Legislative Assembly,

Tuesday, 16th April, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

BILL—HEALTH ACT AMENDMENT.

In Committee.

Resumed from the 12th April, Mr. Stubbs in the Chair; Hon. R. H. Underwood (Honorary Minister) in charge of the Bill.

Clause 46—Amendment of Section 242j:

Hon. W. C. ANGWIN: I would like to know the reason for striking out the proviso in Subsection 1 of Section 242j of the Act which provides that where the person to be examined is a female and the examination is to be by two medical practitioners, one of those practitioners shall, if desired by the person to be examined, be a female practitioner.

Hon. R. H. UNDERWOOD: This has been struck out because an advisory committee is to be appointed to decide whether persons are to be examined at all.

Hon. W. C. ANGWIN: In one case the committee will sit for the purpose of hearing the evidence of the Commissioner to determine whether they will agree with the conclusions he has arrived at as to whether action shall be taken. As the Act exists at present, if the Commissioner is notified and a signed statement is made, he may take action. Under the Bill a person will have no choice whatever. The Bill provides that the committee are to meet before action is taken. The committee will only sit for the purpose of deciding whether the Commissioner shall take action or not. The proviso comes in after action is decided upon. If the Bill is passed, a woman who is to be examined will not be able to desire that she shall be examined by a female practitioner. Unless there are good grounds for doing away with the female practitioner, the section in the Act should be allowed to stand as it is. I certainly think one of the examining practitioners should be a female.

Hon. R. H. UNDERWOOD: It is considered that when a person has gone so far as to go before the advisory committee, and has had the case laid before that committee, it is necessary that we should have the amendment. The proviso in the Act is of very little good because those who are working willingly under the clause can go to any doctor they like. We will provide a woman doctor in the metropolitan area, but in the back country this cannot be done, and so the provision can have no effect. Any person receiving from the Commissioner notice to be examined, and acting willingly, as most of them will do, can go to any doctor he or she likes. In the case of women we will provide a woman doctor. The proviso is not worth anything.

Hon. W. C. ANGWIN: The Minister does not understand the clause. If the Commissioner is not satisfied with the certificate issued by the private medical practitioner, he has power to order a further examination by two other medical practitioners. In the case of a woman, she may desire that one of those medical practitioners shall be a woman. That is all I am asking for. I think the provision should remain in. To test the feeling of the Committee I move—

"That in line 6 the following words be omitted:—'(iii) by the deletion of the proviso in subsection (1) and.'"

Mr. MUNSIE: I hope the Committee will agree to the amendment. The advisory committee will be useless. It will be of no use having a medical practitioner on that committee, because the evidence of the Commissioner will not prove to that medical practitioner that the suspect is suffering from the disease. The Minister said the proviso is useless because a suspect can go to any doctor he prefers. But the Minister overlooks the fact that the Commissioner, if he is not satisfied with the certificate of the medical practitioner, can demand that the suspect shall go before two other medical practitioners. It is just here we get the effect of the provision that one of those two medical practitioners shall be a woman if the female suspect so desires. I say she should have that right.

Hon. R. H. UNDERWOOD: We have had a fairly long debate on the Bill, and I think the Committee has decided to pass the Bill. All the opposition in Committee is coming from those who oppose the Bill. I am quite prepared to put in the proviso again, if hon. members want it. It will make no difference. However, in the circumstances I do not think that those opposed to the Bill should endeavour to spoil the legislation by continually trying to defeat the clauses.

Mr. TEESDALE: I support the amendment. I think it will modify the very natural objection that a woman must have to the examination when she knows that she can go to a medical practitioner of her own sex. This is a fair and reasonable precaution to take. We should do all we can to make the administration of the measure as little irksome as possible.

Hon. W. C. ANGWIN: I do not think the Honorary Minister is fair when he says that the opposition to this is coming from those who oppose the Bill. I did my utmost to save the signed statement provision. That has been decided against me. Surely if I can see anything else in the Bill which I think can be improved I have a right to bring it forward.

Amendment put and passed.

Hon. W. C. ANGWIN: I move an amendment—

"That Subclauses 1 (a) and 1 (b) be struck out."

These provide for the creation of the advisory committee. I am opposed to that altogether, but there is no need to go all over it again.

Mr. MULLANY: I support the amendment. It will have the effect of doing away with the proposed advisory committee. Many members have objected to the creation of that committee. Seeing that we have given the Commissioner power to take action, he should be able to do it on his own initiative. The proposed committee could act only upon evidence

placed before them by the Commissioner. I think the only effect the creation of the committee would have would be to render more acute the danger of publicity in these cases.

Mr. PILKINGTON: I support the amendment for two reasons. In the first place it appears to me to be of vital importance, if the clause is to be put into effect, that the responsibility should definitely rest upon some person's shoulders. It should not be possible for the Commissioner to put the responsibility on the committee, and for the committee to put the responsibility on the Commissioner. If the committee be not appointed, the responsibility will rest definitely with the Commissioner. Secondly, it is important, if the clause is to be put into operation, that as few persons as possible should know anything whatever about the facts.

Hon. R. H. UNDERWOOD: There has been a great outcry this afternoon among members professing to want to protect innocent people. We put this clause in with a view to protecting them.

Hon W. C. Angwin: It will not have that effect.

Hon. R. H. UNDERWOOD: The clause as originally drafted and passed is, in my opinion, the right one, and would do an immense amount of good, but people held meetings, newspapers started to write, and then legislators began to think there might be some votes in it.

Hon. W. C. Angwin: I object to that.

Hon. R. H. UNDERWOOD: I am not referring to the hon. member in particular, but will withdraw the statement. This clause is put in to protect innocent people. We have heard about the great danger to an innocent woman who would be dealt with by this czar, the Public Health Commissioner, and the clause was put in to tone down, as was apparently the desire, his action, and now members are starting all over again. It is even possible this will be haggled over in the Legislative Council. We haggled over in the Legislative Council. We have heard of "win, tie or wrangle." This is the wrangle. These amendments are not genuine.

Hon. J. MITCHELL: I resent the imputations of the Honorary Minister, and think it would be more to the point if he would say how far-reaching this clause will be. It may serve for a small section of the people living around the Commissioner's office, but will not serve for those living throughout the length and breadth of the State. I think this clause is designed to relieve the responsibility of the Commissioner, and not to protect the innocent and injured person. If the Commissioner is to administer the Act, he should take the responsibility.

The MINISTER FOR WORKS: I am glad the proviso has been passed, and think that gives the fullest protection necessary. Without it, the Commissioner might receive information through the post from an outlying district, and if he acted upon it would become a czar, as the Honorary Minister has just stated. I understand that the amendment was put in by the Legislative Council because of the desire made known by the female representative of the female sex.

Hon. W. C. Angwin: Only one. The Commissioner was not trusted.

The MINISTER FOR WORKS: It was also put in at the desire of the select committee of another place. It is apparently the wish of the hon. member who has just spoken to lead us to believe that women would rather submit themselves to the mercy of the Commissioner than to a committee consisting of women and men, and I regard that as a foolish suggestion. This is not a party question, and I shall vote for the retention of these sub-sections.

Mr. MUNSIE: As I indicated in my second reading speech, it is my desire to wipe out this committee, as I believe it would provide a means by which secret information would leak out. The Commissioner is not the only man who will administer this Act. In Kalgoorlie, for instance, the resident medical officer will be deputed by the Commissioner to administer it in that centre. In the event of a case occurring there, the resident medical officer would send information to the Commissioner. The information that would be given would certainly be in writing, and would be produced by the Commissioner as evidence before the committee. All that the committee could do would be to read that evidence and hear what the Commissioner had got to say upon the matter, and upon that decide whether there was sufficient evidence to warrant them in issuing a notice to the person concerned.

Hon. R. H. Underwood: They would not know the name of the person who was to get the notice.

Mr. MUNSIE: Under the Bill as it now stands, the name of the person who makes the complaint cannot be made known.

Hon. R. H. UNDERWOOD: Certain members who oppose the Bill altogether will insert anything tending to knock it out. I agree with the member for Hannans that this provision will do no good, but it was inserted at the request of those desirous of affording special protection to innocent women against persecution. The Commissioner said he would accept the provision, because, although it would not avail much, it was workable.

Hon. W. C. ANGWIN: According to the evidence, only one witness, a lady, expressed a desire for this advisory committee. The only effect of establishing the committee would be to take responsibility off the shoulders of the Commissioner. Let it be noted, moreover, that those who advocate the committee are those who favour the abolition of the signed statement; and they advocated it for the purpose of throwing dust in the eyes of the public.

Amendment put and passed.

Mr. ANGELO: I move an amendment—

> "That the following be added to the clause to stand as Subsection (1c.) of Section 242j of the principal Act: 'Any person who knowingly gives false information to the Commissioner with the intention that action shall be taken by the Commissioner under this section, shall be guilty of an offence against this part of the Act. Penalty: Fifty pounds, or imprisonment with or without hard labour for a period not exceeding 12 months.'"

As I spoke at some length on the amendment of the member for North-East Fremantle I shall not labour this matter. The terms humiliation, degradation, insult, and so forth

which have been used to describe the subjection of an innocent person to medical examination would not be half strong enough if venereal disease could be contracted only by sexual intercourse. But, according to the latest medical authorities, the disease can be contracted by the very purest, contracted accidentally, through insanitary conditions, through the use of public conveniences, of public towels and public drinking vessels. The people should be made to understand that this disease is in the nature of a contagious disease, and they should be taught to regard it in that light. The Commissioner should instruct the people as to how easily the disease can be contracted quite accidentally and innocently. However, we ought to minimise to the narrowest extent any abuse of the powers under this Bill; and therefore I move this amendment. If it is carried, then the Commissioner and his department will have a duty to protect the innocent, and to right the wronged, and to punish those guilty of giving false information.

Hon. W. C. ANGWIN: I support the amendment, though I do not think it will be of much use, because no one is charged with the duty of carrying it into effect. To that end I hope to move an amendment later.

Amendment put and passed.

