

[The Speaker resumed the Chair.]

Progress reported.

BILL—WEIGHTS AND MEASURES.

Returned from the Legislative Council, with amendments.

House adjourned at 10.55 p.m.

Legislative Council,

Tuesday, 5th October, 1915.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Audit of the accounts of the North Fremantle sale yards. 2, Department of Land Titles, annual report.

PETITION—SALE OF LIQUOR REGULATION BILL.

Hon. C. F. BAXTER presented a petition from the Metropolitan District Christian Endeavour Union asking that the Sale of Liquor Regulation Bill be passed without serious amendment.

Petition received and read.

ASSENT TO SUPPLY BILL.

Message from the Governor received and read assenting to the Supply Bill No. 2 (£650,000).

JOINT SELECT COMMITTEE, HORSE-RACING CONTROL.

Extension of Time.

Hon. H. P. COLEBATCH (East): I move—

That the time for bringing up the report of this select committee be extended to Thursday, 14th October.

The committee have completed the taking of evidence and the draft report is now under consideration. I have every reason to say that the report will be presented on the 14th October.

Question passed.

JOINT SELECT COMMITTEE, MONEY BILLS PROCEDURE.

Extension of time.

On motion by the COLONIAL SECRETARY (Hon. J. M. Drew—Central) the time for bringing up the report was extended for 14 days.

QUESTION—UNIONISTS AND ARREARS OF FEES.

Hon. A. G. JENKINS asked the Colonial Secretary: Referring to the question asked on the 22nd of September as follows:—"1, Have any instructions been issued or has any minute been forwarded by the Minister controlling the Water Supply and Sewerage Department to any workmen working under the department containing instructions that if unionists, who owed arrears of fees to their unions, did not make arrangements to pay up these arrears of fees, they would be treated as non-unionists, and be dismissed from their employment? 2, If so, the date of the instructions or minute, and the full terms of same?" Will the Colonial Secretary reply to the following: 1, Were any instructions issued or any minute forwarded by any

Minister to any officer of the Water Supply and Sewerage Department, or to any other person to inform workmen employed in that or any other Government department that if unionists did not make arrangements to pay up their arrears of fees they would be stood down from work? 2, Were any men working in the Water Supply and Sewerage Department so informed, and, if so, by whose instructions were they informed?

The COLONIAL SECRETARY replied: 1 and 2, No.

QUESTION—COLLIE COAL AND DANGER FROM SPARKS.

Hon. V. HAMERSLEY asked the Colonial Secretary: 1, Have the Government taken into consideration the danger of using Collie coal on the railways throughout the agricultural areas during the summer months? 2, What instructions are being issued?

The COLONIAL SECRETARY replied: 1, Yes. 2, Generally to burn no Collie coal on locomotives working in agricultural areas from mid-November to mid-February, with modification in dates to suit particular localities.

QUESTION—INDUSTRIES ASSISTANCE ACT AND THE MINING INDUSTRY.

Hon. R. D. McKENZIE asked the Colonial Secretary: 1, What amount has been advanced in cash or by guarantee under the Industries Assistance Act to persons engaged in the mining industry? 2, Names of persons or companies obtaining the advances and the amount granted to each? 3, Nature of security in each instance?

The COLONIAL SECRETARY replied: 1, 2, and 3, The questions involve the preparation of a return, which should be the subject of a motion. But the Government desires to point out that it is an unusual course to publish the names of persons who have received Government relief under the various Acts, unless such publication is provided for by statute.

MOTION—COMMONWEALTH CONSTITUTION REFERENDUMS.

Hon. J. F. CULLEN (South-East)
[4.40]: I move—

That, as it is now practically certain that war conditions will continue beyond the date intended for the referendums on alterations to the Commonwealth Constitution, and that a large proportion of the manhood of the Commonwealth who are fulfilling the highest patriotic duty in defence of the Empire will be disfranchised in consequence, this House is of opinion that the Government of this State should urge the Commonwealth Government to postpone the referendums.

The Commonwealth Government seem to be full of a desire to potter with the Constitution. There is an old saying that certain kind of workmen quarrel with their tools and inexperienced politicians, like children, want to see everything come their way while they wait. In our short history, for Australia has a short history in comparison to the life of nations, each State entrusted the framing of its Constitution to its picked men. These picked men have had the influence of centuries old wisdom from the Imperial Parliament to assist them. Then when the time came for Federal relations, the same rule was followed only with three-fold greater care. Wise men of all States were collected and three successive conventions were held, and the maturest deliberation was given to every line of the Constitution before it was allowed to go forth to the world. The result was such a harmonising of State security with Federal strength and authority, that Imperial statesmen and statesmen of all nations pronounced the Constitution of Australia the freest instrument of government in the world. In the working out of this Constitution all went well until inexperienced men came into office, men burning with a desire to work out theories of their own and substitute them for the wisdom of the ages. These men found that the Commonwealth Senate differed enormously from the Upper Houses of

the States, and they came to the conclusion that the best thing for Australia would be to take a short cut and make it so difficult for the States to continue their administration that unification would result. This is in plain English the attitude of the Commonwealth Government. Accordingly in 1911 they submitted under the Constitution certain proposals for the transfer of powers from the States to the Commonwealth, such a transfer as would make State Government almost impossible. The Ministers of this State were almost unanimous in their opposition to that proposal. They believed in State rights and several of them were outspoken on the question. As a matter of fact I do not think there was a single member of the Ministry of this State who supported the great Federal desire to cripple the Government of the States. I am not going to say how far the Ministry of this State have been influenced since by the considerations which determined the Federal Government, but all I know is that for some time past they have been giving tacit consent to the proposals of the Federal Government. Again the proposals were tried in 1913, and again they were defeated. For the third time, early this year, the Federal Government proposed practically the same changes. They were met with loud protestations, and not wholly from the ranks of their opponents. It was objected firstly that all the Parliaments, the Commonwealth as well as the States, are in a condition of truce with regard to strife in legislation. They have all consented to work as one man in support of the Empire while war conditions last, and this is not the time to excite strife within our own borders. This was a very strong protest, and what was the answer to it? The answer was—"There need not be strife. If the opponents of these changes will only look at them through our spectacles, they will cease from strife and the resolutions will be peacefully, if not unanimously, carried." It was further objected that the time proposed for the referendum comes when over 100,000 of

the best voters of Australia will be at death grips with the German and Turkish enemy. Is this a time to take a vote on a life and death issue here in Australia? "Oh," said Federal Ministers, "the war might be over before the time comes, and if it is not, we might be able to arrange for the ballot papers to be sent to the 100,000 men and the ballot to be taken wherever they happen to be." Can any grown-up man listen to such an answer without shame? A ballot in the trenches, where Australians have had to wear the same clothes until worn out without the possibility of a change; where many of them for 19 weeks were under fire and suffering from the greatest tension of nerve in the trenches! After hearing such an answer, one doubts whether it is of any use at all to appeal to men who could propose such a thing, and yet it is the duty of all rational and thoughtful Australians to exert every effort to prevent the strife these men are challenging. There was another objection. The Federal Government were proposing to take the referendum early in December, when all the primary producers will be in the midst of the harvest, and it will be impossible for them to give the time for such a ballot. At the same time, the Federal Government have deliberately taken away the privilege of postal voting. "Oh," said Ministers, "we shall pass a law making it compulsory for all people to vote, under the penalty of a fine, for which they have not the money to pay after last year's drought. But, we shall compel them to come to the poll." Imagine the farmers, after all the toil and struggle of the past year, being called upon in the middle of the harvest to drop their work and to drive, some of them 20, 30, and 40 miles to a poll, under a penalty of a fine. Even so, these men will have to stay away. The harvest is too vital a matter; the life of the Empire depends on the harvest. The men who are producing the crops to feed our armies are fighting in the same ranks as the men who have gone to the front, and these men even if threatened with a fine, will have to go on with their harvesting.

To this appeal, the Ministers also turned a deaf ear. What is the actual position of those farmers? Four-fifths of them are State rights men who would vote against this beginning of an attempt to establish unification, and of the men who have gone to the front there is nearly as large a proportion of State rights men. When the lists are analysed—I have analysed the lists of a number of the country districts, especially of my own district—the great majority of the men are State rights men who, if they were here, would vote against the handing over to the Federal authority of powers which are essential to the State Governments. In view of all these things, I ask this House to affirm that it is desirable that Ministers of this State should use their influence with the Federal Government to secure a postponement of the referendum until after the harvest, and, if possible, until the war is over. I am appealing to Ministers who, at the commencement of their term, were almost to a man State rights men, against these extraordinary claims of the Federal authority. I want our Ministers to wire immediately, and by letter following, to say to the Federal authority—"You cannot doubt our goodwill, but we appeal to you, for the sake of peace within the borders of Australia, for the sake of fairness to the 100,000 of our men who are at death grips with the enemy in the trenches, and in fairness to our farmers throughout the country, to postpone the referendum." I think it is a reasonable request to make to the Federal Ministers. All these grounds are valid, and they know them to be valid. Possibly I shall be answered that the Constitution requires that the referendum, having been authorised by Act of Parliament, shall be taken without undue delay. The Constitution provides that such an Act must be put into force not earlier than two months after the passing and not later than six months. But the 11th December, on which date the Federal Ministers propose to take the referendum, will be only about three months after the passing of the measure. I have not the exact date of the passing, but I know the second reading in the

