find it is simply a statement by one person who has found the fingerprint card of another person and has compared that card with the fingerprint card on certain records in his possession of some person who has been convicted of an indictable offence at a certain court in a certain place. In either case there is no opportunity of asking that person what steps he took to identify the fingerprints. Ever since a man named Bertillon first discovered that no two human beings have identical fingerprints, and since that knowledge was applied to identification of criminals, it has been of the greatest importance that the examination of the two sets of fingerprints be open to the court that is trying the man who is alleged to be already a convicted person. The comparison is made under conditions that induce the greatest accuracy.

I was personally assured by the man at the English Bar who had the largest criminal practice ever enjoyed, that while he was certain that only in one in a million cases there would be a mistake, resulting from the comparison of two sets of fingerprints carried out under the most careful conditions, he felt sure that not once in a million cases would the whorls be identical unless they were the whorls of the same person. But the whorls may be discovered only under a powerful microscope; and here a document, produced with nobody knows what precautions taken to be sure that there was no error, and with no-one appearing for the accused, it is suggested should be accepted as evidence. Two sets of fingerprints differing in an almost infinitesimally small degree in the case of one finger are proof that they are separate fingers and that the people are not the same. That can only be established by making the witness who took the fingerprints appear before the parties where the trial takes place and submit himself to cross-examination. Sir Edward Marshall Hall said that if the comparison was done accurately, there was no possibility of mistake. The Bill contains other amendments which by comparison with this one are

trivial. I therefore propose to vote against the measure.

**MR. HUGHES** (East Perth): I propose to vote against the Bill. I am interested in pointing out the attempts to nibble away the rights of accused persons. The fundamentals of our jurisprudence have previously been that it is the duty of the prosecution to prove the case and any attempt to throw back on the accused person the obligation to prove his innocence was always steadily resisted. But during recent years, particularly where Government bodies are involved, the law has been amended to throw back on the accused the onus of proving himself innocent, in such circumstances as frequently make it impossible. At present, under some National Security Regulations, the mere averment, the statement in the charge that a person has committed an offence is true until the other party proves to the contrary, and frequently it is quite impossible for the other party to prove to the contrary. Only last week a magistrate in the courts in Perth said it was very hard on accused persons to be called upon 12 months after certain circumstances had happened to prove the quality of goods that no longer existed and, because he could not prove that, to be convicted. This is a further encroachment on the rights of accused persons.

A man charged with a criminal offence needs to have a good long purse because in a large degree the measure of justice meted out is according to the length of the purse. I do not suggest that it is needed for the purposes of bribery. But if a man is charged with a criminal offence he needs to be able to brief the best counsel available, and—counsel being remunerated as they are these days—that, as a rule, costs money. Secondly, money is needed to procure witnesses and provide for a proper presentation of the case. If a man is beaten in the lower court he needs money to go to a higher court. I venture the opinion that quite a number of people have been convicted in the lower court whose convictions have remained only because they could not afford to go to a higher court and have them upset. In the morning paper we have a shining example of the advantage of being able to go to a higher court, in the Brewer case, where a man was convicted of what ought to be considered a

serious national offence, but was able to have the conviction quashed by the High Court. By this additional whittling away of the rights of accused people we oppress the poor who are not in a position to carry a case from one court to another. I view with alarm the continued effort to take from the accused his safeguards. Take the practical application of this Bill! It sets out to amend Section 23 of the Evidence Act, the section providing, as the member for Nedlands pointed out, that, if a person has had a previous conviction and is called upon as a witness, he can be questioned in the box and if he denies he has had a previous conviction, that conviction can be proved. The opening words are—

A witness may be questioned as to whether he has been convicted of any indictable offence, and, upon being so questioned, if he either denies or does not admit the fact, or refuses to answer, the cross-examining party may prove such conviction.

That is a very oppressive section, first of all against the person concerned and secondly as against third parties and it gives a very unfair advantage to the police. For instance, the police can produce a witness against somebody else—with a record as long as one's arm. The defence does not know that this man has a record. The police do not generously go to the defence and say, "We are going to bring 'A' as a witness against you. You can ask him whether or not he was convicted at Wiluna or in South Australia." The defence is not aware of those circumstances, and a person with a long record of convictions can be used as a material witness and probably bring about the conviction of the person charged. On the other hand, if he is called as a witness for the defence, the police being in possession of his record—and the defence may not know that record—they immediately bring out the record for the purpose of challenging his credibility. He may be asked a question whether he saw a motor accident and what he saw. He may have no interest in the case, but he may have a conviction for some offence committed years ago. The offence may be 20 years old. He may be merely called upon to testify what he saw in a motor accident, but, as soon as he goes into the box, the police say, "Were you not convicted of stealing?" He has to say "Yes." If he says, "No," they are going to prove it.

Mr. McDonald: A judge would discourage that, would he not?

Mr. HUGHES: Unfortunately only a very small percentage of criminal trials take place before judges. When there is a trial before a judge, it is the jury that hears the facts, and one is in a better position with a jury because the average jurymen will not be swayed by the fact that somebody committed an offence 15 or 20 years ago. If everybody were tried by jury it would not matter; but of course everybody is not tried by jury. The trial takes place in an inferior court where, the member for West Perth will agree, those who preside are not very deeply trained in the law. They pass only a very elementary legal examination, and sometimes I wonder whether they pass any examination at all in the laws of evidence. Not only is this witness subjected to the humiliation of having those questions put to him when he is testifying as a witness, but also the whole of the defence or the case for the other party, the innocent third party, may be prejudiced by the fact that this damage to the credibility of one of the witnesses is produced. It would be bad enough if it stopped there, but it goes further than that.

Frequently when a person is defending himself on some such charge as a traffic charge or some minor offence and wants to call a witness, it will be found that the witness hedges. Finally, he is asked, "Do you not want to give evidence?" And he says, "I would rather not." He is asked "Why? Have you a conviction?" He says, "Yes, I have a conviction: can they bring that out?" Frequently the remark is made, "If I give evidence in this case can they bring it up that I was convicted ten years ago for some offence?" and one has to reply, "Yes." It might be a man who has lived down his transgression and is occupying quite a decent position in the community, and he will not go into court if he can help it to have the past raked up for the habitues of the court, including the Press. The section consequently places a considerable difficulty on people other than the police. The proposal is to take out of the section, Subsections (2) and (3). Why that is to be done I do not know. Formerly when a witness was asked if he had a previous conviction and said, "No," it could be proved in the manner set out in Subsection (2) as follows:—

A certificate containing the substance and effect only (omitting formal parts) of the con-

viction for such offence, purporting to be signed by the Clerk of the Court or other officer having the custody of the records of the court where the offender was convicted, shall, upon proof of the identity of the person, be sufficient evidence of such conviction without proof of the signature or official character of the person appearing to have signed the same.

I cannot understand why it is proposed to take that out, because this objectionable provision only gives further proof of the identity and this only refers to proof of identity. If a person concerned is asked whether he has a conviction or not and says, "No," or refuses to answer, the conviction can be proved. This is done entirely to make the job of the police easier. It will never help the defendant. It is a great mistake to be continually easing the position of the police in respect of proof. It is not good for the Police Force itself. The members of the force should be trained to prove their case to the hilt. Continually to tell them, "You do not want a high degree of proof; you can get your case half ready and we will ease the burden of proof" does not tend to improve the efficiency of the police. They should be trained from the beginning to the highest degree of efficiency and should be required to submit proof, particularly where the liberty of anyone else is at stake. Take the case of this witness in the witness box. If he is a person who already has a conviction in Western Australia they have his fingerprints here. So they cannot do anything with this section in any case because they cannot say to the Court, "We want this man's fingerprints as we wish to compare them with the fingerprints we already have," since they are not entitled to take his fingerprints. As a matter of fact the theory behind the Bill is founded on a wrongful act of the Crown.