Hon. W. C. ANGWIN: I move an amendment—

> "That the following be added to the claus to stand as Subsection (1c.) of Section 242j:—'If any person has, in consequence of any notice given to him under Subsection 1, produced a certificate to the satisfaction of the Commissioner that he is not suffering from any venereal disease, or if the report concerning him furnished under that subsection discloses that he is not suffering from any venereal disease in an infectious stage, he shall be entitled to inspect any written statement on which the belief by reason whereof the Commissioner took action in respect of him was wholly or partly founded, and to receive from the Commissioner a copy thereof certified under the hand of the Commissioner, and the Commissioner shall, on the demand of any such person, furnish him with a certificate signed by the Commissioner setting forth the substance of any verbal statement on which such belief was wholly or partly founded, and with the name and address so far as known to the Commissioner of any person who made any such written or verbal statement as aforesaid.'"

The amendment of the member for Gascoyne cannot, as I have said, prove effective. The Commissioner is not in a position to know whether any person has lodged a complaint against an innocent person maliciously. Let me put, as a suppositious case, that I am at variance with another person, and that that other person persuades the Commissioner that I ought to be examined for venereal disease. The Commissioner, without knowing of the differences between me and the informant, takes action. If on examination I am found to be without infection, and am then given the name of the informant, I shall know whether his act has been dictated by malice. The mere prosecution of a person who has given false information is not sufficient redress to the person falsely accused, who ought to be in a position to sue for libel or slander. Many members have expressed the desire that redress should be afforded to an innocent person falsely charged, and this amendment will bring about that position.

Hon. R. H. Underwood: You might as well insert a clause providing that no one shall be permitted to complain at all.

Mr. HARRISON: This is a most dangerous amendment. If the Commissioner is going to get the assistance of the general public, it will not be by the aid of this amendment, which will frighten the public. We have already passed a clause giving those who have reasonable belief of the existence of the disease power to report, but there are many instances where there are reasonable grounds for belief but not actual proof. It is only a medical practitioner who can tell whether a person is suffering from disease. By this amendment we shall not get the general public to assist the Commissioner.

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

Ayes	.. .. ..	11
Noes	.. .. ..	24
Majority against	..	13

AYES.

Mr. Angwin	Mr. Rocke
Mr. Griffiths	Mr. Troy
Mr. Johnston	Mr. Walker
Mr. Jones	Mr. Willcock
Mr. Mitchell	Mr. Lutey
Mr. Pilkington	(*Teller.*)

NOES.

Mr. Angelo	Mr. Munsie
Mr. Broun	Mr. Nairn
Mr. Brown	Mr. Piesse
Mr. Chesson	Mr. H. Robinson
Mr. Davies	Mr. R. T. Robinson
Mr. Durack	Mr. Teesdale
Mr. George	Mr. Thomson
Mr. Green	Mr. Underwood
Mr. Harrison	Mr. Veryard
Mr. Hickmott	Mr. Willmott
Mr. Hudson	Mr. Hardwick
Mr. Maley	(*Teller.*)
Mr. Mullany	

Amendment thus negatived.

Mr. VERYARD: I move an amendment—

> "That the following be added to the clause:—'Provided that the amendment made by this section shall continue in force until the 30th September, 1919, and no longer, after which date Section 242j of the principal Act as originally enacted shall again come into operation.'"

This is experimental legislation and the public are greatly agitated in regard to the Bill. The medical profession are divided on the question, therefore it is advisable that the Bill should remain in force for a limited time, at the end of which, if the operations of the Act prove beneficial, the legislation can be re-enacted.

Hon. R. H. UNDERWOOD: Previously I indicated that I was agreeable to accept the amendment. I feel absolutely convinced about the legislation, and I am prepared to give it 12 or 18 months' trial, after which I am sure it will be re-enacted.

Hon. W. C. ANGWIN: The Minister by the acceptance of the amendment condemns the Bill. The hon. member (Mr. Veryard) has voted for every clause of the Bill but he is not satisfied that he has done right. He says that a large proportion of the people are opposed to the provisions of the Bill and that many of the medical fraternity disapprove of the measure, but the hon. member wishes to ease his conscience because he knows he has done wrong.

Mr. Mullany: Are you going to support the amendment?

Hon. W. C. ANGWIN: Certainly I am, but I would never have attempted to move the amendment under conditions similar to those which the member for Leederville moved it. Does the hon. member think now that the Commissioner of Health will take action under the clause as it will be when we pass it with this amendment? We shall be informed 15 months hence that nothing of a suspicious or of a drastic nature has happened and hon. members opposite will be able to say that that is proof that the Act has not worked harshly and then on that ground they will be justified in asking for a renewal of the term. Then immediately afterwards the Health Department will let themselves go. I want the women of the community to remember that the member for Leederville has moved the amendment to save himself, and to make his conscience easy. He realises that the Bill is capable of creating a difficulty and that there is a possibility of action being taken under which it will be detrimental to some people of the State, and it is to ease his conscience, as I have said, that he is asking the Government to agree to the 12 months trial. It amounts to telling the Government that he does not trust them beyond 12 months. If I were doubtful about it at all, I would oppose it.

Hon. J. MITCHELL: The member for Leederville is to be commended for moving the amendment, but I do not agree with the deputy leader of the Opposition when he says that the Health Department will not administer the measure fairly.

Mr. MULLANY: The hon. members who have just spoken have given good reasons to the Committee why the amendment should be opposed. The Honorary Minister stated that he was prepared to accept the amendment, but he did not give the Committee any reason for accepting it. I am inclined to believe that he has been so long discussing the Bill that he has got to the stage that he is prepared to let it go, thinking that it will not do will do an injury. It amounts to sending out legislation branded to the extent sending out legislation branded to the extent that we are doubtful about it, and that we want it watched carefully because we fear it may not operate as we expect it to do. This particular clause is to automatically cease to operate in 15 months time. It is a new idea in social legislation such as this. During the time I have been in the House, I do not remember any such legislation coming forward with a proviso of this kind attached to it. It would be wrong not to give the measure a fair chance. Therefore we should not hamper it in any way. Parliament will be sitting in 15 months time and if this or any other clause in the Bill is found to be operating harshly, and the people desire its repeal, Parliament can repeal it. I am going to vote against the amendment.

The MINISTER FOR WORKS: I take the amendment as being an acknowledgment of the fact that certain opposition has been put forward to the Bill by people who are honestly convinced that the legislation is going to fail. The Government do not think that the Bill is causing the alarm some people would have us believe it is doing, but we are prepared to state in the Bill that there shall be a period during which certain things are to operate, and that unless further action is taken at a later stage, we shall be prepared to extend the operation of that clause. Personally I do not care whether the amendment is agreed to or not. When I gave my vote for the amended clause, I did so believing that it was the correct thing.

Mr. Nairn: Would it not be as easy to repeal it as to re-affirm it?

The MINISTER FOR WORKS: If anything transpires in connection with the operation of the measure, there will be many opportunities for bringing the subject forward next session or later.

Hon. T. WALKER: Although I favour the amendment, it expresses a doubt as to the course the legislature is taking; it expresses a doubt on the part of the Government.

Hon. R. H. Underwood: It does not express any doubt whatever.

Hon. T. WALKER: If the thing is good, it is good for all time.

Hon. R. H. Underwood: Very well, vote against it.

Hon. T. WALKER: What justification have the Government for their attitude?

The Minister for Works: We are not accepting it as a Government; it is individual members of the Government who accept it. This is not a Government measure.

Hon. T. WALKER: It was introduced by the Government.

Hon. R. H. Underwood: And you want to beat the Government.

Hon. T. WALKER: I should be very glad to. It would be of immense benefit to the country. Clearly, the Government are in doubt as to the wisdom of the steps they are taking in this legislation. If the thing is good, what is the object in supporting the amendment?

The Minister for Works: But if you admit that this is important, why not accept it?

Hon. T. WALKER: Because we want to know if the Government accept it as being important. If they accept my views for voting for the amendment, they have no justification for the legislation they are putting through. It is in deference to the views of the minority that the Government accept this

amendment. It is an entirely illogical position, because if there is to be any deference to the views of the minority, it should be immediate, and not postponed till next year. The Government are not sure of their ground.

Hon. R. H. UNDERWOOD: The majority dealing with the Bill is not a Government majority.

Hon. T. Walker: It is a Government Bill.

Hon. R. H. UNDERWOOD: It was not a Government Bill when I brought it down last time. The Bill is before the Committee, and the majority dealing with it is the majority of the Committee. I do not know how my colleagues in the Government are voting on the amendment. I have said that I will support it; that is all I know about it.

Mr. NAIRN: If the opposite attitude had been taken by the Government and the views of the majority were entirely ignored, none would have been more vigorous in denunciation of that attitude than the member for Kanowna. When, out of a desire to show some consideration for the minority, the amendment is accepted by Ministers, the hon. member attacks them just the same. I will not support the amendment, because I think it can do no good and will probably do some harm. If the amendment is accepted, the administration of the Bill will be under suspicion and the Commissioner will be waiting and anxious to know whether the legislation is going to be confirmed, or allowed to expire. To that extent the amendment will do harm. On the other hand, it can do no good. If the legislation proves to be injurious, it will be just as simple to repeal it as, on the other hand, to reaffirm it; with this difference: that if we leave it to be repealed, and if the legislation prove satisfactory, we shall not have to dig it up again in 12 months' time. I hope the amendment will not be carried.

Mr. VERYARD: Personally, I think it quite possible that some hardship will be worked under the clause. Still, I am satisfied that more good than harm will come of it. The object I had in moving the amendment was principally to allay public fear. The amendment will not affect the administration of the measure.

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

Ayes	.. .. ..	23
Noes	.. .. ..	15
Majority for	.. ..	8

AYES.

Mr. Angelo	Mr. Mitchell
Mr. Angwin	Mr. Pilkington
Mr. Brown	Mr. H. Robinson
Mr. Foley	Mr. R. T. Robinson
Mr. Gardiner	Mr. Rocke
Mr. George	Mr. Troy
Mr. Griffiths	Mr. Underwood
Mr. Hickmott	Mr. Veryard
Mr. Johnston	Mr. Walker
Mr Jones	Mr. Willcock
Mr. Lambert	Mr. Hardwick
Mr. Lutey	(*Teller.*)

NOES.