House of Representatives was carried as late as September. The third reading was passed about the beginning of last month, and then the Bill went to the Senate, and in course of time was passed, so that the 11th December will be only about three months after the passing of the Act. Even if the referendum were delayed about three months longer, the harvest would be over at all events, and there would be the extra chance of our Australian heroes now at the front being back for a share in the voting, which is surely their due. But the matter is serious enough for our Ministers to ask the Federal Government, if need be, to pass a Bill to rescind the Act which could be reintroduced after the war is over. It could be done in an hour. How will Federal Ministers stand before the public if they press through this appeal to the country? They will be chargeable with having taken advantage of the absence of so many men who are against them on the issue to be submitted. They will be chargeable with having deliberately, in the face of urgent warning, taken advantage of the agriculturists of Australia who will not be in a position to vote on the 11th December. How will they stand before the fair-minded people of Australia? Surely they will have cause for shame. Have politics become such a game that men in the highest positions will do what even the Maori, when Britain first encountered him, would not stoop to do? Hon. members will recall the attack of the British on a Maori Pahi, when the British ammunition ran out, and the Maoris sent out a supply of their munitions. They said they could not fight an enemy on unequal terms. But here we have the Federal Government taking advantage of the absence of our soldiers at the front and taking advantage of the farmers, knowing in their hearts that the great majority are against the issues to be submitted. I say posterity will cry shame on such an action—this reducing of Australian politics to trickery. This is how it will be viewed as time goes on. My motion asks the Government of this State to use their influence with the Federal Government to

bring about a postponement of the referendum—not to do away with it, I do not ask that—but that it should be put off until the struggle for the liberty of humanity has been won, and peace in the world has been re-established, and when it will be fitting and proper for the people of Australia to take up any issue which might be raised. The terms of the motion, of course, will not allow of reference to the referendum issues in detail. I have studiously abstained from that. I have not asked the Government to do anything hostile to the wishes of the Federal Government with regard to the alterations to the Constitution. But my motion asks them to use their influence to get a fit and proper time selected, when all parties can stand upon an equal footing and when a wise and well-considered decision can be arrived at. I hope Ministers will take my proposal in the spirit in which it is offered. I desire to have the purity and the honour of Australian administration unsullied by what would appear to be unfair tactics on the part of men occupying the highest positions in the country.

Hon. A. J. H. SAW (Metropolitan-Suburban) [5.1]: In seconding Mr. Cullen's motion I shall occupy the time of the House for only a few minutes. When the proposal to take a referendum first came up, it was intended that a ballot should be taken in the trenches. In making such a proposal the Federal authorities showed an abundant lack of imagination. They forgot to tell us whether they intended to ask the Turks to proclaim a general armistice in Gallipoli for the purpose of the referendum, or whether it was proposed that the ballot papers should be handed at the point of the bayonet by the Turks to our soldiers. They also forgot to say whether the ballot papers should be signed with the blood of our heroes. The proposal to take a ballot in the trenches has now been dropped. Having failed in their intention to create discord in the trenches, the Federal Government propose to confine it to Australia. For them the momentous question is not how to aid the Empire in

the struggle through which it is passing, but whether the States shall hand over to the Commonwealth their right to control trade. At the beginning of the war we were all cheered and heartened by the words of Mr. Fisher, "Stand to the Old Country to the last man and to the last shilling." Our last shilling was evidently very soon spent, for within a very few months there was a request from Australia to Britain for a loan of eighteen millions. As for the last man, the Commonwealth Prime Minister is evidently prepared to throw that undertaking overboard, for within the last few days he has declared himself against conscription. I know there are many Labour members opposed to the taking of a referendum at the present time, but caucus has cracked the whip and no doubt those members will fall into line.

Hon. J. CORNELL (South) [5.4]: I do not desire to take up the time of the House unduly, but some of Mr. Cullen's remarks should, I think, be challenged. At the outset I submit that the referendum proposals are not a party question, though an effort has been made here to-day to turn them into a party question. If the amendment of our national constitution is a party question, then I can only arrive at one conclusion, that it can be construed into a party question by reason of the existence of parties within the Federal arena. The parties within the Federal arena are the only people who can say to the electors of Australia, "An amendment of your Constitution is desirable." If it be claimed that because the Labour party have fathered these proposals and have been in power and are now putting the question to the people of Australia to decide, that constitutes the referendum proposals a party question, I reply that such a contention can be maintained on no other ground. However, when the Federal Legislature passes the necessary measure to allow a referendum to be taken, the question goes out of the hands of the Federal Legislature and is placed in the hands of the people, and the people will decide it. The Constitution sets out that the people shall

decide. It must be by majorities of votes cast in a majority of the States. Therefore the people themselves are the custodians of the Australian Constitution, and if the people think that it should be amended they have a right to say that it shall be; and the submission by way of a referendum is the only means of obtaining the people's view of the question. It has been said by Mr. Cullen—and this was a statesmanlike utterance—that the members of the Federal Parliament can be classed in the category of children, that they are childish. I do not know whether Federal members have or have not entered their second childhood, but my belief is that they have not, and to describe them as childish—and I know the particular section Mr. Cullen had in view—is to cast a reflection on the manhood and womanhood of this great Commonwealth of ours. Mr. Cullen has said, further, that the Ministers of this State were almost unanimous in opposing the referendum of 1911, and to a certain extent that of 1913 also. As one who has been closely associated with the majority of the members of the present Government for many years, I say that statement is not correct. There have been no more ardent supporters of the amendment of our Constitution than many members of our State Government of to-day. I will admit that they disagreed on details; but, after all, in such a gigantic question as the amendment of the Constitution it is to the benefit of the community that there should be some disagreement. In the final analysis, however, in the final solution that is put before the people, Ministers, I contend, are all agreed. Mr. Cullen has stated that over 100,000 of our best voters will be absent when the referendum questions come to be voted on. He also said that he had examined the lists of the men at the front—a gigantic task—

Hon. J. F. Cullen: I did not say that.

Hon. J. CORNELL: I took down the words as they were uttered.

Hon. J. F. Cullen: I said, in my district.

Hon. J. CORNELL: Mr. Cullen further stated that he was positive that a majority of those men were "State-righters," and that if they were here they would vote against the Federal Government's proposals. Let the position be clearly understood. When were the present Federal Government elected? After the outbreak of the war, and when the outlook was black for the Allies. The present Federal Government were elected by the people of Australia, and one of the main planks and pledges upon which they were elected was that if they came into power they would, at the earliest possible opportunity, give the people of Australia a chance to vote on the amendment of the Constitution. The Federal Government are only carrying out that pledge. Every intelligent man who has enlisted in the Expeditionary Forces, and who took an interest in the affairs of his country, was as well aware of the pledge as I am myself. When he departed to carry the nation's destinies in his hands, he departed in full knowledge of the fact that the pledge was given at the last general election. In my opinion, the best of the men at the front would commend the Federal Government for carrying out that pledge. Mr. Cullen further is incorrect in his statement that every farmer, whether he lives 20, 30, or 50 miles from a polling booth, will be compelled to vote. A Compulsory Voting Bill has been carried through both Houses of the Federal Parliament, but while the measure was in Committee in the House of Representatives Mr. Moloney, the member for Indi—an agricultural constituency—was successful in securing an amendment to the effect that any elector resident outside a radius of five miles of a polling booth should be excluded from the operation of the compulsory clause. So much for Mr. Cullen's accuracy. If farmers resident outside the 5-mile radius refrain from voting, they will not come under the compulsory clause, but they will, in my opinion, be doing a very foolish and childish act. On Mr. Cullen's other point, that the Federal Parliament have taken advantage of the farming community by

putting the questions before the electors in December next, and that the Federal Parliament have done so with a full knowledge that the result may be to disfranchise many of the farmers—under which conditions, it is alleged, there would be more chance of the referendum proposals being carried—I wish to point out that if the hon. member, who assumes to take a deep interest in affairs of State, not only of Western Australia but of the Commonwealth, will carry his memory back he will find that not only the first but also the second Parliament of the Commonwealth were elected in the month of December. I heard no great outcry at that time about the farmers being disfranchised, nor did I hear any outcry from any other section of the community. It does not matter upon what day the vote is taken, there must be inconvenience to somebody. I claim to have a knowledge of farming and of the pastoral industry both here and in the other States, and I have yet to learn that the greater portion of the harvest and of the wool clip has not been got in before the day upon which this referendum is to be taken. When the questions come to be voted on, the farmer, in whose behalf, after all, this motion is brought forward, will say to himself that Mr. Cullen's grievance was imaginary. As regards Mr. Cullen's further proposal that this House and the Government of this State shall appeal to the Federal Parliament to postpone the date of the referendum, I will say that if in Mr. Cullen's opinion the Federal members are childish, then in my opinion this proposal of Mr. Cullen is more so. The hon. member must not forget that, after all, a resolution of this House on such an important question can be given no more prominence and will be given no more prominence by the well-informed electors of our State and of the Commonwealth than if 30 individuals met in the street and carried a similar motion. The matter is not one that concerns this Parliament. It is a question which we are expected to answer only as electors of the Commonwealth, and not as members of this House. As for the hon. member's suggestion that they be petitioned to pass