It is the practice of police officers, as soon as a person is arrested, to take his photo and finger prints both of which actions, in law, are an assault. They have no right to take the finger prints of somebody who is arrested or to take his photograph. The practice has grown up that as soon as a person is arrested in Perth or Fremantle his finger prints and photo are taken. He is not told by the officers that this is an optional thing and that he can please himself whether he submits to having his photo and fingerprints taken. He is told definitely that his fingerprints must be taken.

If he objects he is pressed, and only if he is sufficiently informed of his rights to say that he will not submit do they desist. Not one person per hundred of those arrested knows enough of his legal rights to object to having his fingerprints or photograph taken. A man who is arrested on suspicion, after being taken to the police station, has his fingerprints and photograph taken, and they are installed for all time in the criminal records of the State. That man, on being tried, may be found not guilty, but he is not given his fingerprints and photograph. If he threatens legal proceedings, the police will promise to tear them up, but there is no guarantee that they tear up more than one copy.

Mr. Berry: They have no right to tear them up.

Mr. HUGHES: No, they should be handed over intact. A reputable business man who had never committed an offence against the law in his life—or rather had never been found out—and was entitled to be treated as a cleanskin bought, in the ordinary course of business, a quantity of electrical equipment and later a detective called and asked, "Where did you get those spark plugs you have in your window?" The reply was, "I bought them from a certain man at Cottesloe and paid so much for them." The police made inquiries and found that the statement was true, but arrested him and charged him with the unlawful possession of the spark plugs. They compelled him to have his photograph and fingerprints taken. When brought to trial he was told, "You had better plead guilty. If you do not plead guilty to unlawful possession, the charge might be more serious." He replied, "I have not committed any crime and will not plead guilty to anything." At the conclusion of the Crown case the magistrate dismissed the charge without calling upon the defendant to go into the witness box. The magistrate was satisfied that there was not a scintilla of proof; yet the police still have that man's fingerprints and photograph.

I contend that we should not subject an innocent citizen to the indignity of having his fingerprints and photograph taken. Only after conviction are the police entitled to take them. This provision seems to be framed on the basis that everybody brought in must have his fingerprints and photograph taken. How will it operate? If a person has a conviction in this State

and the police have his fingerprints, they can ask him about the conviction, and if he denies it, they cannot compel him to submit to fingerprints being taken unless he is unrepresented and is bluffed into giving them. Suppose he is a person from the Eastern States and the police wish to prove that he has been convicted there, the case could be adjourned to get an affidavit from the Eastern States. The person would be asked whether he was the one described, and if he said "No" the police would ask for an adjournment in order to get an affidavit certifying that he was the man. The person has to submit to the additional expense occasioned by the adjournment. Surely that is going beyond reason into oppression! If we are going to oppress an innocent third party merely to prove a previous conviction—

Mr. Marshall: Why not get the fingerprints over?

Mr. HUGHES: Fingerprints depend upon comparison with another set of fingerprints. If the police had the fingerprints of A., and A. is in the witness box, they cannot hold up the fingerprints to him and ask him whether they are his. He might say "No" or he might refuse to answer. In order to prove their point, the police have to get his fingerprints and compare them.

Mr. Marshall: You did not grasp my point. A man is convicted in Melbourne and comes here and they take his fingerprints here. Cannot the police get the other fingerprints from Melbourne?

Mr. HUGHES: Yes, but I am dealing with a witness who is not an accused person, perhaps a man who sees an accident and is called as a witness. I do not think the Crown will suffer if we do not grant additional powers of this sort. Because a man was convicted years ago, it does not follow that he cannot tell the truth today, particularly where he has no interest. If he is not telling the truth he is likely to be found out because he has to submit to cross-examination by a skilled man. The Crown has another advantage; it has men who spend their lives in doing nothing but cross-examining witnesses. Therefore if a witness is not telling the truth, unless he is a particularly good liar, he will slip somewhere. On the other hand, unless the person is defended by counsel, there is generally no cross-examination worth the name. The

average person on entering a court is in a strange atmosphere and does not know what to ask or frequently injures his case by asking wrong questions. I fail to see why we should further prejudice a witness who happens to have a previous conviction.

Now take a person who is accused. It is a fundamental of our criminal jurisprudence that a tribunal trying a man for an offence must not have conveyed to it that he has a previous conviction. If it is disclosed that he has a previous conviction, he must be liberated. If he is convicted, a higher court will quash the conviction. What is proposed as regards the accused? The member for Nedlands did not go far enough; he did not point out that the accused may not be asked any question that might tend to convey to the court that he has had a previous conviction. If such a question were asked, it would be disallowed. Apparently the object is that, should he be convicted, the Crown should be able for the purpose of the sentence to prove that he had a conviction in another State. Unless the police have acted wrongfully and obtained his fingerprints at the time of arrest, they would have no fingerprints here to compare with those from the Eastern States. Therefore, to make this provision effective, the police have to go on doing a wrongful act. The only alternative would be after the accused was convicted to ask that sentence be deferred until the fingerprints could be compared. Surely it is going to a lot of trouble to keep that man in gaol awaiting sentence until the fingerprints can be compared!

What is the position when the police get the finger prints from the Eastern States? Another fundamental of our criminal jurisprudence is that any evidence testified against an accused person must be tested by cross-examination. A party giving evidence, particularly in a criminal case, is cross-examined as to his statement and his general credibility. It is very easy to set down in an affidavit a statement that is not tested in any way. There is a saying in the law that there are three types of lie—the ordinary lie, the bloody lie and the affidavit.

The Minister for Mines: It gets worse as it goes on.

Mr. HUGHES: Yes. Evidence untested by cross-examination has another danger. The person making the affidavit may have no evil intent but may make a mistake. His memory may be defective. When his atten-

tion is drawn to something, as frequently happens in cross-examination, he is compelled to admit that he was wrong, perhaps about a date. When he makes an affidavit he may be a thousand miles away, and the unfortunate person against whom the affidavit is used has no opportunity of proving the error. In some cases where it is necessary to get evidence from a distant part, the witness may be examined on commission and such a witness is cross-examined. He has to attend before an officer, both parties are represented and the person concerned has to submit to cross-examination. At this moment evidence is being taken in Geraldton in a Perth police court case in which I am concerned. Both parties have a representative at Geraldton and the witness has to submit to cross-examination. That gives some protection, but that protection will disappear if we pass this Bill.

I disagree entirely with the member for West Perth when he says that only a fingerprint expert can make this affidavit. There is not a word in the Bill about that. The Bill provides that the affidavit shall be "substantially in the form." That means that it is sent out in the form prescribed, the first paragraph of which provides for the description of the person making the affidavit. Should he happen to be a fingerprint expert, he will insert the words "fingerprint expert," if not, he will insert, "police officer" or "clerk of courts." Although fingerprints are supposed to be infallible, I venture the opinion that the members of this House—or a majority of them—would hesitate long before convicting a person on fingerprint evidence alone. Photographs of fingerprints look alike to the naked eye; but when put under a powerful magnifying glass, various differences make themselves manifest. There are supposed to be differences in what are called whorls, breaks and lines. In everybody's fingerprints there are lines and curvatures. When giving evidence, fingerprint experts endeavour to point out similarities between the fingerprints of the person as disclosed by the photograph and the fingerprints found on the vehicle, building, or anything else.