Mr. Broun	Mr. Munsie
Mr. Chesson	Mr. Nairn
Mr. Davies	Mr. Piesse
Mr. Durack	Mr. Teesdale
Mr. Harrison	Mr. Thomson
Mr. Hudson	Mr. Willmott
Mr. Maley	Mr. Green
Mr. Mullany	(*Teller.*)

Amendment thus passed; the clause as amended agreed to.

Clause 47—Power of Children's Court to examine child suspected of disease:

Hon. W. C. ANGWIN: This is a provision which, in my opinion, should not find a place in this Bill, but should be confined to the State Children Act. The principal reason for the clause, I believe, is that a child must be committed before being examined under the State Children Act, and it is desired to overcome that difficulty. This provision will turn the State Children Court into a court to deal with venereal diseases. I would also point out that under this clause a child would not have the protection of the Commissioner for Public Health before being examined. It is a dangerous provision, and should not find a place in this Bill.

Hon. R. H. UNDERWOOD: The ladies who sit on the State Children Court say that this provision is urgently necessary, and that they should have power to inspect children who come before them. It is a deplorable fact that girls have come before them suffering from this disease, and under the State Children Act the court has had no legal power to have them examined and treated.

Clause put and passed.

Clause 48—Amendment of Section 242:

Mr. ANGELO: I move an amendment—

> "That after the word 'Commissioner' at the end of the clause the following words be inserted: 'or of the person against whom the proceedings were taken.'"

I would point out that under the clause, as it stands, if the Commissioner thinks that certain proceedings, which are held in camera, should be made public, he is at liberty to make them public, but that a case might occur where some mistake had been made, and the department or the Commissioner might not desire that the facts should be made public. I think, therefore, that the public should be safeguarded to the extent that the person against whom the proceedings were taken should also have the right to publish the details. It would only be an innocent man who would require this.

Mr. MUNSIE: I think this is a matter which should be dealt with by the court, which should be in the best position to judge as to whether it would be in the interests of the public that a certain case should be made known. My idea was to delete the word "Commissioner" and insert the word "court" in lieu. I agree that the clause needs amending as regards the Commissioner, since that official, if he makes a mistake, may not desire to allow the fact to be published. Is the Honorary Minister prepared to accept such an amendment?

Hon. R. H. UNDERWOOD: I am not insisting on anything. I do not know exactly at what the amendment of the member for Gascoyne aims. Chemists have been prosecuted for selling stuff claimed to be a cure for venereal disease, and it has been decided that such cases should not be published, though I personally think they ought to be. But there are other cases—cases of people concerning whom the Commissioner is notified, and cases heard in the Children's Court. These I do not think should be made public. As regards the man referred to by the member for Gascoyne as having been sent to Kalgoorlie for the purpose of the prosecution of chemists selling so-called remedies for venereal disease, I may explain that under the law as it stood chemists could sell as much as they liked of such stuff to persons not actually suffering from venereal disease. Therefore, in order to secure convictions, it was necessary to have purchases made by an actual sufferer from venereal disease. The facts have already been explained by the Colonial Secretary in the Legislative Council, although the explanation has not been published. An amendment of the law has already been made to remedy that position. With regard to the amendment moved in this clause, I consider that a person who has been dealt with under the measure should, if he feels aggrieved, be permitted to make the particulars of his case public. The amendment suggested by the member for Hannans strikes me as preferable to the amendment moved by the member for Gascoyne.

Mr. ANGELO: My only object is to enable a person wrongly accused to ventilate his grievance. As I am assured that the amendment suggested by the member for Hannans will have the desired effect, I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Mr. MUNSIE: I move an amendment—

> "That, at the end of the clause, the words 'written permission of the Commissioner' be struck out, and 'authority of the Court before which the case is heard' inserted in lieu."

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

Clause 49—Insertion of new division at end of Part X.; Maternity homes kept for gain to be licensed, etc.:

Hon. W. C. ANGWIN: Why has this division been inserted in this measure? The same subject is dealt with in the State Children Act.

Hon. R. H. UNDERWOOD: A Bill has been drafted, though it will not come forward this session, to amend the State Children Act. These provisions will, later, be struck out of that Act. Meantime, they will appear in the two measures.

Hon. W. C. ANGWIN: Under the State Children Act near relatives are permitted to accommodate women during their confinement—even if the women pay for their maintenance—without being considered as keeping maternity homes for gain. This measure should also make that concession. A woman coming to the metropolis for her confinement might very naturally prefer to be accommodated in the house of a near relative rather than in a lying-in home. I hope this will not be prevented.

Clause put and passed.

Clause 50—Amendment of Section 255:

Hon. W. C. ANGWIN: This clause opens up the whole question of the registration of midwives. Section 255 of the principal Act provides for the placing on the register of midwives holding certificates of competency; and it further provides that any woman who within two years of the commencement of the Act applies to have her name entered on the register may have her name entered, by examination or without examination, provided she proves that she has been for at least two years in bona fide practice and satisfies the midwifery board of her competence, cleanliness, and repute. This provision has been inserted in every Bill which has come before Parliament for many years past. Those persons practising at certain professions have been allowed to continue their occupation so long as they register themselves. Once a certificate has been granted to a woman to follow the profession of a midwife, she should be allowed to continue without any further examination. This principle is recognised in the Veterinary Act and the Dental Act and also in connection with engine-drivers, but now it is proposed that the department should turn down nurses who had been following their profession as midwives unless they pass a further examination. This does not deal with those persons who have qualifying certificates. When a nurse registers, she has issued to her printed instructions pointing out under what conditions she may act. This provision will affect country districts seriously where it is difficult to obtain nursing assistance. We shall be told no doubt that the Medical Department will not take any drastic action, but that the desire is only to protect the public. Still there is no necessity to compel women who have been acting as midwives, to go up for further examination. Nurses are difficult to obtain. Prior to the war, the Medical Department had to pay as high as £3 a week and keep for general nurses and they had to send to England for them. There are very few hospitals in the State where nurses can qualify for maternity cases. At the Kalgoorlie hospital, the matron could not, under a doctor, attend to a maternity case because she had failed to register, although she was a qualified nurse. The provisions of the Bill should not be made too stringent. I think those who are registered should be allowed to continue until there is something brought against them or some reason why they should be called upon for proof of their qualifications.

Mr. FOLEY: There is a great deal in the argument brought forward. In all Bills brought before us in past years, provision has been made that those at the time of the passing of an Act who were practising a profession should be allowed to continue on registration. Take the Veterinary Act; those persons practising at the time of the passing of the Act were allowed to continue. The Australian Trained Nurses' Association have a right to be considered, but their idea of what should be the

qualification of a maternity nurse should not be considered too stringently. The matron at the Kalgoorlie hospital was prevented from attending a maternity case because she had not registered, although she had had hospital experience in Tasmania and Melbourne and was a qualified nurse. Doctors are willing to give lectures to train women as midwives in the hospitals, but the department would not accept the word of the doctors as to the qualifications of women, as sufficient. If women were qualified to practice as midwives when the Act was passed, there should be no reason why they should be compelled to undergo a further examination at the present time. We know that in remote parts of Western Australia, there are women who follow this occupation and who have been very successful. The clause will do great harm if it is carried because it will have the effect of raising the standard over and above what it was when these women were allowed to practice the profession.

Hon. R. H. UNDERWOOD: The Leonora case quoted by the hon. member who has just spoken has nothing to do with the amending clause. The woman in question never registered. As the member for North-East Fremantle has explained, in 1912-13 all those who had been practising for two years, and applied for registration, were registered. It has been said by the hon. member that if a midwifery nurse makes a mistake her registration can be cancelled. It may, however, be a serious mistake for the patient. I do not think we should wait for a midwifery nurse to make such a mistake.

Mr. Chesson: That applies to doctors, too.

Hon. R. H. UNDERWOOD: The Medical Department have no intention of imposing a stiff examination. They hold that a woman should know when and where danger is likely to arise. If she can pass an ordinary examination with regard to any danger that may possibly happen, and as to when it would be necessary to send for a doctor, she will be granted registration.

[Mr. Foley took the Chair.]

Hon. W. C. ANGWIN: The Act relating to midwives came into force in 1912, and those women who were registered at that time had been practising for two years. Surely those women who have now been practising for eight years should not be asked to undergo a further examination. I agree that it is necessary, under certain conditions, that there should be a certain amount of training, but it is not just to expect those who have been practising for eight years to have to pass an examination in order to be permitted to continue their profession.

Mr. THOMSON: I intend to support the deletion of the clause. I know of the case of one nurse, who is considered to be thoroughly competent, and who, if she were asked to undergo an examination, would probably fail, and under the clause she would be prevented from further practising her profession. In view of the scarcity of nurses, and knowing the difficulties that people in outback places have to contend against, we should not place any obstacles in the way of midwifery nurses continuing their good work.

Mr. HICKMOTT: I agree with the remarks of the member who has just spoken and the member for North-East Fremantle. I know of competent nurses who have never passed an examination, and who have done valuable work in outlying districts, not only in this State but in other States of the Commonwealth. The clause, therefore, should not be allowed to stand.

Clause put and negatived.

Clause 52—Amendment of Section 259:

Hon. W. C. ANGWIN: The clause reads—

> If any person whose name has been removed from the register shall, whilst her name remains off the register, practise as a midwife or midwifery nurse or bestow any midwifery services whatsoever, she shall be guilty of an offence against this Act.

That is a very stringent provision. A nurse might be called upon in an emergency, and might perform services without payment, yet it would render her guilty of an offence against the Act.

Hon. R. H. UNDERWOOD: The provision is very necessary. It would be a straining of words to say that if she acted at all in any capacity whatever, she would be liable. Just the same, she ought not to be allowed to act.

Mr. Chesson: It might be a necessity in outback places.