a short Bill postponing the taking of the question, I do not think he has read his Federal Constitution. He is correct when he says the Federal Constitution provides that after a proposal to amend the Constitution is agreed upon by an absolute majority of both Houses, not less than two months nor more than six months after the passing of the resolution the question shall be submitted to the electors. But he has forgotten the essential, forgotten to mention that there is no machinery in the Federal Constitution which can be inferred to mean that when the Parliament takes the course it has taken it may, by an amending Bill, further postpone the question. I have read the Federal Constitution closely, and I submit it is not possible to do this. If they do not put the question within the prescribed time the whole procedure has to be gone over again. In his opening remarks Mr. Cullen said that mature consideration was given by the ablest minds of the Commonwealth to the framing of the Federal Constitution and that it was generally accepted as being the freest in the world. As an old New South Wales parliamentarian he must be fully aware that the present Premier of New South Wales, one of the ablest men in the Commonwealth to-day, said that in his opinion the Federal Constitution was one of the most hide-bound that had ever come into existence. It is known to many members of this House that the present Premier of New South Wales opposed the Federal Constitution throughout the length and breadth of that State, and was chased out of certain towns for doing so. The chief objection he took to the Constitution was the cast iron principles laid down in it. No body of men can draw up a constitution, even if it be for the smallest organisation in existence, which can for all time provide adequately for the requirements of posterity; and although the Federal Constitution is a good one in many respects, yet men like Sir W. H. Irvine say that it is not all that is desired and that it should be amended. All that the people of Australia will be asked to do in December is to give or not give Parliament the mandate to amend the Consti-

tution as indicated on the ballot papers. I submit that the fairest and most manly thing to do is for every right-thinking man who has the future of Australia at heart to sink this jingoistic flag-waving cry that "now is not the time," and to say to every elector that the time has gone by for entering a protest about the date upon which the proposals shall be put before them, that that is agreed upon. The question the electors have to ask themselves now is, should the Constitution be amended in the direction indicated, or should it not. That is the duty which every elector of Australia has before him. I feel confident that if the questions are not obscured by false issues the elector of Australia will, on this occasion, as he has done heretofore, show himself amply qualified to deal with the great questions put before him.

On motion by the Colonial Secretary, debate adjourned.

BILL—COTTESLOE BEACH RATES VALIDATION.

Recommittal.

On motion by Hon. A. SANDERSON, Bill recommitted for the purpose of considering a new clause.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Hon. A. SANDERSON: I move—

That the following new clause be added—"Nothing herein contained shall apply to the rates of any person who has been sued for the same in a court of competent jurisdiction."

In this I am only following out the suggestion of the Minister. The Minister said that the only case taken into court had gone against the roads board, who had to pay costs, and that, if the Bill passed, the successful defendant would have to pay the rates he owed; that as a property-owner the defendant had derived benefit from the board's expenditure, so why should he be excluded from the Bill? The Minister added that the only means of excluding him would be to insert a proviso specially exempting him. The proviso I asked the Committee

to accept will meet the case. The Minister stated that £650 was involved in this measure. I venture to believe that the Minister has been misinformed. Mr. Allen, in speaking to the Bill, made passing reference to the vote taken on the Fremantle Electric Power House question, and said he thought that while straining at a gnat, we were swallowing a camel. For my part, I can say I gave my vote after the most careful consideration, and I make no doubt hon. members generally did the same. If we pass the Bill without this proposed proviso, this individual ratepayer, although he has won his case in the court, will be compelled to pay up the back rates. This we have on the assurance of the Minister. Yet, I have reason to believe that it was not the owner himself, but the tenant who was liable.

Hon. J. F. Cullen: What was the defence of that ratepayer?

Hon. A. SANDERSON: Whether it was a technically or not, that ratepayer fought the roads board and in the courts he got a verdict in his favour. If hon. members of this Committee are prepared to pass a special Act of Parliament to get back these few paltry pounds from this individual it is their affair. My criticisms have no personal bearing on the leader of the House. When a member of this Chamber has certain information placed before him of this nature, it is his business to bring it before other members. If I can get any encouragement I will divide the Committee, if necessary.

The COLONIAL SECRETARY: I can hardly conceive that the Committee will assent to the proposal of the Hon. Mr. Sanderson, which is designed to protect one ratepayer, or alleged ratepayer, in the Cottesloe Beach roads board district. This particular individual referred to refused to pay his rates. He was sued and his defence was that the rate book had not been properly signed. That was so, and a similar plea could be put forward in a great many roads board districts and some municipalities in this State. He honestly owed the rates, but through a technicality won the case. The

hon. member now asks the House to give him protection. The litigation is over and he has got his costs, and now, if this Bill is passed as it stands, the individual in question will be called upon to pay his rates, which, I ascertain from the complete list which has been furnished, amount to £21 odd.

Hon. A. SANDERSON: I ask the Committee to make a special note of the statements which have been made by the Minister, and which I maintain are inaccurate. Even if the statements are correct, the matter has been decided in a court of law, and now this Legislative Council is asked to pass an Act of Parliament to get hold of money which the Government allege should be paid.

New clause put and negatived.

Bill again reported without amendment, and the report adopted.

Read a third time and *passed*.

BILL—MINES REGULATION ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.
Clauses 1, 2, 3—agreed to.

Clause 4—Appointment of Inspector of Mines:

Hon. J. F. CULLEN: I want to know what the Government's intentions are in this regard. They have not given us the slightest inkling as to how many inspectors they are going to appoint, and as to how they are going to pay them. Do they want an absolutely blank cheque under the Bill to appoint workmen's inspectors in proportion to the pressure brought to bear upon them? Are the salaries of these inspectors to be paid by the Government, and if so on what grade are they to be paid? There should be some maximum at all events, otherwise Parliament is going to give the Government a blank cheque. One Minister has said there will not be many appointed, perhaps half a dozen, and that the remuneration will be perhaps £5 a week. Another Minister has said that the remuneration will probably be £6 a week.

We should know how many are to be appointed. Are there going to be two inspectors for every small field?

The COLONIAL SECRETARY: This is a matter which will be considered when the Bill is passed. It has not been considered up to date.

Hon. J. F. Cullen: That will be too late.

The COLONIAL SECRETARY: The intention is that these workmen's inspectors shall be paid by the Government.

Hon. J. F. Cullen: This is the first time that this has been announced.

The COLONIAL SECRETARY: It is desired that there shall be no dual control. The men will be more independent if they are appointed and paid by the Government, than they would if they had to depend for their salaries upon some other body. There will not be any inspectors appointed unless they are necessary.

Hon. J. F. CULLEN: I think the independence of the inspectors will depend on who chooses them. These men are only to be appointed, I understand, for two years, and their real masters will be those who select them. The union will select them, and will be their master. Who is to say how many inspectors will be necessary—the union. If Parliament gives the Government a blank cheque to pay as much salary as they like to as many inspectors as they like, and the determination is to rest with the union, then the union will say that it likes a lot of inspectors because the billets would be good ones. I want the Government to be candid with Parliament and say how many inspectors are to be appointed and how much they are to be paid.

Hon. J. CORNELL: There is only one way in which the Government can appoint inspectors, and pay them and prescribe their duties. It is provided for in Section 63 of the principal Act. By Section 11 of the Interpretation Act, Parliament can disagree with the regulations. I do not think it is possible to ascertain how many inspectors would be required. If the Government abuse the power the

House has the remedy, but I do not think the Government will abuse their power.

The COLONIAL SECRETARY: It is impossible at the present time to say how many workmen's inspectors will be required. It depends upon the development of the mining industry, but I can assure members that all that will be required will be appointed because the Government intend to do all we can to protect the lives of those engaged in the industry. The hon. Mr. Cullen has stated that the Government would have no control over these inspectors as they would be appointed by the unions.

Hon. J. F. Cullen: Selected.

The COLONIAL SECRETARY: These inspectors will be appointed by the Minister, but if they do not perform their duties in a proper manner the Minister can refuse to confirm the selection by the unions.

Hon. J. F. CULLEN: The real employers of the inspectors will be the unions. The Minister does not come on the scene until certain men are nominated by the unions, therefore, the unions will be the masters of the situation.

Clause put and passed.

Clause 5—agreed to.

Clause 6—Classification of inspectors:

Hon. A. G. JENKINS: There are many non-unionists working in the mines and if they choose to nominate one of their number for appointment as inspector they should certainly have a voice. This Chamber has always refused to recognise preference to unionists. I move an amendment—

That in Subclause (c) the words "be elected by duly registered unions of mine workers in accordance with the regulations" be struck out, and "in accordance with the regulations to be elected by a majority of persons bona fide employed in the mines in the several mining districts" be inserted in lieu.

Hon. J. CORNELL: The carrying of the amendment will destroy the whole purpose of the Bill. If these inspectors are to be a success at all there must be some well defined organisations to elect

them and see that they perform their functions. Mr. Jenkins has said that non-unionists should be considered, but what does the consideration amount to? In the mining industry eighty-five per cent. of the workers are members of registered unions. I do not pretend that sympathy for the non-unionists as Mr. Jenkins does. A Royal Commission well qualified to deal with this question had recommended that these check inspectors should be appointed by bona fide unions. The Chamber of Mines does not agree with this amendment because they have suggested the adoption of the procedure in force at Broken Hill where the registered unions appoint the check inspectors.