In the last fingerprint case in which I appeared, the witness for the Crown stressed fourteen points of similarity between the fingerprints in the photograph and the fingerprints at the place where the robbery

occurred. I had the fingerprint photograph enlarged and examined by the jury. I was able to demonstrate to the jury more than twice as many points of dissimilarity as points of similarity. On the one hand, the expert found 14 points of similarity, while on the other hand the jury, with the aid of a powerful magnifying glass, found double the points of dissimilarity. The man was acquitted, as the jury refused to convict him on such evidence. As the member for Nedlands said, there will be no guarantee that the person who examines the fingerprints will examine them on an enlarged photograph with a magnifying glass. All he will say is, "I looked at the two fingerprints and am satisfied they are identical." That is the poorest type of evidence imaginable. The person who is to make the affidavit will not be an impartial person, either. He is going to be a police officer in one State who has been written to by a police officer in another State. So that these affidavits will be perfunctory; they will be merely formal. The fingerprints will be sent over, the expert will look at them and then say they are alike. I hope we will not further destroy the safeguards of accused persons by such legislation as is proposed in the Bill. I shall vote against the second reading, because the other amendments to the principal Act are trifling and of no consequence. I hope members will not agree to the Bill.

On motion by the Minister for Lands, debate adjourned.

## ANNUAL ESTIMATES, 1942-43.

### *In Committee of Supply.*

Debate resumed from the 4th December; Mr. Withers in the Chair.

*Vote—Crown Law Offices, £92,000:*

**MR. J. HEGNEY** (Middle Swan) [5.7]: I desire to refer to one matter only, that relating to licensing. A great deal of criticism has been levelled at the liquor trade and there have been charges made of sly-grog selling, particularly in the metropolitan area. The Licensing Court ought to pay particular attention to hotels in that area, because at some of those establishments people—particularly women from the country—have been unable to obtain accommodation, the licensee stating that none is available. I know of cases where such a statement has been deliberately made, not-

withstanding that accommodation was available. Accommodation is always available for soldiers or other persons from whom the licensee can derive revenue.

There are some hotels where drinking continues until 4 o'clock in the morning, and where things occur that ought not to occur. In one hotel liquor can be obtained on a Sunday even up till 11 p.m. It is the duty of the police to look after these hotels, but the Licensing Court, when renewing licenses, should exercise greater supervision. Hotels exist for the convenience and use of the public, but they seem to be used only for the purpose of selling liquor until all hours of the morning, while decent people are refused accommodation. I have in mind one licensee who is really only a dummy. There should be a tightening-up in this respect, and I hope the Licensing Court will heed my protest. The information I have received is from a person who actually lived in the hotel and so could speak at first hand of the way in which it was managed. The conduct in the hotel was neither decent nor moral. The police should be more vigilant in this respect, and I hope attention will be given to the matter.

**MR. THORN** (Toodyay): The member for Middle Swan mentioned the Licensing Court. I suggest to the Committee that the members of that court are doing nothing. Therefore, in the cause of economy, it is time we decided to disband the court. They are costing the Treasury considerable expense by way of salaries. I propose to refer to some recent operations of the court, and I shall be brief. The Licensing Court sat in Fremantle and renewed all the licenses in that district in one day, without having made any inspection whatever. The members of the court have the benefit of the advice of the police. I maintain, therefore, that the police could easily deal with the renewing of the licenses of hotels and the liquor trade generally. In the circumstances, the court is absolutely unnecessary. Again, the Licensing Court renewed all the licenses in the Perth district in one day, making criticism of only one wine-seller. The court ordered him to have his back-yard cleaned up.

Then the court sat at Midland Junction to renew the licenses in that district. The court made only one order, which was that the West Midland Hotel should be painted

and renovated. That hotel is the only one in the Midland Junction district that is not tied to a brewery. The court would not make such an order against the Swan Brewery; it picked out some poor individual that happened to own a hotel and who was not tied to a brewery. His hotel was in as good condition as was any other hotel in the district. I have heard you, Sir, and other members express their opinion of this court. The three old gentlemen comprising it are certainly a charge on the community and it is about time that the Minister for Justice decided to dispense with their services. The member for Middle Swan mentioned that the court acted upon the recommendation of the police. The court takes no notice of the police, but goes on in its own sweet way. I would like the Committee to study the operations of the court for the past 12 months. The Committee would find that the members of the court had done nothing of late except draw their salaries. I strongly suggest to the Minister that he should consider disbanding the court and allowing the police to do the little work which it is doing at the present time.

**MR. SHEARN** (Maylands): The only matter to which I wish to draw attention on these Estimates is one I referred to on the debate on the Address-in-reply, and I had hoped that the Minister would have dealt with it. I mentioned the necessity that exists for some amending legislation to deal with persons who control trust funds on behalf of the public. As I pointed out on that occasion, and as members of the Committee know, there have been considerable defalcations of trust funds by investment brokers and others. Unfortunately one man in my own district has lost almost his entire life's savings because he entrusted them to a man who, because of his position in the city, was assumed to be a man of substance. When the crash came all that my friend had left was a lament. This person admitted that he had misappropriated the whole of the funds, but under the law no recourse existed. This House and another place passed legislation which gave a measure of protection, and apparently adequate protection, to people dealing through land agents and auctioneers. As I pointed out, however, on a previous occasion, some lawyers—and I say it with all due deference to members in this

Chamber—have not sufficient regard for the integrity of their profession, although of course the majority has.

Unfortunately cases of misappropriation have occurred in the past year or two. I had a personal experience of such a case where £7,000 or £8,000 was involved. Practically nine-tenths of that money belonged to people with little knowledge of these matters, because the more shrewd business man would know exactly how and when to take care of his own funds, even when in the hands of these particular people. It is the uninitiated person who gets caught when dealing for the first time with money passing through the hands of solicitors and brokers, because he takes as bona fide evidence of their stability the brass plate they have displayed in the Terrace or elsewhere. I suggest to the Minister that he take an early opportunity to introduce legislation to give adequate protection to the humbler sections of the community who now all too frequently suffer losses as a result of the defalcations of people dealing with trust funds.

**HON. N. KEENAN** (Nedlands): Due to the conditions prevailing now there is limited opportunity for the Licensing Court to discharge its functions. It is also an unquestioned fact that by reason of its activities in the past it has achieved an immense amount of betterment on behalf of the travelling public; to those who rely on hotels for a home when engaged in their business of travelling through the State. I can remember the time when as soon as one got beyond the boundaries of Perth and had to remain overnight at a country hotel one was lucky to get any accommodation. The position would have remained as it was then had it not been for the action taken by the Licensing Bench, which penalised these establishments. Unless they were brought up to date it refused to renew the license. In many cases the transformations which occurred were almost marvellous. The licensees found they had to put their places in order and keep them clean and supply food reasonably eatable.

**Mr. Thorn:** The amendment to the Act did that.

**Hon. N. KEENAN:** It was done by policing the Act.

**Mr. Thorn:** The police could do that.

**Hon. N. KEENAN:** It is perfectly correct to say that today the court's function is

limited, because it is no use ordering things to be done which the licensee cannot possibly carry out. I know that in Kalgoorlie recently certain renovations had to be done to a hotel, but the court admitted that it was impossible to get them done, and so no order was made. But that is not a ground on which to dissolve the court, or put it out of existence, because we all hope the day will come, and reasonably soon, when peace will again prevail, and when this bench will insist on its orders being carried out or else close down the particular premises.

There is one other intriguing feature in connection with the members of the bench. One appears to have got £7 more this year than last year. I wonder who was the lucky one!

The Minister for Justice: Two of the members get £700 each and one gets £850.

Hon. N. KEENAN: Last year the amount was £2,241 and this year it is £2,250. One of the three has received £7 more. It is not worth criticising, but it is peculiar.

The Minister for Justice: It must be a typographical error.

Hon. N. KEENAN: These typographical errors should not occur. If they do they should be corrected. I rose to say that I did not think it fair to criticise the court for not functioning today, as it does not make the orders it did in the past and keep hotels to the same strict rule because of war conditions. I have no doubt that when the war conditions cease it will resume its strict supervision of the hotels in the State.