Hon. R. H. UNDERWOOD: I know that urgent cases do happen outback, but such a case would not render a nurse liable to punishment. The provision applies when she is working for a fee or reward.

Mr. MALEY: I move an amendment—

> "That after 'whatsoever' in line 6 the words 'unless without reward' be inserted."

Hon. F. E. S. WILLMOTT (Honorary Minister): Probably the hon. member is not aware that if the case be more than five miles away from a doctor anyone can act as a midwifery nurse. This provision will not apply to any woman or nurse acting at a distance of more than five miles from the nearest doctor. It will be operative only if the case be within five miles of a doctor.

Hon. W. C. ANGWIN: The Minister presumably is referring to Section 253 of the Act; but the clause is dealing with a person whose name has been removed from the register on account of incompetence or misconduct. Even if such a woman were acting in an emergency the department might say, "How do we know that you are not practising here? You have been guilty of misconduct before, and probably you are misleading us now."

Mr. THOMSON: I think the case would be sufficiently met if we were to strike out the words "or bestow any midwifery services whatsoever." That would leave it entirely a question of practising.

The CHAIRMAN: The amendment is that the words "unless without reward" be inserted. Hon. members must confine themelves to the amendment.

Hon. R. H. UNDERWOOD: I hope the amendment will not be carried. Any amendment of the clause will defeat the clause altogether.

Amendment put and negatived.

Mr. THOMSON: I move an amendment—

"That in line 5 the words 'or bestow any midwifery services whatsoever' be struck out."

The CHAIRMAN: I cannot allow the hon. member to go back beyond the word "whatsoever." I will not take any amendment going back beyond that word.

Mr. THOMSON: When I desired to discuss this amendment a few minutes ago, before the previous amendment had been disposed of, you ruled me out of order.

The CHAIRMAN: I must rule the hon. member out of order now.

Mr. THOMSON: You might allow me to place my views before the Committee.

The CHAIRMAN: Every hon. member has an opportunity of placing his views before the Committee.

Mr. THOMSON: Then I shall move to strike out the clause.

The CHAIRMAN: The hon. member cannot do that, but can vote against the clause.

Mr. THOMSON: Surely I can speak against the clause.

The CHAIRMAN: It is not permissible for the hon. member to move that the clause be struck out, but he can speak against it and vote against it.

Mr. THOMSON: I object to the clause, because it will be dangerous. I know of the case of a man who went to some nine different nurses within a radius of a few miles, and in the end he had to obtain the services of a woman who was not qualified, and who would not be registered under this Bill. I must vote against the whole clause.

Mr. MULLANY: I too intend to vote against the clause. Will the Honorary Minister explain why it is that a person whose name has been removed from the register should be in any different position under this Bill from a person whose name has either never been so removed, or was never upon the register?

Hon. R. H. UNDERWOOD: Some women have been put off the register because they were not competent. I am confident that in a case of emergency there would be no prosecution if such a woman carried out these particular duties.

Mr. Thomson: The Bill says so.

Hon. R. H. UNDERWOOD: It is impossible to make laws to provide for cases of emergency. In my opinion, a woman who has been struck off the register should be frightened in this way, and it is in the interests of the community that this should be so. It is very necessary to legislate against any incompetent woman practising this profession.

Amendment put and negatived.

Clause put and passed.

Clause 53—Power of board to impose penalties for breaches of regulations:

Hon. W. C. ANGWIN: This clause gives the board power to inflict penalties, but it also gives to the person who has been fined the right of appeal to a judge. I cannot see the necessity for the two tribunals.

Hon. R. H. UNDERWOOD: The board may deal with a certain case and impose a fine and order costs. There may, however, be some breach of the regulations of a far more serious nature than can be dealt with by the board, and it is provided therefore that an appeal may be made to a judge. This clause will not prevent a case from being dealt with under some other law.

Clause put and passed.

Clauses 54-57—agreed to.

Clause 58—Substitution of "Secretary" for "Clerk" to the Commissioner throughout principal Act:

Hon. W. C. ANGWIN: I cannot see the necessity for altering the title of the officer in question. Perhaps it is felt that the title "secretary" is more aristocratic than that of "clerk." We already have an under secretary who controls the Health Department, and I hope this alteration will not be agreed to.

Hon. R. H. UNDERWOOD: There is some difference, from the point of view of services, between a clerk and a secretary. This is a most important department, and well worthy of a secretary. The change will make no difference in regard to the working of the department.

Hon. W. C. ANGWIN: I can see no necessity for making this change by Act of Parliament. The time may come when it is desired to amalgamate this position with some other position, and if the title is made a legal one some difficulty may occur.

Clause put and passed.

Sitting suspended from 6.15 to 7.30 p.m.

Clause 59—agreed to.

New clause (printed in italics in the Bill and numbered as Clause 20).—Insertion of new section between Sections 142 and 143: Registration of places of public entertainment:

Hon. R. H. UNDERWOOD: I move—

"That the following be added to stand as Clause 20:—'The following section is hereby inserted between sections one hundred and forty-two and one hundred and forty-three of the principal Act. 142a. (1.) The Commissioner may, subject to this section, make regulations providing for the annual registration of public buildings to be used as places of public entertainment, and prescribing the fees to be paid for every annual registration; and prohibiting the use of any public building as a place of public entertainment, unless it is registered under such regulations, and requiring the person having control of such place to post up the prescribed certificate of the registration thereof, and keep the same conspicuously displayed therein or thereon. (2.) No annual fee to be prescribed under any such regulation shall exceed, in the case of a place of public entertainment which is wholly enclosed, the sum of ten pounds, and in other cases five pounds. (3) Regulations made hereunder may contain such exemptions as the Commissioner may deem advisable, and the fees prescribed may vary according to the class, size, or capacity of the place to be registered or the locality in which the place is situated. (4) In this section "Place of public entertainment" means any public building where there is held any concert, recital, lecture, reading, dramatic, musical, or stage performance, dance, cinematograph or other picture show, boxing or other contest or other form of

entertainment or amusement which is open to the public, whether admission thereto is or is not procured by payment of money or on any other condition. (5.) If any person shall by act or omission contravene any regulation made under this section, he shall be guilty of an offence against this Act. (6.) The provisions of this section shall not apply to any mechanics' institute, hall, agricultural hall, or town hall, or other building belonging to a local authority, or to any church or other building belonging to a religious body.''

It is desirable that places of entertainment should be inspected from a health point of view, more especially now that we have continuous picture shows running twelve hours a day every day, in some cases including Sunday. These inspections cost a considerable amount of money, and the registration fees are proposed in order to meet that expense. The last subclause exempts halls which are the property of local governing bodies. Some members may contend that, for instance, the Fremantle town hall, which is let almost permanently for picture shows, should also pay a fee; but the rent is really public money going to a public body, the Fremantle municipality.

Hon. J. MITCHELL: The registration fees might very well apply in the metropolitan area, where entertainments are running night and day and where rents are fairly high; but they would press hardly on small halls in country places like, say, Busselton or Moora, which might not be open more than once a week or once a month, and which would be inspected by the local health inspector. If the new clause is intended as a means of raising revenue, I could understand it; and if it is intended to provide for inspection where halls can be inspected, I could understand it also. But we ought to be told what the clause does mean. There are numerous halls scattered about the country which would come under this clause but ought not to come under it. Inspection of halls is quite right, but in many cases the imposition of a fee would prove a hardship.

Hon. W. C. ANGWIN: I hope the Committee will reject this clause. The inspection of places of public entertainment is no concern of the Commissioner of Public Health; and the Government are put to no expense by such inspection, which devolves entirely upon the local authorities. The local health inspector inspects halls and so forth in the same way as he inspects other buildings in his district. The definition of ''Places of public entertainment'' in Subclause 4 is very wide indeed. Before anyone can build a hall to be used for public entertainments, the plans have to be submitted to the Commissioner of Public Health, who in turn submits them to the Public Works Department, and the officers of that department report on them to the Commissioner. By this Bill we have already doubled the fee for inspection of plans. The new clause would impose an annual registration fee on, for instance, the public hall of Palmyra, which was erected by private subscriptions with a little Government assistance, and is used for lectures and concerts, and sometimes a dance in aid of charities. Such halls are not agricultural halls or mechanics' institutes. For these halls an annual license fee of £5 is charged. Take the city of Perth. There are several halls which the City health inspectors have to attend to. In the district I represent the inspector is appointed by the Government and he inspects the various halls in the district, but the salary of the officer is paid by the various local authorities. Take trades halls, where lectures are delivered every day of the week.

Hon. R. H. Underwood: We will exempt trades halls, then.

Hon. W. C. ANGWIN: It takes a good deal of money to keep the halls in proper repair. The fee is an unnecessary one. The proviso which it is proposed to add exempts very few halls, and there are very few private halls, but such are under the control of the local authority. We have a system growing up which we shall have to watch very carefully. The carrying out of the Health Act is controlled by a central office in Perth. I noticed only last week two country districts advertising a contract for sanitary services and under the control of the central office. Local districts should look after their own affairs. They should appoint their local boards of health and their own inspectors. I hope the clause will be struck out because it is unnecessary. The central authority should not send inspectors all over the State to inspect halls. All halls have to be kept in a healthy condition but we have provision in the Act for that already.

Mr. JOHNSTON: There is a number of small privately owned halls in the country which will come under the provisions of this clause. These halls are only used once or twice a month and the fee would be 10s. or £1 a year, which is rather drastic. There are places in the country where entertainments are held, dances, political meetings; would a fee have to be charged for these places? I know a barn in which meetings are held.

Mr. HARRISON: At Cuballing, Bruce Rock and other places meetings are held in barns, to raise funds for Red Cross work, and so forth, also entertainments are held in these barns. Would fees have to be paid for these places? In one centre there is a place which used to be a skating rink but it is now converted into a store, but meetings are held in the building. I know a billiard room in which meetings are held. If fees are charged for these places, the people will be deprived from using them.

[Mr. Stubbs resumed the Chair.]