Hon. H. MILLINGTON: It is necessary to show good and valid reasons why unions should have an opportunity of appointing inspectors. The Chamber of Mines has been prepared to recognise industrial unions because when negotiations are being carried on between the workmen and the Chamber of Mines, such as any proposed alterations in the conditions of work and wages, a notice is not posted to every individual on the mine, nor is it posted in some prominent place, but the Chamber of Mines recognise the advantage of dealing with organisations and they send the proposals to the secretary of the unions. The non-unionist has not had a say in regard to the wages paid on the goldfields and he has not had a say as to the conditions under which he is working. The unionists of the Eastern Goldfields are over 2,000 strong, and when this Bill is placed on the statute-book and the Eastern Goldfields are asked to appoint check inspectors, I want to know who is going to conduct the election. Are we not going to take the 85 per cent. in the unions and appoint officials to conduct the ballot, and are we not going to use the organisation which we have and which has been considered adequate in connection with far larger questions without any protest having been made? If Mr. Jenkins can suggest any way by which the ballot can be conducted or by which the appointment can be made, better than

that which we have suggested, we will listen to the proposal.

The COLONIAL SECRETARY: During the second reading stage of the Bill Mr. Jenkins was anxious to secure some information as to the proportion of non-unionists to unionists employed in the mining industry. I promised I would obtain the information and I have secured it through the Minister for Mines from the Registrar of Friendly Societies. The Murchison Goldfields employ 80 per cent. of unionists, Kalgoorlie and Boulder have approximately 2,700 men employed, of whom 1,900 are unionists or about 70 per cent., while in Laverton, Gwalia, Menzies, Comet Vale, Mulline, Ora Banda, Coolgardie, Bonnie Vale, Marvel Loch, Westonia, Norseman, Kanowna, and Boorara there are 2,000 unionists employed although the exact number of miners in these districts is not easily obtainable. It is safe to assume, however, that the great number of them are unionists. In any case, there is no point in the contention that unionists should not have an exclusive voice in the appointment of workmen's inspectors simply because there are a number of men who do not belong to unions. These unions are comprised of recognised bodies of miners qualified for their work and they would be better qualified to watch the interests of workmen and those who are not connected with the unions. Some years ago an Arbitration Act was passed in this State. It was an industrial measure. It was subsequently re-enacted during the term of office of the present Government. In that measure only registered unions were recognised. Non-unionists were not taken into account at all. The measure before us is an industrial measure and the Government have deemed it wise to respect the principle which was introduced in the other measure and deal only with registered unionists. If the amendment is carried it will cause great dissatisfaction on the goldfields. At the same time there is considerable toleration of all non-unionists on the goldfields. I was surprised to find that there was such a proportion of non-unionists. If we

accept the proposals of the Bill the result will be that we shall force the non-unionists into the unions. I hope, therefore, hon. members will not agree to the amendment.

Hon. R. D. McKENZIE: I am surprised to learn that there are only about 2,000 miners on the East Coolgardie Goldfields who are unionists. I thought the proportion was considerably larger.

Hon. H. Millington: That is only underground.

Hon. R. D. McKENZIE: All that Mr. Jenkins is asking is that the men working in or about a mine shall have some say in the appointment of workmen's inspectors. I see no good reason why a man who is not a unionist to-day should not have a say in the election.

Hon. A. G. JENKINS: I have been asked to withdraw this amendment, but no valid reasons have been offered why I should do so. As a matter of fact the arguments which I have heard convince me that the amendment is more than ever necessary. I quite appreciate that the Arbitration Act only deals with unionists, but it is arguing on false premises to say that because in the Arbitration Act we deal only with unions, that in connection with the appointment of workmen's inspectors only unionists should be consulted. The percentage of non-unionists is so large that I think they are entitled to consideration. The unionists do not object to work with them; therefore, why should they object to them having a say in the appointment of inspectors.

Hon. J. F. CULLEN: Why should not all the workers vote and why should not the machinery of the unions be used to take the ballot? Why should members ask this House to set up the principle of preference to unionists? The Colonial Secretary let drop an unfortunate word. He said he was surprised at the toleration shown to non-unionists. Surely the words should never have been mentioned. The Colonial Secretary will see that it was a mis-use of the word. What impertinence it would be to think of the non-tolerance of a fellow worker!

Sitting suspended from 6.15 to 7.30 p.m.

Hon. R. G. ARDAGH: I hope the amendment will not be carried. When we consider the number of years the gold-fields have been in existence and the satisfactory arrangements made for many years between the union officials and the Chamber of Mines officials, it is safe to say the achievement is without parallel in Australia. The conditions obtained have resulted from conferences between the officials of the union and the mine owners, and the mine managers realise, as we do, that the best of the miners on the Golden Mile to-day are inside the ranks of the union. Many of the non-unionists are foreigners. There are thousands of men employed in the industry who are unionists and who will not be affected by this measure, but their sympathies are with those who are trying to obtain better conditions for working underground. The actions of the Chamber of Mines officials have shown that they would far sooner deal with organised men than with disorganised men. If the amendment is passed, the time will not be far distant when toleration may not be shown by the vast body of workers on the fields.

Hon. C. SOMMERS: If the hon. member thinks he has improved his cause by his speech, he will find that he is mistaken. The amendment should be carried. There is a principle involved, for this House has always opposed preference to unionists.

Hon. R. G. Ardagh: I never referred to preference to unionists.

Hon. C. SOMMERS: This is a matter of protecting life and limb, and if the Government have not been able to obtain satisfaction through their inspectors and workmen's inspectors are desirable, the non-unionist has as much right to say who shall look after his interests as the unionist. There should be no reference to toleration in a matter of this kind. These men are there to get a living, and to give a fair day's work for a fair day's pay. The men engaged in the industry are the ones we wish to protect, and

unionist and non-unionist alike should have a right to select the inspectors.

Hon. A. SANDERSON: I support the amendment. Representatives of the union should be satisfied with the progress made.

Hon. R. G. Ardagh: They have made none yet.

Hon. A. SANDERSON: If the hon. member carries his memory back, he must admit that very considerable progress has been made. A year or two back this Chamber was not prepared to accept workmen's inspectors, while apparently it is prepared to accept them now. I think the inspectors should be absolutely independent of the mine owners and miners.

Hon. Sir E. H. Wittenoom: Yes, appointed by the Government.

Hon. A. SANDERSON: The hon. member has made considerable progress and might fairly waive his objection, and tell his supporters that extraordinary progress has been made by the acceptance, practically without discussion, of the principle of workmen's inspectors. Instead of a threat, I hope the hon. member will carry back to his constituents a message of peace.

Hon. R. G. Ardagh: I have advocated it for 20 years.

Hon. A. SANDERSON: Enormous progress has been made, and the hon. member should appreciate it.

Hon. E. McLARTY: I support the amendment, because I have always raised my voice against preference to one class of the community. I fail to see why the selection of inspectors should be left entirely to unionists. Surely the non-unionists who apparently number about one-third of those employed, should have a say in the selection of inspectors. If the appointment of such inspectors will lessen the number of accidents, everyone will welcome their introduction. A man who gives a fair day's work for a fair day's pay should have an equal say with the unionist in the appointment of workmen's inspectors.

Hon. H. MILLINGTON: I enter a further protest against the amendment.

Members seem to think this is a matter of preference to unionists, but it is really a matter of the recognition of unions. Every member recognises the unions formed by professional men, and the manner in which the goldfields unionists have conducted their affairs entitles them to recognition. Unions are recognised by law, and by the employers throughout the State, and more particularly in the gold-mining districts, and the unions have to accept certain obligations. Mr. Cullen referred sneeringly to toleration in connection with unionists. If he knew the whole of the circumstances of the position between unionists and non-unionists, he would not be so cocksure on the point. Anyone has less toleration for the man who continually attempts to work points than for any other, and this is the position in regard to the unionist and the non-unionists. Whereas the unionist has been agitating for better conditions of labour—and this is one of them—and better wages, no instance can be pointed to where the man, who is nothing more or less than a pointer and for whom hon. members hold a brief, has done anything to assist his fellow-workmen. On the other hand, he has reaped the benefit of what the unionist has sown. Members might counsel toleration, but while there are men taking a mean advantage of their fellows, it is useless to preach toleration. Members know perfectly well that they would not allow others to take a mean advantage of them and show them a point. Those hon. members who are now displaying consideration for the non-unionists are the same as complain after an election of the injustice done to a man who finds his name off the roll. The fact remains that such a man, if he chooses, has an opportunity of securing a vote and if he neglects to take that opportunity he practically disfranchises himself. In the same way the non-unionist under this clause has an opportunity of securing a vote and if he neglects to take that opportunity he practically disfranchises himself. In the same way the non-unionist under this clause has an opportunity of securing a vote, of having his name on the roll, and if he

refuses his plea as in the case of the other voter, will be conscientious principles. I do not take a great deal of notice of such a plea, for in the case of a man who refuses to join a union from principle, when it is all boiled down his principle usually means self-interest. He is not prepared to pay the few shillings required, though he is prepared to accept any concessions secured by organised labour. I fail to see why members of this House should champion that class of individual.

Member: Because we are opposed to unionist tyranny.

Hon. H. MILLINGTON: Seeing the great majority of workers on the goldfields are unionists, it is hard to see the force of the argument that non-unionists are tyrannised over. The fact is that non-unionists are given a very fair deal by members of unions. They have obtained better conditions and wages through the efforts of unionists who work alongside of them, and this notwithstanding the fact that they refuse to assist by joining the union. If that treatment is what hon. members describe as tyranny, I am satisfied that they do not know what tyranny is. To my mind there is a good deal more tyranny in connection with associations of professional men. This tyranny is only a parrot-ery and I defy any hon. member to quote me one specific instance. We are not asking for preference to unionists, but advocating that the unions that have done the work in the past, and receive recognition by everybody outside of this House, should have that recognition they are entitled to. I hope members will further consider this matter and afford this slight measure of justice.