**MR. MARSHALL** (Murchison): The member for Nedlands seems to be under the impression that the Licensing Bench is responsible for the improved hotel accommodation throughout the State. He has had a lengthy experience on the Goldfields extending from the time before the present Act became law. Let me remind him that under the old law one could scarcely refuse an application for a license for a hotel, no matter what the structure was for which the license was to be issued. As a matter of fact, I think under the old Act, one could with some degree of safety apply for a license for a structure commonly referred to as a bough shed, and succeed. Another feature that the hon. member should bear in mind is that there was an inclination

in those days to grant licenses to any individual, no matter what the building was like, because the system of license fees encouraged it. That has been altered now and the fees are paid by way of a tax on the liquor sold on the premises.

I am one of those who have argued all along and said that as soon as the compensation fund was exhausted we should return to the old system of administration. I say that to magistrates who travel round this State and deal with the hotel accommodation. They know far better than does the Licensing Court, which visits districts only when applications for licenses are lodged, the requirements of those places. The member for Nedlands must, therefore, admit that the new Act is responsible for the better provision of hotel accommodation, and not the court. Let me put it this way: Let this court operate under the old Act and see what happens! It is not fair now to criticise the police and those who administered the liquor laws prior to 1921, and give credit to a court which came into existence only when a new law was passed making possible all that has happened.

Mr. Patrick: It was a reductions board, too, when it first came into existence.

Mr. MARSHALL: That is correct. I offered no comment until the compensation fund was exhausted. Each year I used to ask the various Attorneys General or Ministers for Justice, what money was left in the compensation fund. It was exhausted somewhere about 1932. The late Mr. Davy was then Attorney General, and he was the man who replied to the question. The court from then on became a liability on Consolidated Revenue, and from that time forward I have opposed its existence. There is more justification now than ever for its abolition. Unlike the member for Nedlands I can see a far more economical and satisfactory way to control our hotels from year to year, and the introduction of more hotels. The magistrates in the city know as much about the metropolitan hotels as does the court, and no one will argue when he gets out to the country areas that the court knows more about the country districts than do the magistrates who visit them once a month, if not more frequently. On top of that, the police do the annual inspections.

In the country districts and even here in the city the police appear before the court on any application for a transfer of license,



and offer objections both on account of the building and because of the reputation from past conduct of the applicant for the transfer or prospective license if they consider such objections should be raised. Does the hon. member know that there is in the metropolitan area a hotel known as the United Service Hotel? It has been under the notice of this court ever since it has been in existence. Has he ever looked at the urinal accommodation provided there? Has he walked through and looked at its residential quarters? Let me instance the Kalgoorlie Hotel and the Norwood Hotel. Had I time I could mention many others that have been in existence since the court was created. I would ask the hon. member to look at the urinal facilities provided at the rear of the Metropole Hotel. They are disgraceful. It is not the appointments that are so bad, but the smell: they are never clean.

Mr. Thorn: That is the job of the health inspector.

Mr. MARSHALL: Yes, and also the licensee's responsibility. I want the member for Nedlands to awaken.

Hon. N. Keenan: I do not propose to go there!

Mr. MARSHALL: I do not want the member for Nedlands to go there, but to awake to the fact that there is another side to the picture, although what he had to say was true in itself. The first hotel reconstructed at Wiluna would not have had a dog's chance of being erected had the decision rested with the local magistrate. To the inexperienced eye of the court, which did not know the requirements of the district, the plans and specifications appeared to constitute a wonderful proposition. The magistrate knew that the proposed building was inadequate. His experience had taught him the necessity for a much more elaborate building. The owners finally added another 20 rooms to it. The court does not know the conditions in country districts. It is in outback towns for about 24 hours a year when it adjudicates on applications. It goes away and does not see these places again. I do not think it has been to Wiluna except to consider applications for licenses or gallon licenses. Just imagine going to Wiluna for a gallon license! Yet we have to carry this expenditure all the time. It is ridiculous to ask the people to go without stockings and the necessities of life and argue that this is an

austerity period when we are wasting £3,500 on such a court as this. That work could be attended to more efficiently by a magistrate. Hotels in the city would long since have been reconditioned had it been left to a magistrate. There is another point to which I draw the attention of the member for Nedlands. Take the position of the King Edward Hotel! It has some sort of limited license now, but the licensee has applied for a full license and has been refused.

Mr. Seward: That has happened two or three times.

Mr. MARSHALL: Although the building is very old, from the standpoint of residential requirements it compares favourably with most modern hotels. It houses 100 or more people. The explanation of the inability of the licensee to secure a full license is that the property is not owned by a brewery. If it were, it would not be long before the required license would be approved. I make that statement and there is an inference to be drawn from it. I believe that to be the position. The King Edward Hotel is a far better building than, say, the Kalgoorlie Hotel, which I do not think can accommodate 15 people apart from the staff. The member for Nedlands should consider such phases. The Licensing Court has never deserved the credit that has been extended to it. Take the Federal Hotel, the Savoy Hotel, the Esplanade Hotel and the Palace Hotel. No licensing tribunal was required in connection with the establishment of those premises. The buildings were erected long before the Licensing Court was thought of. Subsequent to the creation of the court, provision was made that hotels must keep six rooms for the accommodation of the public over and above those required for the staff. No such provision was regarded as necessary in the old Act. Another point is that under the law as it stands today any licensee can refuse to cater for permanent boarders. I have known the chairman of the Licensing Court to go to hotel-keepers on the goldfields and tell them to get rid of boarders as they were not supposed to cater for them.

Mr. J. Hegney: That happened in the metropolitan area. I know of a recent instance.

Mr. MARSHALL: I am speaking only of matters within my own knowledge. The chairman of the court told the licensee of the Wiluna Hotel that he should put the

boarders out as he was under no obligation to provide accommodation for them. All that the miners can do there is to go to the hotel and suck ale, while the licensee keeps the accommodation for commercial travellers. That is how the provisions of the Licensing Act are applied in these days.

The member for Nedlands should realise that there is another side of the picture. If he can convince me that the magistrate could not do the job, I am open to conviction; but until I am convinced on the point, I shall each year declare to the Government as emphatically as I can that it has no right to spend the taxpayers' money on continuing a court that is so ineffective, more particularly in these days when no money can be spent on the building or reconditioning of hotels. As for the annual granting of licenses, the decisions depend upon reports received from the police. As the member for Toodyay pointed out, there seems to be preference extended to some people all the time. I will not enter into a discussion of that phase. No one can justify the continuance of the licensing tribunal at this juncture. I do not want justices of the peace to sit with magistrates in dealing with such matters. If the Government would consent to revert to earlier conditions under which magistrates dealt with this work and the experiment should prove unsatisfactory, I shall be satisfied. We could economise from that standpoint and the amount saved could better be spent in furthering the war effort or in assisting people deserving of help.

Vote put and passed.

*Vote—Licensing, £3,028—agreed to.*

*Vote—Department of Native Affairs £42,200:*

**THE MINISTER FOR THE NORTH-WEST** [5.34]: The Estimates of the Department of the North-West cover expenditure relating to native affairs, harbours, lights and jetties, fisheries and the North-West generally. The question of native affairs is the phase of departmental activity that mostly concerns members of this Chamber. During the course of the Address-in-reply debate the attitude of the department in relation to the employment of natives was criticised, and this is the first opportunity I have had to reply to the comments. I am more than satisfied with the manner in which the department has

controlled the employment of natives and half-castes throughout the State. Long before there was any suggestion of manpower restrictions or national service, instructions were issued by the department to the police and honorary protectors that every able-bodied native was expected to accept employment and that rations were to be issued to none but the old and indigent natives. That policy has been continued ever since, and I defy any member to prove that one able-bodied native or half-caste has been receiving rations from the department or has been in any way encouraged not to accept employment. Some members have been misled by the sight of a few, or many, half-castes or natives in towns into the belief that those individuals were not in employment. Many of the natives are earning a living without being directly employed by farmers. Many have made a good living from rabbit-trapping.

Mr. Seward: What are they doing with the rabbits?