Hon. R. H. UNDERWOOD: There are halls in Perth, Kalgoorlie, and possibly one at Northam, which the local authorities look after. They require inspection and the owners should pay for the inspection. The question has been raised whether the central board of health, or the local authority, should collect the fees, but that is only a small matter. As to the amount of the license fee to be charged, £10 is the maximum amount if a hall is wholly enclosed, and £5 if it is not wholly enclosed. Spencer's picture place at the corner of William-street is not wholly enclosed. The

utmost that can be charged for the biggest hall in Western Australia is £10, and the fees come down in accordance with the importance of the hall, and the use to which the hall is put. In regard to the complaint of the member for Avon, I do not know what the billiard room is used for. If it is used for concerts or dances, there would have to be a fee, but it would be a nominal amount. In regard to barns being used as meeting places, or for dances four or five times a year, no charge would be made. The people gathering there would be the guests of the owner. If a man has a barn and it is let for purposes of gain, he must register it.

Hon. W. C. ANGWIN: The local authorities carry out the inspection of halls, and they pay qualified inspectors. It is unnecessary to alter the existing Act unless it can be shown that the local authorities are not carrying out their duties.

Mr. TROY: I move an amendment—

"That Subsections (1) and (2) of proposed Section 142a be struck out."

These subsections provide for duplication of authority, and for the imposition of charges which, in my opinion, are unfair. It has already been pointed out that in almost every community the local authorities are responsible for the inspection of premises, and for the observance of those conditions which make for the health of the community. The community are subjected to taxation to meet these inspections, and the proposal is but another way by which the community can be imposed upon by the central authority. The local authorities have always done very good work in this direction, and I see no reason why a further charge should be placed on the shoulders of the people. I do not know whether the central authorities are anxious for more power; if so, they should not be encouraged. We have too much of it to-day. There is always a tendency to create departments, and here is the danger of building up another department and imposing penalties on people who are adequately provided for.

Hon. R. H. UNDERWOOD: The Health Department of this State is as well conducted as any in the Commonwealth. We have competent officers, the majority of whom are at the present time doing two men's work.

Hon. W. C. Angwin: There are some who are not paid sufficiently.

Hon. R. H. UNDERWOOD: That is correct. The heads are certainly not being paid a salary commensurate with the work they are doing. The Commissioner of Health himself is doing the work of two men; in fact, all our medical men to-day are overworked. When the finances of the State improve the salaries will require to be considerably advanced. The municipality of Perth the other day wanted to secure the services of our chief inspector and were prepared to pay him almost twice the salary he is getting at the present time. Yet hon. members talk about highly paid officers and building up big departments. We have fewer inspectors on the staff to-day than we had in 1911; that shows we are not building up an expensive department.

Mr. Teesdale: Is it proposed to increase the department?

Hon. R. H. UNDERWOOD: No. As a matter of fact, the local inspectors will inspect these places, and the central department will collect the money for the inspections. If the local authorities have not enough funds with which to carry on they approach the Health Department for a subsidy, so that it works out about the same. In regard to putting taxes on the shoulders of the people, what people are we proposing to tax? The registration of the public halls will not amount to ten pounds a year. Because there may be at Northam a hall required to pay 5s. or 10s. a year, hon. members say the tax must not be collected, for it will not go to the local authority. As to the proposed amendment, the hon. member might just as well vote against the whole clause, because if he succeeds in striking out the two subclauses the remainder of the clause will be of no use.

Hon. J. MITCHELL: The work being done by the local authority is to be taken over by the central authority, or, worse still, the work is to be duplicated. The local authority may inspect a hall and order something to be done, and on top of that the central authority may order something else to be done. This duplication seems to me unwise. The power of the local authority should be increased rather than decreased. If the Minister says this is a tax on amusements, I say it is altogether a ridiculous tax.

Hon. H. R. Underwood: It is for the work of inspecting halls and seeing that they are kept in order.

Hon. J. MITCHELL: The local authority should be in every way protected and encouraged, and should have full responsibility for the management of affairs within their boundary. If a hall not ordinarily used for public entertainments is required for a dance, it will be necessary to send to Perth for registration of that hall, or if a billiard room at Doodlakine is to be used for a patriotic concert, the apartment must first be registered.

Hon. T. WALKER: Several towns in my electorate have small halls, not public halls in the strict sense of the word, but used occasionally for dances or little concerts or card parties or for the welcoming of visitors. All of those halls pay rates to and are controlled by the local authority, and to tax those halls from Perth would be altogether unjust.

The Minister for Works: Is it intended to tax them from Perth?

Hon. T. WALKER: Yes, certainly, for they do not come under the exemptions suggested by the Minister. Mere meeting rooms at Grass Patch and Scaddan will be brought under the heading of "places of entertainment" and required to pay tax to the central authority. However small the tax, it would be resented as an unjust imposition. We should encourage the utilisation of halls of this kind free. In the past succeeding Governments have repeatedly subsidised the erection and maintenance of such halls. It is unjust to classify such places with the gilded halls of entertainment in Perth and tax them accordingly. We should encourage the task of the local authority in helping to render content those living

in small communities far from the big centres of population. This does seem like an effort on the part of zealous civil servants to extend their sphere of authority, and in this respect they should be curbed by the representatives of outlying districts in this Chamber. There will be times when an over-riding authority will be given to Perth. The clause has very little to commend it in the way of practical value, and at all events has insufficient to warrant us in passing it. It can only be an irritant and will be of no benefit.

The MINISTER FOR WORKS: We have picture shows in Perth which are running for something like 12 hours a day continuously. The buildings are pretty well crowded, and, as we know, any building that is occupied for any length of time in this way is bound to become unhealthy. If we can by this proposed amendment to the Act provide that these places shall be thoroughly ventilated and cleansed two or three times in a day we shall be doing a great deal of good for the community. Country halls are to be exempted under the proposal of which the Honorary Minister has given notice, and the only halls not exempted will be those owned by private individuals. Something should be done to ensure that these buildings are properly ventilated, have proper means for ingress and egress, and have other facilities which a building should have that is used by the public. The clause is more likely to be applied in the metropolitan area. I do not think it will be a burden in the metropolitan area, and certainly will not be a burden in the country districts. The whole matter is in the hands of hon. members.

Mr. MALEY: Every point mentioned by the Minister for Works can be met by a by-law or by some provision by a local authority. I agree that this will bring about a duplication of inspectorial control, of which we already have too much in the community. If this proposal will have the effect of bringing into existence another class of inspectors, I shall certainly vote against it.

Mr. TEESDALE: The Honorary Minister has assured us that there will be no duplication of inspectors, that the legislation will be administered in the main by local authorities, and that the fees will be very small. If I thought that this would press unduly harshly upon small country halls, I would vote against it, but we have been told that the contrary will be the case. It might happen that some local magnate owned the hall in the district, and that the local authority would not care to press him to make alterations that were considered necessary, from the point of view of public convenience or health. The local people could then make representations to the central authority, who would cause an inspection to be made and, if necessary, the alterations asked for carried out. We do want to get money in connection with the large halls in the cities which are raking in the cash of the people, and it is impossible to legislate against the larger halls without applying the legislation throughout the State. I do not think this provision will hurt the small country halls.

Hon. W. C. ANGWIN: In reply to the last speaker's contention as to the local magnate, it is only necessary to point out that Section 140 of the principal Act gives the Commissioner of Public Health full authority to regulate the lighting, ventilation, drainage, sanitary conveniences, and so forth, of all buildings used for public entertainments, and empowers him to require the owners or trustees of such buildings to obey his instructions regarding such matters. Failing compliance with the Commissioner's instructions within 14 days of their receipt, the building may be closed until his requirements have been met.

Mr. Teesdale: But who is to report the case?

Hon. W. C. ANGWIN: The local inspector of health.

Mr. Teesdale: He dare not.

Hon. W. C. ANGWIN: Certainly. Under the existing Act the local authorities cannot dismiss an inspector, or even reduce his salary, without the Commissioner's sanction. There is no need for this clause. The large halls, to which the Minister for Works referred, are paying large health rates for this very work. Small halls pay small health rates The fee of £10 per annum would not represent much of a tax for large halls, which ought to be reached by a State amusements tax.

Mr. Teesdale: The local inspectors are generally medical men, and they will not do their duty.

Hon. W. C. ANGWIN: That is all moonshine. The local inspectors have the full protection of the Commissioner.

Mr. TROY: I protest against the Minister's insinuation that a member who makes a remark regarding a department is attacking the departmental officers. No personal reflection or reference is intended when departments are criticised. The Minister now in office may use his influence against increased expenditure, but the tendency of every department is to extend its operations and its powers whenever opportunity offers. This clause merely represents a duplication of authority, which will cause friction and trouble. The work is now being done, and well done, by the local authorities. Apparently, the desire underlying this new clause is to obtain additional taxation by insidious means—a course against which I protest. The clause in effect means that the local authorities are to do the work while the central authority is to receive the fee. I hope my amendment will be carried.

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

Ayes	24
Noes	11
Majority for	13

AYES.

Mr. Angwin	Mr Jones
Mr. Broun	Mr. Lambert
Mr. Chesson	Mr. Lutey
Mr. Davies	Mr. Maley
Mr. Foley	Mr. Mitchell
Mr. Griffiths	Mr. Munsie
Mr. Hickmott	Mr. Nairn
Mr. Johnston	Mr. Pickering

Mr. Plesse	Mr. Walker
Mr. Pilkington	Mr. Willcock
Mr. Rocke	Mr. Green
Mr. Thomson	*(Teller.)*
Mr. Troy	

NOES.

Mr. Angelo	Mr. Hudson
Mr. Brown	Mr. R. T. Robinson
Mr. Draper	Mr. Teesdale
Mr. Durack	Mr. Underwood
Mr. Gardiner	Mr. Hardwick
Mr. George	*(Teller.)*

Amendment thus passed. Clause as amended put and negatived.

New clause (printed in italics in the Bill and numbered as Clause 21).—Amendment of Section 143:

Hon. R. H. UNDERWOOD: I have no intention of moving this clause.