Hon. F. CONNOR: I am astounded by the claim made by the last speaker that there is no such thing as unionist tyranny. It is notorious that men have been driven out of the country by it, being refused the right to work and unable to obtain food. The hon. member's claim is the more extraordinary when we remember that only a few months ago there occurred in Fremantle a most dastardly

case of unionist tyranny. It is true that in that case the injured party secured damages which in a measure compensated him for the injustice and indignity put upon him. That case was as bad as anything which has been perpetrated by the Germans in Belgium. The hon. member asserts that there is a remedy open to these people. I understood him to mean that they could join a union. There is a lumpers' union at Fremantle; and still in Fremantle there are capable and intelligent men who are not allowed by the union to work and not allowed to join the union. A man may have travelled all over the world, and have been connected with shipping all his life, yet if he goes to Fremantle and asks for work which is staring him in the face he cannot get it; he is debarred. I think those responsible for this Bill are overdoing things, that they are doing more harm than good to the cause which I believe they have at heart.

Hon. E. M. CLARKE: The argument has been brought forward, and the statement made in support, that there is no such thing as unionist tyranny. Unless my memory plays me false a certain union in Fremantle was recently fined for what can only be described as unionist tyranny. Granting the possession by unionists of all the virtues claimed in this respect, I contend that such a clause as this should not be included in the Bill unless it be proved that without it some injury is going to be done to unionists. I can see no reason why the deletion of the words should injure the unions. The non-unionists are vastly in the minority. A British subject on the Goldfields or anywhere else should have the same privilege as another in voting for the man who is to inspect the mine in which he works. I cannot understand why it is sought to give the unions an advantage over the other men. That is an unfair position. I fail to see the necessity for it, and until such time as good reason is shown to me for believing that the unionists will be injured I shall vote for the amendment.

Amendment put and division taken with the following result:—

Ayes	18
Noes	4

Majority for .. 14

AYES.

Hon. J. F. Allen	Hon. R. D. McKenzie
Hon. C. F. Baxter	Hon. E. McLarty
Hon. H. Carson	Hon. W. Patrick
Hon. E. M. Clarke	Hon. A. Sanderson
Hon. H. P. Colebatch	Hon. G. M. Sewell
Hon. F. Connor	Hon. C. Sommers
Hon. J. F. Cullen	Hon. Sir E. H. Wittenoom
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamersley	(Teller).
Hon. A. G. Jenkins	

NOES.

Hon. J. Cornell	Hon. H. Millington
Hon. J. M. Drew	Hon. R. G. Ardagh
	(Teller).

Amendment thus passed.

[The President resumed the Chair.]

Progress reported.

BILL — HEALTH ACT AMENDMENT.

Second Reading.

Debate resumed from the 29th September.

Hon. F. CONNOR (North) [8.3]: This is a subject which I approach with fear and trembling, so much so that I do not propose to speak at any length or to go into any details at this juncture. I think the Bill can only be licked into shape in Committee, for it requires very free discussion. On broad principles I object to the Bill, for one reason in particular: I am opposed to the compulsory clauses as they stand. Another principle in the Bill, which Dr. Saw very ably dealt with and to which I also object, is that providing that doctors who are in receipt of any remuneration from the Government shall, willy nilly, treat venereal cases free. That is, to say, those doctors will have to go to no end of trouble, not only in the actual treatment of the patient, but in filling up certain

forms and sending them in to the department, and they will not receive anything at all for it. I think it is the duty of hon. members to see that no injustice is placed on the medical or the nursing profession in this regard. I propose to vote for the second reading, but when in Committee consideration must be given to the objections I have named. We have heard a lot of the cure and the prevention of these diseases. The cure may be all right, but I am doubtful about the prevention. If I could think that the Bill would have any effect in the prevention of these diseases I would vote for it in its entirety; but we are men of the world and we know that prevention is impossible. Control to a certain extent, yes, but even there the Bill does not provide the necessary machinery. The Legislature of New South Wales had before them everything that is proposed in the Bill, and in their wisdom they decided it would not be wise to follow these lines. What they did was to establish certain hospitals for free secret treatment without compulsion. If the Government had brought in a Bill dealing with the subject on those lines, the measure would have had my whole-hearted support. However, as the father of a large family and a man with a certain desirable reputation, I think with horror of the possibility of my wife or daughters being pointed out by any blackguard looking for blackmail, and told that they must be examined. I object most strongly to that, and until that particular provision is eliminated from the Bill I shall offer to it the fullest antagonism of which I am capable. What would be the effect of these compulsory clauses? It would simply mean blackmail. I have had the acid put on me by certain institutions in this country, newspapers, in connection with this particular question. It not only leaves a bitterness, but it reminds that the Bill leaves the way open to the gutter Press to attack any decent, respectable person. I had not intended to say as much as I have said, but I feel so strongly in this subject that perhaps I may be pardoned. The Bill speaks of free treat-

ment. It may be free treatment, but it is at the expense, not of the Government, but of the doctors and nurses. If the Bill passes the second reading, I intend to move a new subclause. Strangely enough, while the door is left open to blackmail, no penalties are provided against the blackmailer. The new subclause I propose to move will be to the following effect—

Any person failing to establish any information given by him to the Commissioner as to another person suffering from venereal disease, shall be guilty of an offence against the Act. Penalty £50 or imprisonment with hard labour for six months.

If the Bill is carried in its present form it will throw open the door to the worst possible form of blackmail. I will support the second reading, but I intend in Committee to discuss freely and openly most of the clauses.

Hon. W. KINGSMILL (Metropolitan) [8.13]: It is not often I find myself in more or less of a quandary as to what attitude I shall take up towards any Bill which may come before the House. As a rule one's duty, or one's conception of his duty, stands out sufficiently clear to enable one to take up, without any great thrashing out of the subject, a definite attitude. I must confess that for many years past no measure that has come before Parliament has given me so much exercise of mind as the Bill we are now considering. It has so many obvious defects, and still the principle underlying it is such a good one, that one scarcely knows whether to vote against the Bill for the sake of its errors, or to vote for the principle on the chance of those errors being rectified. Like the last speaker, I have decided to give this Bill the benefit of the doubt. I have decided to vote for the second reading. It means more for me to vote for the second reading as I have not an opportunity of advocating or proposing amendments in Committee, than it does for other hon. members. I will vote for the second reading in the hope that when the Committee stage is reached this Bill will be

radically amended in many of its provisions. I was surprised to find that the hon. gentleman who has just sat down did not describe this Bill as an honest effort. It has become almost a catch phrase to say that this is an honest effort to grapple with the question.

Hon. F. Connor: I was thinking of the racing select committee when I said that.

Hon. W. KINGSMILL: Of course it is an honest effort. It would indeed be a very sad thing if it was anything but an honest effort. Of that honesty which permeates every syllable of this Bill, what shall we say? Is it not the honesty of the bull in the china shop? We know that the bulls do not very often get into a china shop, but occasionally they do. When the poor beast does find himself in a china shop it is merely because perhaps the china shop has been carelessly left open or the bull has carelessly been allowed to stray and that he has found himself in these altogether unexpected surroundings. The efforts of the animal may be classed as honest, however disastrous they may be to the china shop, if at the last he is greeted with, to him, the pleasant noise of the breaking of cherished china, which represents the cherished ideas of the community in this Bill of ours. If there is at last discerned in the back of his bovine mind a trace of a destructive instinct, let that not be debited against the animal as being malicious intent. I say to those hon. members who used the phrase before, and to the people inside and outside this Chamber, that the Bill is indeed an honest attempt, however unfortunate it may be. Dr. Saw, to whose eloquent speech on this Bill I listened with a very great deal of pleasure, alluded to the road to a certain place being paved with good intentions. I feel sure that this Bill will add materially as a paving of another street in that city of dreadful night to which Dr. Saw alluded. Some of the clauses are fit for little else than to pave such a place as that. I have been exercised also about

the genesis of this Bill. I should like to know where it came from. Sometimes, not very often lately, but in years past, it was quite the rule in a Bill of this sort—which I presume is not altogether a wholly original Bill, although some parts of it would convey that impression to one's mind—for the author of the Bill in the marginal notes to the clauses to pay his authorities the compliment of providing in those marginal notes some sort of bibliographic reference, in order that hon. members might see that the Minister introducing the Bill had some authority for the clauses which were put into it. This has not been so in regard to this measure. It seems to me as if the most drastic clauses in any Bills which have ever come up have been taken out and concentrated into this Bill. There is only one place where I can find in the measure any indication as to where it comes from and that is in 242L. There are words in paragraph (c) Subclause 2 which indicate that this clause at all events came from London. Hon. members will see in the paragraph to which I allude—

No person who throws any statement down the area or in the yard, garden, or enclosure of any house.

I think that certainly indicates the origin of that particular clause. As a rule we have not had areas in Australia attached to the houses. We have areas, undoubtedly, but they are not attached to houses. I fancy that the clause, which might belong to any sort of Bill, must have come from some English legislation. With regard to the rest of the Bill, I should have felt very much indebted if we had had facilities given to us of having expressed in the marginal notes the origin of the clauses which these marginal notes refer to. I understand that the late Principal Medical Officer is not the author of this Bill. I understand also that the Medical Association were not consulted with regard to the measure. Of course it is too much to expect that the Honorary Minister would consult anyone. That is not his metier, so to speak.