**THE MINISTER FOR THE NORTH-WEST:** No one knows better than the hon. member that many natives and half-castes have earned up to £5 a week at rabbiting.

Mr. Seward: They are not doing that now.

**THE MINISTER FOR THE NORTH-WEST:** I will not allow the department to be criticised on the score that it is, more or less, encouraging natives to sit idly by in Perth or elsewhere and not seeing that they engage in work.

Mr. Doney: Did the member for Pingelly suggest that?

Mr. Seward: I did not.

**THE MINISTER FOR THE NORTH-WEST:** The member for Pingelly referred to many natives and half-castes loitering about towns, lolling up against street posts and so on.

Mr. Seward: And that is a fact.

**THE MINISTER FOR THE NORTH-WEST:** I do not deny it, but there is an explanation. I know that some of those natives who were seen lolling about in Pingelly were in employment. Some were stripping mallet bark; some were working for the local carrier; others were engaged in other directions. Then again, there happened to be some deaths in the native community and a number of the half-castes were in town to attend the funerals and to

sympathise with their friends. I have no objection to that.

Mr. Marshall: They are entitled to a bit of a wake.

The MINISTER FOR THE NORTH-WEST: Many of these natives have taken on jobs at fencing, shearing, crutching and so on, and when the work peters out they go back to their home town. Surely they are entitled to a few days' leisure before starting out on new jobs. Then again the department was criticised on account of the number of natives who were sitting down doing nothing at the native settlements such as Carrolup. That allegation was incorrect. There were certainly five natives at the Carrolup settlement, but they were there under detention orders. They broke faith with their employers. They took on a job to shear sheep and halfway through they decided to leave simply because another farmer had offered them better wages. Their action was reported to the department and warrants were issued for their arrest. They had left their employer in the Williams-Narrogin district high and dry. They had received good wages, tucker and good conditions. Yet in the middle of the job they walked off. That sort of thing will not be tolerated by the department and the natives were sent to Carrolup for detention. We say that they should not be allowed to go to just whichever farmer they choose. At present quite a number of farmers require labour, but there is no native out of employment. When I heard the allegations of the member for Pingelly, they did not sound right to me and I communicated with the local policeman to get his version of the matter. I do not know of any reason why the policeman should mislead me and here is the reply I received on the 12th August from Constable Napier to the statements made by the member for Pingelly on the 9th August—

At present there are no natives at Pingelly who are unemployed. Several who have probably been seen by Mr. Seward were trapping rabbits and doing casual work. Those natives have now left to go stripping mallet bark.

That shows that the natives were away from the town after a few days. The constable also stated in his report—

Three native children have died recently and on each occasion there has been a lot of relatives of the deceased children visit the town to attend the funerals.

That is the explanation of the Pingelly episode. As to the natives not caring to take on charcoal-burning, I do not know that we can blame them for that, particularly seeing that there is plenty of other farm work offering. When I have made inquiries, I have found that no natives have been out of employment except for a few days. The policy of the department, sponsored by myself as Minister, is that the natives shall be encouraged to take up farm and domestic work, to which they have proved themselves best suited. On several occasions I have said that if any member was under the impression that natives were evading their responsibility to accept work and he referred the matter to me, I would have the complaint looked into immediately. That offer still stands. I do not believe that we ought to create a beauty spot paid for by the good old taxpayer, and get nothing in return. With the re-establishment of Carrolup I am satisfied that the Great Southern areas are getting a better type of men. They dislike being placed there, and they know that if they loiter in the towns they are brought up and sent to Carrolup. I have gone into the employment problem very carefully, and feel sure that my instructions will be carried out. There is not a native, unless aged or indigent, who has received one iota of rations for two years.

I am convinced that where there is a case of loitering, as where the native has just finished some work and is spending his earnings, or is living on his relatives, the case receives attention. Where families drawing child endowment have single able-bodied natives living with them, the able-bodied natives are sent to a settlement. The department is doing an excellent job, particularly from the employment point of view. The department itself has to undertake extensive activities in reference to child endowment, because the Commonwealth Government and the Department of Pensions have sent notification to our Native Affairs Department to furnish information as to how the natives concerned are living. If it is thought that they are not proper people to receive child endowment, the department sees to it that the money is spent satisfactorily. Obviously that places a great deal of extra work on the Native Affairs Department, which, like any other department, has lost many of its young officers.

Mr. Seward: Does the Commonwealth impose a condition that children of natives must attend school if child endowment is to be paid?

The MINISTER FOR THE NORTH-WEST: No. The Commonwealth sends out the usual form of inquiry as to whether the children are attending school or not.

Mr. Doney: Do you secure the attendance of half-castes at school by telling them that if they do not attend school they cannot get child endowment?

The MINISTER FOR THE NORTH-WEST: I do not know what argument is used, but the officers do their utmost to induce the parents of half-castes to send them to school. In some places there are departmental inspectors. In other places the police act as inspectors. What arguments are used by individual inspectors I do not know, but I would not blame them if they did use the arguments suggested.

Mr. Doney: I do not know that I would, either!

The MINISTER FOR THE NORTH-WEST: Their responsibility is to see that all the half-caste children are educated. I do not see much wrong with any argument they may wish to use in order to ensure that half-caste children are washed and sent clean to school. We have over 500 half-caste children attending ordinary Government schools all over Western Australia. Recently there has been much exception taken to their attending schools. Whether there is anything wrong with the children attending school is a matter entirely to be decided by the head teacher, who has the authority and the right, if a half-caste child, or a white child, is not bright and respectable, to send the child away from school and notify the parents. The head teacher, in the circumstances which have been described, would refuse admittance to such half-caste children and notify the department; but he has not done so up to date. As regards the Pingelly school, the best advice I have from the Native Affairs Department is that the children are clean and healthy. The Health Department has sent Dr. Stang to investigate and report; the doctor, I am informed, will arrive at Pingelly tomorrow. I shall say no more on the subject until her report has been received. However, it has been

stated to me that the children are not in an unhealthy and disreputable condition.

The Native Affairs Department, too, has had quite a lot of trouble as regards upkeep. From the hospitals at Wyndham, Broome and Derby, owing to hostile activity, the trained nurses and other womenfolk were evacuated; but the department has carried on the hospitals to the best of its ability, and I think has given satisfaction to the patients. The various cattle stations controlled by the department have done as well as possible in the circumstances. Moolabulla, which usually supplied to the Wyndham Meatworks 1,000 head of cattle each year, has not been able to do so on this occasion, but did send overland to Meekatharra some cattle, which realised £7 10s. per head. The station is being carried on as well as possible under the conditions existing. The departmental staff has been depleted, and there are many temporary assistants who do not understand the working of the department. The department needs officers familiar with natives, because every native is a pure individualist, not understanding general policy. For that reason I pay a tribute to the loyalty and good service of the departmental officers for the manner in which they have carried on under extremely difficult circumstances.

Regarding the Fisheries Department I desire to say a few words also. It has had a pretty bad blow on account of the effect the war has had upon the industry. A great deal of experimental work is being done with respect to the canning of herrings. A private firm is doing quite a lot of work in the way of canning fish, including crayfish. That also is not for sale to the public, but we hope it will be some day. There is one other department about which it is not advisable for me to say much, and that is the Harbour and Lights Department. That department controls the Navigation Act, the Boat Licensing Act, and various harbours and jetties along the North-West coast. It is carrying on under adverse circumstances, but there is no need for me to give further information, except to say that the expenditure of the department fluctuates in accordance with the business, shipping and so on. There have been big fluctuations in the last three years. If there is any further information that members may desire on any of the items, I shall be only too pleased to furnish it.

**MR. DONEY** (Williams-Narrogin): During the last two years I certainly have not been a harsh critic of the department. Indeed, I gladly admit that the Minister is, in my opinion, a very fit and proper person to control it. He brings to bear much understanding and close knowledge that he has gained over a long number of years. I should be sorry to see him displaced.