New clause (printed in italics in the Bill and numbered as Clause 51).—Amendment of Section 257:

Hon. R. H. UNDERWOOD: I move—

"That the following be added to stand as Clause 51:—'Section two hundred and fifty-seven of the principal Act is hereby amended as follows:—(1.) By the insertion in the first line of subsection (2), between the words "registered" and "shall" of the words "or registered under any other provision of this Act." (2.) By the deletion of the words "to have her name erased from the register" in subsection (2), and the substitution of the words following:—"to a penalty not exceeding one pound, and on failure to apply for re-registration in each of two consecutive years, to have her name erased from the register." (3.) By the deletion of subsection (3), and the insertion of the following subsection:—(3.) A fee of five shillings shall be payable for re-registration, and such fee shall be recoverable summarily before any justice of the peace. (4.) By the insertion of the following subsection:—(5.) The fact that any woman has been registered and had her name erased under this section shall not preclude her from making a fresh application for registration, and if the qualification on which she relies is such that her original application based thereon had to be made within a limited time, then the time within which the fresh application must be made shall be the like period of time calculated from the date of the erasure of her name from the register.'"

This clause deals with the registration of midwives. Section 257 of the principal Act provides for the annual registration of midwives, but inadvertently it was made to apply only to women registered under Section 255. Only two nurses have been registered under that section, while 1,100 have been registered under Sections 255 and 261. It is required to have an annual registration, as we want to know where these nurses are. The register is undoubtedly overloaded, many nurses having left the State and some having died. The object of the amendment is solely to purge the register. It is provided that the names shall be deleted on failure to register after two consecutive years. But it is possible to re-register.

Hon. W. C. ANGWIN: Is there a similar provision in connection with other professions? I do not think so. Once a person is registered the name of that person remains on the register. I admit that it will be possible for people to again register, but the clause provides that a penalty shall be paid for that re-registration. Then, again, the clause provides that a fee of 5s. shall be payable for re-registration. I object to that.

Hon. R. H. Underwood: You can strike that out.

Hon. W. C. ANGWIN: I move an amendment—

"That proposed Subsection (3) be struck out."

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

New clause—Amendment of Section 143:

Hon. W. C. ANGWIN: I move—

"That the following new clause be added to the Bill to stand as Clause 21:—'Section 143 of the principal Act is amended by the deletion of the words 'five pounds' and the substitution of the words 'ten pounds' therefor.'"

This was Clause 21, which the Minister a few minutes ago refused to move. It deals with the fees payable for the examination of plans of buildings, and I agree that £5 is not sufficient.

Hon. R. H. UNDERWOOD: I intend to oppose the clause. We have heard a good deal about the imposition of taxation; the local authorities also have to be paid for the inspection of plans, and the amount provided for in the existing Act is sufficient.

New clause put and negatived.

New clause—Certificate of freedom from disease to be produced before marriage:

Mr. ANGELO: I move—

"That the following be added to stand as Clause 48:—48. 'The following section is inserted in the principal Act after Section 242k:—242kk. No person authorised to celebrate marriages shall celebrate a marriage unless the male party thereto shall have produced to such person a certificate signed by a medical practitioner to the effect that he has, within two weeks next preceding the date of the intended marriage, examined the male party thereto, and found him to be free from venereal disease.'"

It has been said on several occasions during the debate on this Bill that the measure is aimed at women. I claim that this clause is not aimed at women, but is aimed at protecting women in every possible way.

Hon. W. C. Angwin: If I support you they will vote against it.

Mr. ANGELO: I have been taken to task by several members with whom I have discussed the matter for not including women. Those hon. members held that women should also be obliged to get a certificate before entering into the matrimonial stage.

Mr. Green: You think they are like Caesar's wife, above suspicion.

Mr. ANGELO: I sincerely hope that is the opinion of hon. members of every woman. I only made this clause refer to men because we

all must realise that from the male party to any such contract must come the greater danger. I have been told by some members that it is a mistake to try and put women on a higher level. I do not consider they are on the same level as men. Men have greater strength and possibly greater mental ability, but when it comes to purity and virtue, I do not consider that any man can think that a woman is not far above him. That does not apply to women alone. We find there is the same difference between the male and female sexes right through the animal kingdom. It is the male of every animal that does the protecting and the bulk of the work, and it is also the male that does the chasing after the females. The times are increasingly abnormal. I have no wish to reflect on our heroes who have gone to fight for us, but human nature is the same the world over, and we know that those heroes are coming back to us from places recognised as hotbeds of disease. Even in England, we are told, 10 per cent. of the population is infected with venereal disease.

Mr. Nairn: What authority have you for saying that?

Mr. Pilkington: The report of the Royal Commission published in March, 1916.

Mr. ANGELO: The contracting of the disease is not limited to sexual intercourse. Many of our men coming back from the battlefields of Europe may have quite innocently contracted the disease, and once contracted, it sometimes lies dormant until after the marriage ceremony. I know of several fathers who have objected to the marriage of their daughters without such certificate as the proposed new clause provides for. The provision is not new. In the State of New Jersey there is legislation providing that any infected person entering matrimony is guilty of a misdemeanour. In New York the law makes it the duty of the town clerk, before issuing a marriage license, to secure statements from both parties declaring that they are free from venereal disease. Those two pieces of legislation are strictly in keeping with our own law, which prescribes that no person shall knowingly infect another person with venereal disease. The American legislation, like our own, imposes punishment for the offence; what I want is preventive legislation. In the State of Oregon in 1913 legislation was passed prescribing that before a marriage license can issue the applicant therefor shall file a certificate from a medical practitioner declaring that the male seeking to enter the marriage relationship is free from venereal disease.

Mr. Green: Is it restricted to males in Oregon?

Mr. ANGELO: Yes, and they have a precisely similar law in Wisconsin, but in New Jersey and in New York the law requires certificates in regard to both parties. It is by no means unjust to ask the male party to a marriage to produce a certificate of cleanliness. Every breeder of stock knows how essential is such a condition even among animals of any value. Many employing institutions, such as banks, require a similar certificate in respect to their employees, while insurance companies, as we know, refuse to do business without a certificate of cleanliness in respect of their proponents. If a test of this description is necessary in regard to a paltry business proposition, is it not far more necessary in the case of a marriage involving the health and happiness not only of the person infected but of his wife and children until the third or fourth generation? The proposed new clause does not require any recommendation from me.

Mr. Foley: How would you apply the test on, say, the North-West coast?

Mr. ANGELO: I am not asking for the blood test. I am asking merely for a certificate from a medical practitioner so as to minimise the danger to our girls. The test demanded by the insurance companies would do, at all events for the present.

The Minister for Works: You want a clean bill of health in regard to consumption also.

Mr. ANGELO: I would like to include it here if I thought the Committee would pass it. For the moment I am out against venereal disease. Some members say that the proposed new clause is not sufficiently far-reaching. In reply to that, I say that if only one girl is saved from marrying an infected man, the clause will be justified. If a man cannot get a clean bill of health at the time fixed for the wedding, it is no great hardship to ask the young couple to wait until he can secure it. I appeal to those members who have daughters of their own to give this matter the most serious consideration.

The CHAIRMAN: In what way does the hon. member desire to alter his amendment.

Mr. ANGELO: I desire to insert after the words "to be," in the last line, the words "in the opinion of such medical practitioner."

Mr. DURACK: I look upon this amendment as a reflection on the community. Surely every honourable man, who is about to enter into the state of matrimony, would satisfy himself that he was in a sound state of health. I do not like the distinction regarding one sex only, drawn by the member for Gascoyne, because it is just as necessary that both parties to a marriage contract should have a clean bill of health. Further, I do not admit that there are not medical men in the State who are not prepared to give a certificate to a man, who has the disease in his system, for a certain sum of money. Any person securing a certificate under these conditions could also claim protection against the clause, which deals with anyone having knowledge of the fact that he has the disease. I oppose the amendment.

Mr. BROWN: I intend to move an amendment, providing "that no person authorised to celebrate marriages shall celebrate a marriage unless each party to such marriage shall produce to such person a certificate signed by a medical practitioner to the effect that he or she, as the case may be, has been examined by him two weeks immediately preceding such intended marriage, and has been found to be free from venereal disease."

The CHAIRMAN: The amendment of the member for Gascoyne would first have to be either withdrawn or defeated before the amendment of the member for Subiaco could be put.

Mr. PICKERING: I can see no objection to any man undergoing such an examination, as is indicated in the amendment moved by the member for Gascoyne. If the Government are consistent in their desire to eradicate this disease they will support this proposal. In my opinion the amendment suggested by the member for Subiaco would inflict hardship upon innocent women.

The MINISTER FOR WORKS: I rejoice that it is possible for a matter of this kind to be seriously considered by the Committee. I could quote many instances concerning the terrible results which have followed from marriages when this disease has existed at the time. I shall support the amendment moved by the member for Gascoyne.

Mr. ROCKE: I too support the amendment. I feel that any woman who enters into marriage is entitled to every protection that we can afford her, regarding the health of the man she is about to marry.

Hon. W. C. ANGWIN: I must oppose the amendment on the ground that there is already sufficient provision in the Bill, as we have dealt with it, to meet this case. It is provided in the measure that not only shall a medical practitioner notify the patient himself, but shall also notify the Commissioner, who in turn shall inform the person who, he has reasonable grounds to believe, is the other party to the proposed marriage, that the patient is suffering from such disease. If either party is suffering from this disease, and will not abstain from marriage, then the Commissioner can put other clauses into operation dealing with the question.

Mr. Johnston: But the Commissioner may know nothing about it.

Hon. W. C. ANGWIN: When a man or a woman, more especially the former, consults a medical practitioner, he or she generally tells him of a contemplated marriage; and in cases of venereal disease the medical practitioner would notify the Commissioner. If we make these provisions too stringent, the result may be that men and women will live together without getting married. Let us give the clause already passed a trial first.