Hon. J. F. Cullen: "Alone I did it."

Hon. W. KINGSMILL: And he has done it.

Hon. R. G. Ardagh: And was encouraged to do it.

Hon. W. KINGSMILL: Whatever the hon. gentleman who occupies the position of Honorary Minister may be accused of, lack of courage is not amongst his characteristics. There is an old and useful proverb about discretion in comparison with courage. That is not on the list of proverbs which the Honorary Minister carries about pasted in his hat. Any ordinary Minister would, I think—and in inferring that the Honorary Minister is not an ordinary Minister I am, I think, giving him no more than his due, and I am not speaking in any disrespectful manner—would have taken advice from someone. One can admire that monumental and stupendous courage which enables him to bring down a measure such as this and to say he has nailed his colours to the mast. If it is touched in any degree at all he says he is going to throw it out. That demands an immense amount of courage, and no ordinary Minister will bring down a measure such as this, which strikes a blow or a series of blows to our leading conventions which have been regarded hitherto as sacred in the community, but would have taken some preliminary steps to have consulted some of those expert gentlemen, of whom there are many in this State, who would have given him some advice on the subject. If perhaps another place, instead of being driven on, so to speak, by that forceful personality, to pass this measure hastily through in a short time, had referred the matter to a select committee in order that the general provisions relating to the Bill might be inquired into, and the special conditions which obtain in this State might be more specially inquired into, in that way a lot of useful information which this Chamber has to go without would have been laid before us. Some opinions have been expressed since this Bill has been introduced which are most illuminating. There is no reason for any hon. member to make re-

marks on this Bill without having authority for so doing. Goodness knows, during the last week or two enough gratuitous advice has been tendered to all of us, sometimes personally and sometimes through the columns of the Press, and in every conceivable way, to set us thinking about the various ways in which this Bill is to affect the community. One of the most interesting reports, if I except perhaps the report from the infuriated gentleman in Kalgoorlie (Mr. Powell) which has been made upon this Bill, is that of the medical officer of Perth, Dr. Seed. Amongst other things Dr. Seed said—

Nothing so drastic has been proposed in any country in the history of the world.

If this Bill goes into the waste paper basket the Honorary Minister can take back to the country whence he came something that will have built him a reputation for the rest of his life, namely that the measure which he introduced is more drastic than anything which has ever been introduced into any country. At first blush the Honorary Minister, when the statement was brought under his notice, put it down to Dr. Seed's ignorance. It is characteristic of the Honorary Minister to make wild and sudden statements which take one's breath away for the moment; and for him to say that this is due to Dr. Seed's ignorance, may, I suppose, be placed in that category. There are two ways in which we can view this measure, at all events for the time being. In the first place, as ordinary citizens, how are we likely to be affected as to the future, and what have we mainly to consider? If course, if this Bill becomes law, when it is enacted and becomes as some other Acts do a dead letter, the ordinary citizen will not be affected at all, but there appear in this Bill provisions which, I presume, are meant to be exercised under which the ordinary citizen and his wife and daughter are liable to have some happenings introduced into their lives the like of which they have never thought of before. I do not say

this will be done, as we know it is the practice in legislation to ask for more than one is likely to get. I hope this is so in the measure we have before us. Even with the amendments which hon. members have foreshadowed, the power which is given to certain people is very drastic and a very great power indeed. The ordinary citizen is at the mercy of the Commissioner for Public Health. Now, we have to presuppose—and there is no reason to doubt it in any way—that the Commissioner for Public Health is a sensible, well-meaning man. Above all, even if he is not sensible—and I am not alluding to any particular Commissioner of Public Health—we credit him with being well-meaning. He will need to be well-meaning if this Bill, as it comes before us—and that of course is how one has to consider it—becomes law. The method which is alluded to by Dr. Saw, obtaining of old in Venice, would indeed be a possibility in this modern State of ours. It might be possible for us to become a modern edition of Venice. If it is possible to visualise Western Australia as the modern Venice, I do not think the Honorary Minister would make a satisfactory Doge. There is another aspect of the Bill which I think must strike anybody, and that is that it provides no redress whatever for wrongful apprehension, wrongful examination, and wrongful detention. I presume that can be rectified. I do not know that anybody has given any notice of that rectification yet. There is yet another aspect of the Bill which I think is worth consideration. The Bill is a drastic one. There is a tendency on the part of the unfortunate sufferers from the disease alluded to in the Bill, poor creatures, in many cases to adopt a policy of concealment; and I feel that one effect of the drastic nature of this Bill may be to send the sufferers from this disease into the darkest corners. If that be so, then the Bill will have done not good but harm. Another section of the community which this Bill distinctly does not benefit is the medical profession, upon whom the mea-

sure places very considerable additional responsibilities. This may be right, or it may be wrong; but this Bill places on these gentlemen responsibilities which they never sought when they took up their positions. So much is this the case that in numerous conversations I have had with medical men during the time this Bill has been before both Houses, a great number of them have said that if the Bill becomes law in its present form they will not undertake the treatment of this disease. Too much responsibility is thrown upon them and they are given no consideration, financial or otherwise, for the trouble to which they are to be put. Everything apparently has to be done free. And the Bill throws a similar obligation on the hospitals of the State. Very many hospitals are, I presume, run now as they were in years past, by committees and by the use of local funds in addition to Government subsidies. I think that is wrong unless something is done in the way of compensating those people for the extra expenditure imposed by this Bill. The leader of the House has not said anything to show that this would be done; and in the absence of such statement I maintain it is wrong to saddle the hospitals with this expenditure without the Government providing for some, at least, of the cost and some compensation for the trouble and expense they will be put to. There is another point which has been raised by a friend of mine, who is also a medical man, and it is this. The medical men fear a recurrence of what happened elsewhere with regard to a wrong diagnosis made. A case occurred some years ago, known as the Winslow case, in which a doctor was cast in very heavy damages for a wrong diagnosis. It appears that if anything of that sort were done under the compulsory clauses of this Bill a heavy penalty might fall upon the medical man making a wrong diagnosis. I understand from the same authority that it is very possible for a wrong diagnosis to be made. I am pleased to see that from two quarters there have come proposed amendments which will have the effect of

diminishing the possibilities of wrong diagnosis to some extent. I allude to the provision which will be moved by the leader of the House, and also by Dr. Saw, for free bacteriological examination in cases where doctors are treating one of these unfortunate cases. The fact that these responsibilities are thrown by the Bill on doctors will, I am afraid, have the effect of bringing about the result that a great many doctors, and those at the head and not the foot of the medical profession, will refuse to treat cases of this sort. And they will be acting within their rights in doing so. They will weigh against the possibilities of the cases the responsibilities they incur and their liabilities in fines if a case be not notified or if they make a mistake in the procedure laid down in the Bill. I fancy that they will be quite right in acting in that way in the circumstances. Members will see, therefore, that I am justified in hesitating somewhat as to the action I should take on this measure. If hon. members have not read Dr. Seed's report they might well do so. It is a fair report. I desire to be as honest as the doctor is himself. Although he points out the many defects of the measure, still he points out that if venereal disease is to be effectively dealt with it can only be done by a Bill of this character. But, again, he says that in a country of free men and women it would have been a natural thing to inform local boards of health of the extraordinary powers brought into operation in this Act. Again he says such a measure as the Habeas Corpus Act, which was introduced and striven for by our forefathers, are to be of no importance, so far as this Act is concerned. The conclusion he comes to is that it would have been a fair thing if greater publicity had been given by the Honorary Minister before bringing in the Bill, if a greater opportunity had been given to another place, and if more information had been given to members of this House—although I credit the leader of the House with having given us all the information he had at his command. Had we had more information we would have been better able to deal with this difficult

measure and to take the steps which we all believe it to be necessary in the interests of the individual and in the interests of the realm to take for the sake of this generation and for generations to follow. I feel sure that if the leader of the House had been able to give this Chamber some assurance that in connection with this drastic measure the Government will also adopt the system which is of greater use than mere legislation, the system of free treatment as conveniently as possible for the sufferer, and as secretly for the sufferer as can be contrived, then I feel that the Honorary Minister may be commended on his courage in introducing the measure, and to that courage we might add also the greater quality of discretion. I support the second reading in the hope that the amendments to be introduced by hon. members may be carried; and I may say that if they be not carried I shall deem it my duty to vote against the third reading. I believe that with amendments the Bill can be improved and that we may then place on the statute-book a measure which will be a credit to the Minister and to Parliament.