The Minister for Labour: Hear, hear!

**Mr. DONEY:** The department in general has certainly improved out of knowledge during the last two years, and that improvement of course coincides with the change in its management. We do not wish to stress that too much, although we know it very well. However, although the department is doing good work, it is a long way from being perfect. I drew the Minister's attention to what happened at a little place named Culbin. About 18 months ago, and about nine months after its commencement, the Minister may recall, as he was in charge at the time, several schools in that district—Williams and Quindanning, and one or two others—absolutely declined to take any natives. No disciplinary action was taken to force them to accept the natives. That was possibly because—as the Minister pointed out—the schoolmaster, quite appropriately, had the final say in regard to the acceptance of natives, and of course he exercised his right.

The point I take exception to is this: All the native kiddies who had been denied admittance to the several other schools were dumped on Culbin, where there were about 10 white children. The resultant smell and the several diseases which it was alleged those native children brought with them did not create a very pleasant situation there. Had there been 20 or 30 whites and only five or six blacks, that might have been tolerable; but it was a long way from being tolerable when, among 10 little white children, 16 natives—or was it 26—were suddenly lodged. The parents—and the children, too, for that matter—struck against the new order of things and the children declined to attend the school. Such action, it was hoped, would force the department to put the natives into a separate school, under a separate teacher, somewhere else. Ultimately, the department agreed to put the native children in another school, but that school happened to be only about 20 yards away from the school attended by the

white children. It is a very old school, and the natives continued to use the same lavatory accommodation, the same wash-basins and the same playground as the white children used. Actually, conditions were not improved at all. After all this turmoil had been created by the department, the local people woke up one fine morning and found that the natives, who were considered to be a permanency in the district, had left, with the exception of two or three small children and I suppose their parents. The whole lot had vanished with the exception of those two or three, and, therefore, all the trouble had been created over nothing. I want the Minister to comment on that position. I want him to say whether he considers it fair to the people in that district—a very properly conducted community—to be upset in that way and suddenly find that the trouble need not have occurred.

**MR. SEWARD** (Pingelly): When speaking, the Minister indicated I had referred to the fact that this year I had seen more natives and half-castes around Pingelly than I have seen there in the last 20 years. I do not care who questions that statement; it still stands. I am only in Pingelly from Friday until Monday and I have frequently seen natives about on those days. I also took notice of three funerals of natives. The fact remains—and other people in Pingelly have also noticed it—that there were large numbers of natives and half-castes wandering around Pingelly. Although the Minister read a letter from Constable Napier stating that since that time the position had improved, that does not affect the veracity of the statement I made. True, the natives have been encouraged to accept employment. That is quite right. I was struck by something that happened yesterday. I was in touch with the protector in that district, who said that he had had a very busy morning. He had about 20 natives in the town who he said had been ordered to come into Pingelly for the purpose of proceeding to Narrogin to be examined for military service. There was no train to take those natives to Narrogin nor had they other means of getting there; but they had to come into Pingelly and lose a day's work in consequence. A similar order was given all along the Great Southern line, including Katanning.

Member: Who made the order?

Mr. SEWARD: The military authorities. I am not blaming the department. Those men came into Pingelly in order to proceed to Narrogin for examination, instead of one or two examining officers being sent to the towns concerned. As the Minister referred to what had happened at the Pingelly school, I desire also to mention that matter. Trouble occurred at the Pingelly school because the parents of the white children attending it refused to allow their children to continue to attend until such time as an alteration was made. The matter did not arise suddenly; it had been threatening for six months, mainly because the parents were of the opinion that the health of their children was being affected by their coming into contact with the native children at the school. Various youngsters had contracted mysterious illnesses, which the doctor certified were due to contact with the natives. Complaints were made to the Education Department, which sent an inspector to investigate the position. He did not visit the native camp or go to the places where the natives were living. He came to Pingelly, interviewed one or two people and sent in his report. On the report the Minister based his opinion, expressed in a letter to me, that the position was satisfactory.

The position was not satisfactory and consequently the parents decided to write to the Native Affairs Department and the Education Department asking them to send responsible officers to make an investigation and discuss the matter with the parents, so that they could arrive at some solution. The Education Department replied saying that the Director could not attend then, but would do so later. The Native Affairs Department did not reply at all. The parents had another meeting two weeks after the first and decided that, if something were not done before Christmas, to take the children from school. They thought that the matter might be postponed until after Christmas, hence their reason for taking action. I am pleased to hear the Minister say that Dr. Stang is due in Pingelly today, and I think the Director of Education will be there tomorrow. I had word from the Public Health Department that Dr. Stang is going there. This state of affairs existed also in Wagin about 18 months or two years ago and has existed in various towns. The usual plan is to force the natives away

from the school. I do not stand for that and I should think nobody else would.

These people are human beings and they must be educated as human beings. From Wagin they drift to Pingelly. They have been kicked out of Pingelly and they will probably move to Beverley. So the thing goes on, and no steps are taken to overcome the difficulty. I know the reply I shall receive. The Education Department will tell me there is no money to erect the building or pay teachers. If last week's storm had been a bit more severe and the railway had been washed away or the Broome jetty had been wrecked money would have been found to effect repairs, but for this problem there is no money. There is a splendidly-aired building that could be used for the education of the natives at Pingelly school and all that is wanted is a teacher. She need not be a highly-qualified girl. It is not a question of overcrowding in the Pingelly school, but in the infants' class there are half-caste children 10 and 12 years of age mingling with toddlers about six years of age. A girl was found with a running sore on her hip and the teacher asked me how he could be expected to know that. Some of these natives have a kind of house to live in, but many have not. They are living on the reserve at the edge of the town in bag huts or anything else they can get. The only water they have is from an old soak near the town. For a bath they have no water at all. Consequently how can they be expected to keep their children clean?

I have here a report of the Royal Commissioner, Mr. H. D. Moseley, which was issued eight years ago. The position is the same today as when the report was written. The Department of Native Affairs will say it cannot find any money to deal with this problem, but money must be found. We found £74,000 for the purchase of the meat works and £3,000 a year to give some people a pension. When a need is pressing enough we can find the money to deal with it and we must find the money to deal with this problem. Mr. Moseley said—

The conclusion is irresistible that the great problem confronting the community today is that of the half-caste.

I say definitely that that is the problem so far as the Great Southern is concerned. I want to make it clear that I am not talking about the North-West. I have not been there

and know nothing about it. I am speaking of the Great Southern, and the position of the half-caste there is the same as Mr. Moseley described it in his report. Mr. Moseley continued—

At first sight it would seem desirable that, for the future welfare of the half-caste or person of lighter colour, the native camps should contain only full-blood aborigines. As I have already observed, there is a duty on the community to see that half-castes are placed in surroundings and given a training which will fit them later to take their place, if necessary, in a white civilisation. An easy method from one point of view would be to remove them when young from the influence of the aboriginal and form settlements at which, on similar lines to those applied in the case of orphaned white children, they might receive the training above referred to.