Mr. BROWN: Being unable to move the amendment I had in view, I shall support that of the member for Gascoyne. The member for North-East Fremantle argued that the Commissioner and the medical practitioners can do certain things under the clauses which we have passed; but we know that venereal disease is often treated by quacks, or merely doctored with home remedies. In this State hundreds of cases are never seen by medical men until the very last stage has been reached. Thirty or forty millions of men have been mobilised during this war, and they have not lived a life of celibacy, the consequence being that great numbers of them have contracted venereal disease. To a certain extent this applies in the case of our own soldiers. Moreover, in the near future we expect large immigration from allied countries. This new clause would, therefore, be the means of preventing many undesirable marriages. A venereally diseased man whose cure is doubtful has no right to contract marriage with a clean woman. Venereally diseased parents can bring into the world only feeble children; not healthy children, such as would raise the vitality of the British race. I believe that legislation of this character will be adopted in many countries after the war. People would soon become as well accustomed to medical examination preceding marriage as they are now to medical examination preceding life assurance.

Mr. LUTEY: I had intended to move an amendment to the effect that no person authorised to celebrate marriages should celebrate any marriage unless both parties to it produced to him certificates that within the three months next preceding the date of marriage they had been medically examined and found free from contagious disease.

Hon. W. C. ANGWIN: The purpose of that amendment could be achieved by striking out of the motion "male party" and inserting in lieu "parties."

Mr. LUTEY: I move an amendment—

> "That in lines 3 and 4 of the proposed new clause 'male party' be struck out, with a view to the insertion of other words."

The member for Gascoyne is to be congratulated on having brought this matter before Parliament. It is one which should not be dealt with prudishly. For years I have held that there should be medical examination before marriage. That system obtains in Switzerland, where the examination is taken as a matter of course, occasioning no remark.

Hon. R. H. UNDERWOOD: I have given considerable thought to this matter. Many reasons could be advanced why the new clause should be carried, but I see considerable difficulty in its administration. Hon. members must bear in mind that Western Australia is a very large State, representing about a third of the total area of the 48 States of the American Union. We have very few laboratories in which blood tests can be made. On the North-West coast there is not a single one of these laboratories, and consequently the north-western medical practitioner would have to send the slides to Perth for examination and report. Before a returned soldier is discharged the Military Department renders him non-contagious of the disease. Soldiers are continually inspected in regard to this disease, and if found suffering are put away and not allowed out until they are non-contagious. But there are those who have been reckless after they have been discharged from the military. We have passed a clause that a medical practitioner, if he knows that a man intends marriage and is suffering from venereal disease, may inform the other party or the parent or guardian of the other party. I do not count that of much value, because there are many persons who are careless and will not assist in any treatment. But, of those who are under treatment not one in 10,000 would get married while under such treatment. As to the suggestion of the member for Brownhill-Ivanhoe there is a good deal to be said about it, particularly in regard to tubercular disease, and it would be an advantage to the general community if people suffering from tubercular disease were not

allowed to marry. But in a large undeveloped State, it is difficult to administer such a law. We have not the means of dealing with tubercular disease all over the State. If it were possible of accomplishment, I would shut up all tubercular people in a place for treatment as soon as it was known they were suffering from the disease, and they should remain there and not be allowed to follow any employment. But that cannot be done now. We are in the same position as to venereal disease, with this exception: I hold the belief that with good administration with the Bill we have now we can eventually eradicate the disease from our midst, and having eradicated it this proposal would not be necessary.

Mr. TROY: The objection taken to this new clause could be taken to the whole Bill. During the discussion we have heard a great deal of what happened to a child born as the result of one of the parents suffering from syphilis. Why not include in the Bill every provision which can eradicate and provide a safeguard for the community? I welcome the clause because it is absolutely necessary. The member for North-East Fremantle said that it was not possible to think that a man who was being treated for this disease would marry, but instances have occurred. Men, knowing they were suffering from syphilis, have married, and the wife has contracted the disease immediately. There are dozens of cases immediately. There are dozens of cases known. The late Dr. Haynes, when giving evidence before a select committee of this House on one occasion, said that a large number of the complaints which women suffer from and children inherit are the result of syphilis on the part of one parent or the other. I am satisfied that we ought to have all the safeguards necessary if the Bill is to be worth while at all.

Mr. Teesdale: Then we should have to put the women in the new clause, too.

Mr. TROY: Women cannot be mentioned in the same way as men in connection with this disease. The majority of women are pure. I have known men who have boasted about the disease, and I have heard it said that a man is not a man until he has contracted this disease. If I thought there was the same necessity in the case of women as with men I would insist on the same provision applying. There is also this reason: if we had female doctors throughout the State it might be different, because there are thousands of women who shrink from allowing a doctor to examine them, but very few men do. Does anyone think that a man who intends to contract marriage and has venereal disease is going to tell anybody? He would not allow the doctor or the clergyman to know, and he can find opportunities of getting married without the doctor knowing. He can leave one town and go away 600 miles to another town in this State. It has been urged that this provision might make people take the law into their own hands and live together. But they can do that without this clause. No one expects the clause will meet every case. No law ever will, but the clause will go a long way towards insisting that wherever marriage takes place there shall be a certificate that the man is clean. It goes a long way in the direction necessary, therefore I shall give it my hearty support. I do not see why we should stress the point in regard to returned soldiers; there is no reason why soldiers should be specially mentioned in this connection. The law will apply to everybody. Take miners' disease, very few of the children of a miner inherit consumption, but venereal disease is hereditary, and as this scourge is the cause of 90 per cent. of the diseases with which mankind is affected, then the man should have a clean bill before being married.

Mr. TEESDALE: I intend to oppose the amendment because I consider it is one-sided and totally unwarranted. It is well known that in order to obtain clear evidence of the presence of syphilis, it is necessary to obtain a blood stain. How would the hon. member propose to deal with cases remote from civilisation? There are plenty of places in Western Australia where there are no doctors. How is it proposed to obtain the necessary proof? It is a very searching examination and it would require a considerable time, to that in remote parts of the State it would be practically unworkable. I intend to support the amendment of the member for Brownhill-Ivanhoe because it embraces a bigger scope and at the same time applies to both sexes.

Mr. THOMSON: I do not intend to support either the new clause or the amendment, although I prefer that of the member for Brownhill-Ivanhoe. Reading the evidence of a leading doctor given before the select committee, it would appear just as essential that the female should present herself for examination. This doctor, in the course of his evidence, said—

> I had a painful case the other day where a woman came to me with an obscure trouble. She had a sore throat but ultimately I traced it to syphilis. I got a blood specimen, and that confirmed it. Then I had the unpleasant task of informing the husband after having told the woman that she would have to undergo treatment. The question then arose as to how long she had been suffering. She had had it for six or nine months and had been married for two months. You see, therefore, it is impossible to avoid individual hardship.

The point I wish to emphasise is that if we carry either the new clause or the amendment, there is nothing in the world to prevent any couple from going to the Eastern States and getting married there. Until this matter becomes a Federal one, it is useless to pass legislation of this description. Prior to the last amendment of the Marriage Act, it was illegal for a man to marry his deceased brother's wife, but we had this anomaly that if they went to New Zealand and married there, they could return to this State. The same thing will happen in connection with this Bill. The Committee would be wise in turning down both the new clause and the amendment.

Mr. PICKERING: The hon. member who has just spoken has lost sight of the fact that the contracting parties, if they went to the Eastern States to get married, would know

that either one was unable to get a clean certificate of health, and if they chose to marry, they did so knowing the responsibility which they were undertaking. There is the difficulty in country towns of a woman being obliged to present herself for examination to a medical man in whom she may have no confidence. There are many medical men in country districts before whom women would hesitate to present themselves. We have a high opinion of the medical profession but there are exceptions. I intend to oppose the new clause, because the facilities which exist in cities do not appertain in the country.

Mr GRIFFITHS: The members for Gascoyne and Brownhill-Ivanhoe are to be congratulated on having brought forward this matter. Mention has been made of the fact that there would be no facilities in the North-West for securing the blood test, but I would point out that there would not be any facilities of any description to permit of any other part of the Bill being carried out in the North-West.

Mr. NAIRN: I intend to oppose the new clause for the sufficient reason that so far as I can gather we are discussing a subject about which we know very little indeed. It is highly technical and demands consideration by an expert. At various times and in various places this question has brought about the appointment of committees, conferences and congresses, and it has claimed the attention of men amongst whom have been the leading surgeons of the world. In no instance have I been able to find where such a recommendation such as that proposed by the member for Gascoyne has ever been proposed. I have in my possession a pamphlet issued by the Commonwealth and it contains certain information of a valuable nature showing the extent to which the community is affected by this terrible disease. Even in that pamphlet there is no suggestion such as that which we are discussing at the present time. We have heard a good deal about the enormous number of individuals who are suffering from this disease, and it seems to be a generally accepted thing that 10 or 15 per cent. of the community are infected. I do not believe that. The report of the British Royal Commission on venereal diseases (1916) arrived at conclusions, one of which was—

> While we have been unable to arrive at any positive figures, the evidence we have received leads us to the conclusion that the number of persons who have been infected with syphilis, acquired or congenital, cannot fall below 10 per cent. of the whole population in the large cities.

There is the real question which requires the knowledge of an expert and no other man's knowledge is of much importance. What proportion is suffering from acquired syphilis, and what proportion from congenital syphilis? The only way of enforcing the amendment would be by a blood test and to say that that could be done in a general way throughout the community would be absurd. Without making a comparison between the relative virtue of men and women, I would point out the conclusion arrived at by the same Royal Commission—

> Dr. Fildes examined the blood of 1,002 adult patients at the London hospital who presented themselves for reasons wholly unconnected with syphilis. Positive reactions were obtained in 10.3 per cent. of the men and 5.1 per cent. of the women.

That proves conclusively that not only is this a danger and a positive danger with men, but also with women though not to the same extent, and if we propose to take action in the manner suggested by the member for Gascoyne, it is only logical that we should extend it in all directions, that is if it is to do any good. If we take action we want to do so on the recommendations of men qualified to tender us advice, otherwise we shall be doing something which is foolish. To imagine that we can do justice to such a question after an hour or two's consideration, without the assistance of one medical authority, is absurd; we shall be bound to make a grave mistake. There is a general feeling that soldiers are a danger to the community so far as the women folk are concerned, but I have found no justification for the statement. There are soldiers who are like other human beings, but there is no evidence to show that the soldier is worse morally than any other member of the community. That point should be emphasised and people should desist from making general and unsupported charges against the common morality of our soldiers. I hope the amendment will not be agreed to, at any rate until we have had better advice.