Hon. J. CORNELL (South) [8.40]: I desire to congratulate the Honorary Minister on the introduction of this measure. The Bill seeks to deal with a very present evil and I believe the Minister has done so with the very best intentions. It has been complained that the Bill was rushed through another place. Even if that be so, it does not concern us; it cannot be said that the Bill has been rushed through this Chamber. The Bill, I believe, is the most stringent of its kind yet introduced to any Parliament in the Commonwealth. It has been referred to by one medical man as the most stringent ever introduced into any Parliament in the world. Before referring at length to the Bill I desire to refer to one or two of its main features. I have given the question some consideration, and I intend to support the second reading. The disease which the Bill proposes to cope with is one of the most serious of present day evils. As to its

origin we have been told by Dr. Saw that it is referred to by the earlier historians. Therefore, it is not something which is new, but something which has been known for practically all time. There is only one way I contend in which we should approach the consideration of this question, and that is its possible effects upon mankind. There is only one section of this or any other community which can speak authoritatively on that aspect, that is the medical man. I intend to do all I can to further the view of the medical profession by supporting the Bill and endeavouring to have it placed on the statute-book. I do not intend to deal with the question from the medical side. Dr. Saw has very ably done that, and besides I have not the qualification to do so. In the course of his remarks Mr. Kingsmill said he thought the Bill should be referred to a select committee. I do not agree with that view. How could a select committee of this House guide us? There is only one member by whom we could be guided and all he has to say has been said in this House, and is now available to hon. members to get the fullest information on. It may be truly said that one of the gravest dangers of this disease, and I may say one of the most fallacious, is the secrecy with which it is attended. This fallacy, I think, has been the main cause for the proportions to which the disease has now reached. Another bad feature is the slow, but sure, progress it has upon the human system. Were the inroads of the disease rapid, were they displayed to the outward view, I venture to say society would have risen long ago and demanded that it be placed in the same category as bubonic plague. I think it is an incontrovertible fact that there are more deaths attributable to this disease than to any other known disease. That being so it should give us cause for reflection. I submit the Bill is an honest attempt to deal with this question. Though its provisions may be somewhat crude, I agree that they can be remedied in Committee and I intend, when the Bill is in Committee, to support most of the proposals put forward by Dr. Saw. The main objections to the Bill, I take it, are

contained in the compulsory clauses. If the object said to be achieved in the Bill could be accomplished without compulsion, I would not vote for compulsion. I would like also to state, although I am in favour of the compulsory clauses, that if the framers of the Bill intend to rely chiefly upon compulsion to attain the objects sought for, it will be so much time wasted. The main essential that is lacking to-day in coping with this disease is the absence of education in regard to it, and if this Bill is to be a success it must be administered as if the compulsory clauses were not in the Bill. In administering the Bill there must be education spread amongst the community in regard to it. If that is not done the Bill will not be of any use. I also agree with Dr. Saw that wherever possible this Bill should be administered by persons either attached to the Local Board of Health or to the Health Department. It is not a function for the police to carry out, and wherever possible such functions should not be imposed upon them. Before proceeding further I desire to deal with that section of the opposition that has been forthcoming to the Bill on the part of some of our prominent women. They have laid themselves open to criticism and I take it the opposition was offered for the purpose of inviting criticism. It can be said there is a section of the women who support this Bill with intelligence, and I think we can dismiss with a wave of the hand the opposition to the Bill from the male section of the community. I described that the other day in the corridor as, to a certain degree, a bald-headed Sampson. We know the biblical story of Delilah cutting the hair off Samson, and thereby making him lose his strength. I notice also a section of the clergy are opposing the compulsory clauses of this Bill, but I only need to remind the House that the abolition of slavery by compulsion was put through the House of Lords in face of seething opposition from the bishops sitting in that Chamber. One of the women, when supporting a resolution which was passed at the public meeting in the Town Hall the other night, seemed to be of the

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opinion and tried to infer that the Bill was intended to regulate sexual vice. I have tried, but have failed to find on what premises this assertion was based. So far as I can interpret the Bill, there is no intention in that direction whatever in it. It is based on the impression that because the Bill proposes to deal with the effects that often follow as a result of men consorting with prostitutes that it condones causes as well. But that is only an impression which occurs to me and from which possibly the inference was gathered. Now is the time for plain and candid speech, and it may be as well to inform women generally that a large percentage of cases of venereal disease is contracted through intercourse with women who perhaps are not as low in the social scale as our unfortunate sisters are. That is my experience, and I say, in a measure like this, no prudery should be put forward. Men should give expression to their opinions and to things as they find them. If that is not done much is held back which should not be held back. The women also protested at the Town Hall meeting—and even this is not germane to the measure—against their kind being set aside for immoral purposes. I cannot find that the Bill proposes to do that. It has been said that this is the oldest profession known. If that be so it can be as truly said that the demand is equally as old, and as long as the demand exists so long will the profession exist. There is no section of the community to whom my heart goes out more than it does to the women of the unfortunate class. Their lot is not to be compared with that of any other set of individuals in the part which they play in the tragedy called life. It was also said at that meeting that the Bill threatens a blow at the sanctity of home and parentage. Mr. Kingsmill dealt lightly on that point, but I am at a loss to comprehend how the Bill does that. The Bill aims at the very thing which does more to destroy those institutions than anything I know. I will not proceed further in that direction beyond asking what must be the feelings of any man living with a woman who contracts the disease.

That is one of the reasons why I intend to support the measure. I think its passage will be a factor in the preservation of health. It has also been said that the Bill will provide a field of vantage for unscrupulous medical men. My reading of the Bill, and I think the remarks of Dr. Saw must lead the House to believe, that it will reduce rather than widen the field of vantage. I would like to pay the medical profession a slight tribute. I do not think there is another profession which bestows such benefits on mankind, and I cannot find words to adequately express my gratitude to that profession for the good work which the members of it perform often too without the prospect of getting any remuneration. It has also been said that this Bill will open wide the doors to blackmail. I said earlier in my remarks that the fallacy of secrecy and shame and ignorance has been responsible for the rapid spread of this disease, and if this Bill, with its compulsory clauses, will open wide the door to blackmail, more so does the field of vantage exist to-day for the blackmailer. I have yet to discover the blackmailer. Blackmailers might be described as the scum of the earth, and all men abhor them. When the Bill is in Committee I hope an adequate clause will be framed which will put the measure beyond the purview of blackmailers. There are one or two points on which I am heartily in accord with Dr. Saw, namely, that all bacteriological tests should be made free, not only in this regard but I would go further and say in all respects. There should be a sufficient number of bacteriological and scientific instruments available. To-day there is no comparison between the field in which science moves compared with many years ago. Science to-day moves from the pivot of scientific discoveries. We have gone from the stage when we worked step by step until we eventually reached the scientific stage. To-day the scientific discoveries render great service to mankind and very often the only reward is the goodwill of posterity. From the scientific discoveries the medical man works. I welcome the Bill because it is a step towards the ideal for

which I have long laboured, namely, the nationalisation of all matters pertaining to the health of the people. The health of the people represents the greatest national asset, and if there is one thing which should come within the purview of the State, it is that the best information, knowledge and surgical skill should be made available to the units of the community when their health is impaired. I believe the old Chinese theory is much better than our own; they pay men when they are well, but we pay them when we get ill. It has been said that the medical profession would be opposed to the nationalisation of public health matters. I do not agree with that. The records of eminent men who have done so much in the surgical and medical spheres conclusively prove that their highest ideal is the welfare and well-being of the people, and so long as they are satisfied that they would be adequately provided for in this world while they are working and in days when they cannot work, they would give the best in them. It seems a satire on civilisation that for centuries the detection, the prevention, and the detention of crime and criminals have been the sole prerogative of the State. I think if it is essential that the State should maintain at the cost of the general taxpayer the whole of the organisation in connection with crime and criminals, it is doubly the duty of the State to undertake matters pertaining to public health. One of the reasons why I give this Bill my benediction is because it proposes that treatment shall be free. Therefore, if it is free, the public should be asked to take advantage of it. They should be educated to do so, but as a last resort, if they will not take advantage of it, compulsion will be necessary. In conclusion, the success or otherwise of this Bill will depend upon sympathetic and skilful administration, backed up by the co-operation, which may be the main essential, of the medical profession, and last, but not least, the co-operation of the goodwill of the people at large.

On motion by Hon. A. G. Jenkins debate adjourned.

BILL—POSTPONEMENT OF DEBTS ACT CONTINUANCE.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [9.7] in moving the second reading said: I simply point out that this is a re-enactment of a measure which was passed shortly after the commencement of the war. It has never been put into operation because no such circumstances arose as would justify the issuing of a proclamation to give effect to some or all of the powers contained in the Act. Not that we have not had many requests to do so; we have had requests from almost every centre in Western Australia, but after considering the requests we came to the conclusion that we would not be justified in putting the Act into operation under the circumstances set forth. Cases in which people were sued and then sold up were mentioned, but those would have occurred in normal times. They were in no way due to the war and, in the circumstances, the Government did not utilise the Act, and I hope it will not be necessary to put it into operation. We have come to the conclusion it will be as well to have the measure on the statute-book. If the Bill is passed, the measure will never be put into operation unless for very grave reasons. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—INDUSTRIES ASSISTANCE ACT.

Second Reading.

Debate resumed from the 30th September.