That was the course of action that appealed to me: To take these children at five or six years of age, remove them to Carrolup, educate them and train them to be farmers or tradesmen until they were 17 or 18. Then they would be turned out, educated and able to take their place in the community. At present they are being buffeted from place to place. Because of their surroundings they cannot be kept clean. White parents do not want them to associate with their children, with the result that they are put out of school and their condition is not improved. That is not fulfilling our duty to these people. Many of us are responsible for their being in our midst. Their numbers are increasing every year and we must shoulder our duty and see they are not brought up like animals and kicked from pillar to post with no outlook. The Commissioner continued—

That method, however, does not appear to be practicable for application to all half-castes. The great objection in many cases is that they have parents, and there is beyond doubt in the native woman a great love for her child, whether that child's father be black or white. It may be said that it is the child we must think of, not the mother: That is true, but we must, I think, in common decency seek some solution which will benefit the half-caste child, but not inflict cruelty on that child's mother, unless indeed the mother, by her mode of living, is deserving of no consideration. Earlier I stated that the vast majority of half-castes is to be found in the southern portion of the State, and in that area we have not to deal with the aboriginal woman of the class found in the North. The southern woman, in many cases, herself a half-caste, is more civilised through a greater degree of contact with whites and more fitted to take her place in surroundings better than those of the native camps. So far as the south is concerned (and by that

I mean generally the towns along the Great Southern railway) I would say: Abolish the native camps which, without exception, are a disgrace, and provide settlements where the families may be taken, where the grown-up members of those families may be housed according to their needs and be usefully occupied either on the settlement or at periods at work on surrounding farms and where the children may occupy quarters of their own, attend a school of their own, be taught such matters as hygiene and other elementary principles of a civilised life, and where, although not debarred altogether from seeing their parents, they may be gradually weaned from the aboriginal influence. At the present time, it may be said that, apart from the work being done by a few missionaries, the care of the half-caste child is hopelessly inefficient. It is a pathetic sight to see these children—

It is a pathetic sight to see them running around in rags. The protector at Narrogin and at Pingelly told me that although they are getting child endowment, the mothers spend the money on outside clothing and under that, even in winter-time, the children have very little; or else they get some powder and paint for the girls, which does not safeguard health. They still go around the houses looking for clothing. The position is the same eight years after this report was made. The Commissioner said—

It is a pathetic sight to see these children, in many cases so fair in complexion as to be scarcely distinguishable from white children, living in a hut worse by far than the kennel some people would provide for their dogs—whole families of nine or ten being huddled together in abject squalor, with no beds to lie on—

In this connection I would mention that a child died from meningitis in the Narrogin hospital within the last two months. It had been lying on the ground with a few bags around it. Although the complaint was said to be something else in the report sent in, the doctor told me that it was a case of meningitis. He also told me that recently he had another case of meningitis. The Commissioner proceeded—

—no cooking or eating utensils worth the name, no proper facilities for washing, and dressed in clothes a tramp would despise, unless, by begging, they are able to obtain cast-off clothing from the whites in the district.

An old chap came to me two weeks ago begging for clothes. I think the member for Williams-Narrogin knows him. However, he is not the type I am interested in at the moment. The report continues—

All sleep together in one hut, no matter the age of the children, and intimate matters of sex relationship become, in the minds of the

young, details of such minor importance that one is not surprised to find the girls at an early age having children of their own. It is no wonder that the parents of white children have objected to their boys and girls associating with the neglected half-castes at the State schools. At one school only in the Great Southern district I saw half-caste children attending the State schools; they were, considering their surroundings in the camp, clean and tidy in appearance, and, up to a certain age, the white children mixed happily with them. The head teacher told me, however, that from the age of about ten or twelve, particularly in the case of the girls, the other children would have nothing to do with them; they were left alone in the playground and after school returned to the wretched conditions of the camp.

That bears out what I have said. These ten and 12-year-old children are in the infants' class. That is the trouble at the Pingelly school. There are 67 or 68 children in that class.

**Mr. McLarty:** How many half-castes?

**Mr. SEWARD:** Twenty, and nearly all of them are in the infants' class. The report continues—

Apart from the altogether undesirable surroundings for children of tender years, if, on reaching the age for leaving school they have nothing better provided for them, then I say without hesitation that, at the present rate of increase, the time is not far distant when these half-castes, or a great majority of them, will become a positive menace to the community: the men useless and vicious, and the women a tribe of harlots. I saw in the southern district two native schools, and I was told that the children are good scholars and well-behaved; training of the proper kind and under proper supervision would, I am sure, meet with response from them. It may be, however, that these children, though undoubtedly of fair intelligence, will not be able to reach a satisfactory standard at the age at which white children leave school. It has been said by authorities that it is in the last two years at school that the greatest progress is made by them. With a longer period of school training, followed by instruction in handicrafts, appropriate to rural pursuits, I am convinced that a good future may be assured for the half-caste, provided adequate organisation is adopted.

That is what I said earlier. If these half-caste children of 10 and 12 years of age could be educated by a teacher, and not a highly qualified one because they are naturally backward, they would derive some benefit. It is only in the last two years of their schooling that they gain anything from their previous instruction. To leave it as we have done is only to let the solution to the question remain for the future. The Minister said that the head teacher has authority.

But he has no authority to construct buildings, and at the Pingelly school no separate provision exists in the way of conveniences for the children. I have two letters here from parents. One is from a minister of religion, and is as follows:—

To whom it may concern: This is to certify that our son, David, age six years, who attends the Pingelly State School, suffered for several weeks from a running sore on his knee. In the opinion of the local doctor it was not due to a blood condition but to local infection.

The following letter is from another parent—

This is to say that my child has suffered with an infection of the right kidney due to (according to doctors consulted in Perth) unsatisfactory sanitary arrangements. The symptoms of this infection are the same as appendicitis or meningitis. Owing to sickness amongst the half-castes at the Pingelly school, I consider it very unsatisfactory that the white children should use the same conveniences as the half-castes.

That is the position. I do not know how it is to be remedied. My duty is to bring the matter forward and ask that it be approached in a reasonable way. If representatives of the two departments concerned—that of Native Affairs and the Education Department—go to Pingelly and consult with the parents of the white children, I shall be surprised if, being reasonable men, they do not arrive at a satisfactory solution, but that solution is not simply to keep the half-castes out of the school. They must be catered for. It might be better to put a few wood and iron buildings on this reserve and make available water supplies, and hire the huts to the natives so that the older ones can go out trapping rabbits, stripping mallet bark, or doing farm work. The children must not be put out of the school to drift aimlessly about the country if they are found on examination to be unclean.

That is all I have to say on this Vote. I do say to the Minister not to think that, because a report made subsequent to my statement proves that there were then no children wandering about, ipso facto there were none. They were there, and I hope the Minister will interest himself in this matter and have it cleaned up.

**MR. McLARTY** (Murray-Wellington): I want to say only a very few words on this Vote. Like the member for Pingelly, I am interested because half-caste children have been attending the Pinjarra State school.



I am glad that the Minister has dealt with the question of rations for natives. The old and infirm native must still be provided with rations. But there is no need for the young half-caste to draw rations today because plenty of work is offering in every direction, and good wages. The child endowment payments have created a different outlook for some of these half-castes. So long as they can live on them, they think they should not work. Some have suggested that as a result of child endowment there will be an increase in that regard, but I have no doubt at all that there will be an increase in the half-caste population.

The Minister for Lands: I did not think there was much room for it.

Mr. McLARTY: It will increase. In fact, some of those families will become quite prosperous for a while. The member for Pingelly made the suggestion that huts should be provided for these half-caste families, and a small rental collected. I commend that proposition to the Minister. There is no reason why they should not pay rent because, as has been pointed out, plenty of work is available. These children attend the Government schools, and I understood the Minister to say that the Department of Native Affairs regarded it as its duty to see that they were educated. But living under the conditions which they do, it is not possible for them to attend school in a clean condition. It can easily be imagined that these families, living together in huts, with no bedding and sleeping on the ground amongst the smoke and dirt, find it exceedingly difficult to turn out a clean child. Again, it is difficult for them to get water.

Mr. Triat: The Arabs do not wash.

Mr. McLARTY: If these children are to attend the State schools—and the Minister says there is an obligation to educate them—measures should be taken to see that they attend the school in a clean condition. Under the present circumstances I cannot see how that can be done. I suggest that the head teacher, as has been mentioned tonight, should exercise more supervision in the future. If he considers these children unclean or unhealthy, they should be returned to their parents and not allowed to attend the school until he considers their condition is such that they may come back. We can easily imagine the indignation of white parents when half-caste children of the type mentioned tonight by the member for Pingelly

attend the schools. I have received similar complaints from Pinjarra. I suggest to the Minister that he have an inspection made of the living conditions in each district where these children attend State schools, and that the inspection be carried out by an officer of the Department of Native Affairs, accompanied by an officer of the Education Department. I need not say more but I hope that, as a result of this discussion this afternoon, something will be done to improve the conditions in regard to native children attending State schools throughout the State.