Mr. GREEN: I trust that, failing the adoption of the amendment moved by the member for Brownhill-Ivanhoe, that moved by the member for Gascoyne will be agreed to. However, I have objection to the latter amendment, because it does not face the whole question. The number of women infected is shown by statistics to be relatively small, but it is sufficient to demonstrate that we should demand a clean bill of health from the woman as well as from the man. It has been contended that Clause 43 will meet the case. Under that clause a medical practitioner, on becoming aware that an infected man intends to marry, is required to notify the Commissioner. But is it not clear that at least some men afflicted with the disease would in those circumstances be sufficiently unscrupulous to neglect to notify the medical practitioner of their condition, with the result that he could not notify the Commissioner? In such a case the provisions of Clause 43 would be entirely inoperative. The member for Gascoyne forgot to mention that in the majority of the States of the American Union which legislate for this disease, both parties to a proposed marriage contract have to submit to examination.

Mr. Angelo: I quoted four States, two providing for examinations of men only, and two for both sexes.

Mr. GREEN: I can add the State of Michigan, which provides for the examination of both sexes. I trust the hon. member will be consistent and make similar provision in his proposed new clause. The member for Swan does not believe that the existing state of affairs is as bad as it is said to be; and in the next breath he declares that if the proposed new clause is carried there will be an

insurrection in the community. If the trouble is not really bad, I do not see who is going to foment the insurrection. In regard to the soldiers, it was definitely stated in the evidence before the select committee appointed by another place that the number of cases contracted abroad is very few.

Hon. T. WALKER: The amendment moved by the member for Brownhill-Ivanhoe is impracticable. The value of an examination before marriage is to test the fitness of both parties for the procreation of their kind. Individually there would be but very little value in such a test if the disease were strictly confined to the parties to the marriage. If that was so the community would suffer no great loss. The real value of the examination is in the protection of the coming race. If it does not accomplish that purpose, it is an intrusion. No expert on this subject is prepared to declare that a casual medical examination is sufficient guarantee against the danger of venereal infection. What is required is a microscopic examination, the blood test, and outside of the metropolis, with perhaps one or two exceptions, there is not the machinery for such an examination. There must be but very few men or women who would contract marriage knowing that they were suffering from the contagious character of venereal disease. Both in gonorrhœa and syphilis it is quite possible for a medical practitioner to give a certificate of cleanliness when the disease, capable of transmission, is actually present in the patient. Authorities agree that in syphilis the disease may remain hidden in respect of external symptoms. It may be in the blood or in the constitution, but it does not bear an outward mark until it reaches some other phase of activity. The disease being latent in the blood, the contracting parties might be given a clean bill of health, although the danger to the offspring is there. The value of the amendment depends entirely upon the assurance it gives. To have that assurance, we require the microscopic examination and the blood test, which for lack of facilities the ordinary medical practitioner cannot carry out. That being so, we are running a great risk of improperly granting certificates of health, which would be more dangerous than the present condition of no certificates. It is known that for a time the disease may be latent. If it is desired to protect generations to come, then it is more particularly necessary that women should be examined before marriage. Although no outward signs of the disease may be visible, it may be there in latent form and make its appearance in the child, and cause it to be born either blind or deaf, deformed or degenerate, or to be a weakling from birth. To leave the question of examination for man alone is to proclaim that this is where the danger lies. Although I think the growth of the disease is grossly exaggerated, I cannot shut my eyes to the fact that there are women afflicted with this disease, who are innocent victims, but who owe its presence to uncleanliness in some quarters. To say that women shall be deemed to have a clean bill of health without examination is not to protect the coming race, and is not to look to the future. I propose to vote against both propositions.

Mr. MONEY: I consider that both proposals have been prepared too hastily an that they have been framed without sufficient consideration for those most interested. It is not possible to administer either of these provisions in a way that would make them effective. The proposal of the member for Gascoyne looks very well on paper, but I regard it as impracticable in a State like Western Australia. I counsel delay before putting any such provisions as these into effect at the present juncture.

Mr. LUTEY: I take it that the mothers-to-be will realise that it is in their own interests that they should, before marriage, find out in what state of health they are. My proposal is not only for examination for this disease, but other diseases, such as consumption. Although it is suggested that it is impossible to get a blood test from the people in the back blocks, I question whether such tests could not be made by sending the samples to Perth for analysis. After the first feeling of repugnance is over, I do think that people would be only too pleased to submit themselves to examination in order that they may have a guarantee that their children will be born healthy.

Amendment (Mr. Lutey's) put and a division taken with the following result:—

Ayes	.. ..	10
Noes	.. ..	26
Majority against	..	16

AYES.

Mr. Broun	Mr. Lutey
Mr. Chesson	Mr. Munsie
Mr. Foley	Mr. Teesdale
Mr. George	Mr. Green
Mr. Griffiths	(*Teller.*)
Mr. Hickmott	

NOES.

Mr. Angelo	Mr. Nairn
Mr. Angwin	Mr. Pilkington
Mr. Brown	Mr. H. Robinson
Mr. Draper	Mr. R. T. Robinson
Mr. Durack	Mr. Rocke
Mr. Gardiner	Mr. Thomson
Mr. Harrison	Mr. Troy
Mr. Hudson	Mr. Underwood
Mr. Johnston	Mr. Walker
Mr. Jones	Mr. Willcock
Mr. Lambert	Mr. Willmott
Mr. Maley	Mr. Hardwick
Mr. Mitchell	(*Teller.*)
Mr. Money	

Amendment thus negatived.

Mr. LUTEY: I move a further amendment—

> "That, in the last line of the proposed new clause, 'venereal' be struck out with a view to the insertion of other words."

I intend to move, if this is carried, that the word "contagious" be inserted in lieu. I consider it just as necessary that a man should be examined for tuberculosis as for venereal disease.

Hon. W. C. Angwin: Tuberculosis is infectious, not contagious.

Mr. LUTEY: Then I would insert "infectious" also.

Mr. MONEY: Section 242k of the Health Act deals only with venereal disease. Therefore I raise the point of order that this proposed amendment goes outside the section to be amended.

The CHAIRMAN: I rule that if the amendment were admitted the new clause would be irrelevant to the subject matter of the Bill under Standing Order 391, as the Bill deals with venereal and not contagious diseases.

Hon. T. WALKER: This Bill deals with public health all through and it deals with contagious and infectious diseases and other matters affecting health. Therefore the amendment of the hon. member for Brownhill-Ivanhoe is in order. The forms of the House must be observed and I shall have to dissent from your ruling.

Mr. TROY: I have felt for some time that the whole clause ought to have been moved as an amendment to the Marriage Act. I think we should put the clause as it is.

The CHAIRMAN: I will withdraw my ruling and then will put the amendment to the Committee. The question is that in the last line of the proposed new clause the word "venereal" be struck out.

Amendment put and negatived.

New clause put and a division taken with the following result:—

Ayes	12
Noes	25
Majority against	13

AYES.

Mr. Angelo	Mr. Lutey
Mr. Brown	Mr. Pickering
Mr. George	Mr. Rocke
Mr. Green	Mr. Troy
Mr. Griffiths	Mr. Hardwick
Mr. Johnston	(*Teller.*)
Mr. Jones	

NOES.

Mr. Angwin	Mr. Money
Mr. Broun	Mr. Nairn
Mr. Chesson	Mr. Pilkington
Mr. Draper	Mr. H. Robinson
Mr. Durack	Mr. R. T. Robinson
Mr. Foley	Mr. Teesdale
Mr. Gardiner	Mr. Thomson
Mr. Harrison	Mr. Underwood
Mr. Hickmott	Mr. Walker
Mr. Hudson	Mr. Willcock
Mr. Lambert	Mr. Willmott
Mr. Maley	Mr. Munsie
Mr. Mitchell	(*Teller.*)

New clause thus negatived.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with amendments, and the report adopted.

House adjourned at 11.20 p.m.

Legislative Assembly,

Wednesday, 17th April, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

BILL — GENERAL LOAN AND INSCRIBED STOCK ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Colonial Treasurer in charge of the Bill.

Clause 3—After "Act," in line 2, insert "for the redemption of any loans raised prior to the commencement of this Act."

The COLONIAL TREASURER: The object of the amendment is to prevent the Government negotiating any future loans except through Treasury bills or under the Treasury Bonds Deficiency Act. Members of another place say in effect they can trust the Government to borrow by Treasury bills on a five years' currency without any limit on the interest, they can trust the Government to operate under the Treasury Bonds Deficiency Act at six per cent. with 30 years' currency, but they cannot trust the Government to issue debentures with a maximum of 6½ per cent. interest for any new obligations, although, for the redemption of existing loans they can trust the Government to use the Act to its limit. In my estimation, if there is no trust in the Government, the latter is a far more dangerous power to give them than the power to use the Act in its application to new loans, which must be limited. At present it is the lender and not the borrower who can say which of the three securities he wants. As a State security, there is no more value in a debenture or in inscribed stock than in a Treasury bill, but there may be a difference in their negotiability to the lender on account of their domicile. These debentures have practically no domicile, whereas Treasury bills are domiciled in Australia, and so, too, any issue under the Treasury Bonds Deficiency Act. At present the only issue of this stock for new loans would be to the Commonwealth, who are doing all the borrowing for the States, except what may be raised by internal loans. For this year the sum which this State may borrow is restricted to £700,000. The Commonwealth, in all probability, have to borrow in London, and consequently they may have to give their debentures, negotiable in London, in payment of any loans raised for the States. As the States are insisting that they shall have those loans on exactly the same basis as that upon which the Commonwealth raise money for the State, the Commonwealth may say, "We have raised this loan in London for you at a certain rate of interest. We have to give our debentures, and