MR. TRIAT (Mt. Magnet): I have no complaint to make regarding the children in my district, and no exception is taken regarding the education of the native children. Probably I am more fortunate than are some members because most of the half-castes in my district live in decent houses and use the water supply, and I am given to understand that the children are very clean. I regret to see that the Estimates for the department for the current year have been reduced. Whether I am on safe ground in calling attention to this I do not know, but I should have liked to see them increased. The decrease amounts to £1,800. In the Murchison and Leonora districts the trouble is to get payment for the natives treated in the hospitals. For some time past all the hospitals in my electorate have been complaining about the cost of the treatment of natives, and I point out that the natives there get treatment, food and nursing similar to what is given to white men, and they occupy beds in the wards with white men. There is no discrimination whatever. It is found that the minimum cost for a white patient is 12s. 6d. per day. In fact that sum frequently does not cover the cost. It is not possible to keep a patient in the hospital at Mt. Magnet or Leonora for less than 12s. 6d. per day. Yet the Department of Native Affairs allows only 5s. per day for the treatment of a native patient.

Our hospitals in the mining areas are run largely on subscriptions. Men employed on the mines pay 1s. 6d. to 2s. a week and the Government subsidises the hospitals. Since the war broke out our population has been depleted to such an extent that there are now only about 40 per cent. of the people left in the district, and the revenue of the hospitals has declined considerably. Yet we

have to stand up to a payment of only 5s. for a native patient. The member for Murchison and I discussed this matter with the Minister and he was sympathetic, but he pointed out that the amount of money available was limited. I should like to see the Vote increased sufficiently to enable these hospitals to meet their obligations. The member for Pingelly spoke of children going to school while suffering from running sores. It is not right that that should happen. It is not right that children suffering from meningitis should mix with other children. They should be given medical attention. We are prepared to give hospital treatment to the natives, but we desire repayment to some extent of the expense entailed in treating them. I should like to read a few letters dealing with this aspect. The first is from the Department of Native Affairs to the secretary of the Mt. Magnet district hospital and states—

Re Doreen Comeagain.

I wish to acknowledge receipt of your account for £3 2s. 6d. for hospital attention received by the abovenamed native from the 26th to the 31st January, 1942, and have to advise that as this account is payable from the Natives' Medical Fund, your charges have been reduced to an amount of £1 5s. and passed for payment. This reduction has been made to conform with the schedule of charges of the Natives' Medical Fund, which permits of a daily rate of 5s. only.

Therefore that hospital had to bear the difference between the 5s. paid by the department and the 12s. 6d. cost per day. The second is a letter from the Department of Native Affairs to the matron of the Mt. Magnet hospital, as follows:—

I am in receipt of your account for £2 7s. 6d. for treatment of the native, Henry Martin. I regret to have to advise you that this account is not payable from the Natives' Medical Fund, and as the native is considered by this department to be indigent, I would be grateful if you would arrange to have this account written off your books.

So in that case the hospital did not even collect the 5s. It is not right to ask the white people in the Mt. Magnet district to subscribe 1s. 6d. or 2s. a week for the maintenance of the hospital while the Department of Native Affairs tells the hospital to write an amount off its books. If an indigent white man needs treatment, he receives it and the amount is written off but, when an indigent native is concerned, I do not think it is right that the department should not contribute towards the cost.

The Minister for the North-West: The department does subscribe 5s. to the treatment of the native.

Mr. TRIAT: I am satisfied that if the Minister could get the money he would make it available. That is why I said it was unfortunate to find a decrease of £1,800 in the Estimates this year instead of an increase of £1,800 or £2,000. On the 10th July, 1942, a circular letter was issued to all hospitals as follows:—

Natives' Medical Fund Charge, 5s.

After due consideration my board has decided to press for an increase in the daily rate paid by the Natives Department for the treatment of natives who pay into the Natives' Medical Fund. The rate is 5s. per day, which this board considers is inadequate to meet the cost of treatment. It is understood that this rate was agreed to by the hospitals and department many years ago when medical supplies and the cost of living generally were much lower than they are today. It is considered that natives should receive the same treatment as whites, and that the department should be prepared to pay the full daily charge—in the case of this hospital 12s. 6d. per day. Accounts recently rendered by this hospital at our ruling rate of 12s. 6d. per day have been reduced to 5s. per day. Mr. Triat, M.L.A., contends we have a good case, and he intends to obtain the support of Mr. Marshall, M.L.A., should we go further with the matter. We are therefore seeking your support and hoping you will let us know the attitude of your board as soon as possible.

To that letter replies have been received from the district hospitals at Wiluna, Cue, Big Bell, Meekatharra, Black Range, Leonora and Mullewa. All are agreed that the cost of treating a native is much in excess of 5s. per day. Let me read a letter from the secretary of the Leonora Hospital Board which will give an idea of its attitude—

Re Natives' Medical Fund.

We have your letter dated 10th September, concerning the above and the allowance of 5s. per day as in-patient's charge.

We are completely in agreement with you on this subject, not only so far as the in-patient charge is concerned but also for the complete tariff of this fund. Their allowances for x-ray and theatre fees are ridiculously low, and since receiving your circular, I have spoken to one or two pastoralists around here, and the general opinion seems to be that they would prefer to go back on the old system of insuring workers as with ordinary employees with an insurance company against employers' liability.

You may take this letter as supporting any action you may adopt with regard to having these fees increased.

Thus the pastoralists are prepared to insure their own people rather than see a continuance of this treatment meted out to hospitals. The Mullewa district hospital took up a similar attitude except that it thought the daily rate of 12s. 6d. was too high. The letter reads—

#### Re Natives' Medical Fund charge.

I acknowledge receipt of your circular dated the 10th inst. relative to the above matter and have to advise that at our board meeting held on the 24th inst. the circular was read and received, and I was instructed to advise you that we consider a charge of 5s. is not adequate to cover the cost of the native's maintenance in a hospital.

We do consider, however, that a charge at the ruling rate of 12s. 6d. a day—in our case 10s. 6d. per day—too high, as we would not be prepared to admit natives into the general portion of our hospital to associate with white people, but it is considered that a charge of 7s. 6d. would be fair and reasonable.

The Mullewa district hospital is, therefore, prepared to come down to 7s. 6d. That is the position of the outback hospitals. We are not getting sufficient money to carry them on, and I earnestly request the Minister to give the matter consideration and have the Estimates increased next year to meet the extra charges. After having discussed the matter with officials of the Medical Department, I understand that the extra amount required would not exceed £3,500 a year.

Progress reported.

*House adjourned at 6.35 p.m.*

## Legislative Council.

*Wednesday, 9th December, 1942.*

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The PRESIDENT took the Chair at 11 a.m., and read prayers.

### QUESTIONS (2).

#### GAS PRODUCERS.

*As to "Nasco" Units.*

Hon. Sir HAL COLEBATCH asked the Chief Secretary: Is it a fact that as a result of departmental inquiries "Nasco" gas-producers are now being licensed by the Traffic Department?

The CHIEF SECRETARY replied: No, but Nasco gas-producers are now being licensed by the Traffic Department, provided that the thickness of the fire-box conforms to the thickness specified in the S.A.A. Code.

#### COLLIE MINE WORKERS' PENSIONS.

*As to Coal Production, etc.*

Hon. Sir HAL COLEBATCH asked the Chief Secretary: In view of the introduction by the Government of a Bill for an Act to provide pensions for workers in and about coal mines—partly at the cost of the taxpayer—will the Minister supply the House with information for each of the