Hon. C. F. BAXTER (East) [9.12]: I must compliment the Government on the good the Industries Assistance Act has accomplished. Unfortunately a great

many errors did occur, but I do not think these in any way could be thrown on the shoulders of the board or of the officers. Most of these errors were due to the lateness of the time in getting the measure passed by Parliament. While I commend the Government on the working of the Act, I must complain about the length of time taken by the Government to consider the introduction of this measure. The necessity for the measure was first brought under the notice of the Government in July and, although the Government felt well disposed towards it, they took until the middle of December to consider whether a Bill was needed or not. Then, through an oversight, the Bill was not passed into law until the middle of January. It threw an enormous amount of responsibility on the commissioners to get the Act going in the space of a few weeks, when two or three months should have been at their disposal to organise their staff. Consequently errors occurred, but, even so, a certain number can be traced to the farmers themselves, so on the whole, the board have done very good work. One thing I cannot understand was the change of commissioners or the appointment of new commissioners. All who have been in touch with the work feel that the most arduous portion was finished and that there was no further need for three commissioners, and we were surprised to find, on the retirement of Mr. Paterson and Mr. Sutton after they had done such splendid work, that two more members were appointed in their stead. I think one commissioner could have carried out the duties very well indeed. This meant extra expense and such extra expense when we have so many boards in existence means a huge outlay which is not necessary. The present members of the board are Messrs Morris (chairman), Camm and Oliphant. I will say here that the work done by Mr. Camm in connection with the board has been splendid. I cannot speak too highly of it. I have been in touch with him almost daily, and I think he must be commended for the excellent manner in which he has organised the staff and put

the work of the board on a business footing. He has carried out his duties to the satisfaction of all concerned. In my opinion Mr. Camm could have done very well with the whole of the responsibility on his shoulders. I am sure he would have carried out the duties just as successfully as he did previously with the help of the other two gentlemen. Since the change was made, the business of the board has been hung up, to a certain extent, while the new members got into touch with the work. I am not saying anything derogatory to Mr. Morris or to Mr. Oliphant, both of whom I have known for years. Mr. Morris is one of the best officers we have in the Lands Department, but it was not fair to Mr. Morris that he should be taken out of the Lands Department and appointed to the chairmanship of the Industries Assistance Board. In the latter position he had to learn something with which he had never been in touch. The situation was most difficult for him, and I cannot understand why he was placed in it. It has taken weeks and weeks for him to pick up the threads of work entirely foreign to him. Mr. Oliphant is a good commercial man. I have known him for the past 14 or 15 years, and have nothing whatever against him; but I do think one commissioner could handle the work of the Industries Assistance Board very well. We find that the whole of the business of the Farmers' Assistance Board is published broadcast. To a certain extent there is, no doubt, a need for publicity in this connection. Traders must receive some protection when estates have been assigned to the Government. I recognise the assignment is necessary because the Government must have reasonable protection. It is quite right that traders should know of cases where the estates of farmers are assigned. But, as I have said, the information has been sown broadcast. Everybody knows who has received assistance from the Farmers' Assistance Board. That is the course which has been adopted with regard to farmers, but when a question is asked in this Chamber of the Colonial Secretary with regard to mining people who have received assistance, the infor-

mation is refused. Why this difference? If it is right to let the public know what farmers have received assistance, it is equally right that the public should know what mining people have received assistance. Perhaps the Colonial Secretary will tell us why the distinction is made. I wish also to refer to certain remarks by the Minister in charge of the administration of the Act on the extent to which the Government have been hampered through the necessity for finding the money. If we look back we will see where the Federal Government received a loan of 10 millions free of interest in order to keep the wheels of industry revolving in the Commonwealth. Of that amount a fair share, three millions, was lent to this State by the Federal Government, who charged $4\frac{1}{2}$ per cent. interest. Our State Government, in making advances out of that amount, charged the farmers six per cent. I am not complaining of the rate, because there are administration charges to make up, although I think it very hard on the part of the Federal Government to charge the State Government $4\frac{1}{2}$ per cent. Let hon. members contrast the action of our Government with that taken in South Australia, where the rate of interest is only $4\frac{1}{2}$ per cent. and the charges do not commence before March, 1916. I draw attention to this fact because the Minister for Lands has said that the State has been hampered by what has been done for the farmers. It is due to us to recognise that while a little is being done for the farmers, a tremendous lot is being done for the State. It may be asked what the State is securing. The State is securing the rents of all farmers who have had assistance from the Government. In the majority of cases the settlers, if they had not received assistance from the Government, would not have been able to carry on in the absence of assistance from private sources—which they were not likely to get—with the result that the land would have been thrown back on the Government's hands. The whole of the rents would have been lost, amounting, according to the Minister for Lands, to £400,000. Personally

I could never arrive at that figure, but it is what the Minister has stated. That amount would have been a dead loss to the State, and on top of that there would have been a tremendous loss, close on a million sterling, on the advances made to farmers by the Agricultural Bank, and the interest on top of that again. Therefore it is pretty safe to say that after allowing 15 per cent. of the securities to be realised—and I doubt whether under the condition of affairs existing during the last nine or ten months even 15 per cent. could have been realised—there would have been a loss of well over a million had not the advances been made. Therefore in making the advances to farmers the Government are merely protecting themselves. On the other hand, what is to be gained by the assistance to farmers? Everything is to be gained. There is the building up of the farms. If the settlers had left their properties, it would have taken years to get anyone else to take up those properties. The State would have had a set-back from which it would have taken years to recover. Then there is the loss of revenue to the railways. What has been the position of the railways during the last eight months, in the absence of crops? Absolute stagnation. There has been, as one would naturally expect, a tremendous loss on the railways. Let hon. members consider how much the State gains through the Railway Department alone by assisting the farmers. Then there are the Fremantle, Albany, and Geraldton harbours; and there are the benefits which the workers receive thanks to the stimulation of the agricultural industry. Again, the whole of the secondary industries benefit. In fact, there is not a manufacturer or a merchant in the State but benefits to some extent from the action of the Government in assisting the farmers. The State, itself, however, has benefited by far the most. In supporting the second reading I trust the Government will give every consideration to the farmers who have been assisted, and not be too harsh with them when they have disposed of their crops. The policy of the Government, I hope, will be to treat the farmers

leniently, so that they can proceed unhindered for the next harvest, from which the Government will reap most of the benefit.

Hon. J. F. CULLEN (South-East) [9.24]: I agree with the Government that the financing of farmers under the Industries Assistance Act must go on. The only question is whether the Government could not make a better arrangement as to the administration. Hon. members of course are well acquainted with the history of assistance to industries, how the matter was rushed at first to help the farmers who were threatened with ruin, how for a long time it was on an un-statutory basis, how the basis was made statutory by the Industries Assistance Act, and how the work was further developed. I think the time has come for the functions under this Act to be performed through the Agricultural Bank. I do not mean to say that those functions could be administered on the ordinary lines of the Agricultural Bank, but I think the administration of the measure should be an adjunct of the Agricultural Bank. As a matter of fact, it would be dangerous for the administration of the measure to be out of touch with the Agricultural Bank. Nearly all those who have been assisted under this Act were previously on the books of the Agricultural Bank; at all events, the great bulk of them were. Therefore, it would have been most unwise to have an entirely separate administration. I assume that the Agricultural Bank management were consulted right through. Mr. Paterson, in fact, worked on the board; and in this way a constant touch was secured between the two channels of assistance to settlers. I think it would be well if the Government would make the administration of the measure from this on an adjunct to the Agricultural Bank. The suggestion is worth their consideration. In the old days of the Agricultural Bank Mr. Paterson was like a father to all the settlers. He knew them large and small, and he was in personal touch with pretty well everyone assisted, and everything was sympathetic. When the development came to a directorate under the name of

trustees, the touch became more departmental. Under the altered conditions there could not be the same accurate knowledge and the same sympathetic touch. With the advent of the Industries Assistance Board the risk of lack of sympathy and lack of closeness of touch has become greater still, and I am sure the Government would find it a wise course to have the Agricultural Bank not only in touch with, but in control of, assistance to settlers. I am not going to criticise what would appear to be an unnecessary connection of mining with the Industries Assistance Act. The couple of cases of assistance to mines could just as well have been dealt with under the Mines Development Act. There was no need to drag those cases under the Industries Assistance Act. That, however, is a matter on which I do not feel inclined to criticise too closely; nor do I feel inclined to criticise any shortcomings of the administration of the Industries Assistance Act. The undertaking was an exceedingly difficult one, and no set of men under the sun could have made it work perfectly from the start. This is not the time to indulge in closer criticism. There is just one matter I want to touch on. It is one to which Mr. Baxter has already referred, that of being as lenient as possible where there are foundations for recovery. Especially should there be leniency in the matter of interest. However, the matter is one that can be dealt with in Committee. I do not think the Colonial Secretary is aware that there are several Government departments worse than Shylocks in the matter of rents and interest. I had a demand made on me in respect of income tax for interest at the rate of 120 per cent. per annum. Why, the 60 per-centers are not in it with the Government. The Act gives power to impose a fine of 10 per cent. if money is not paid within 30 days of the date fixed by the Commissioner, and it is the custom of the Commissioner to give 30 days notice, but I had a notice that reached me some 23 days after it was supposed to have been sent and the 30 days notice was given. Knowing of the 30 days grace I went

along with my payment some three weeks later, thinking I was perfectly safe, but my notice was dated away back, as I have stated. I did not look at the date of the notice, but at the date of receiving it. A fine of 10 per cent. was added to my income tax. I do not usually complain of things, but this was a little too strong. I asked the Commissioner if he really meant it, and he replied—"That is the Act." I said, "Excuse me, it is not the Act; you have the power to put on a fine of 10 per cent., but it is entirely at your discretion; and the intention of the Act is not to punish oversights, especially if they are oversights of your own office, but to provide a weapon to deal with recalcitrants." He said, "Under those circumstances I do not think it should be imposed," and I agreed with him. I think it was not the intention of legislators that he should be able to fine people at the rate of 120 per cent. per annum. I think legislators had in mind 10 per cent. per annum as the fine. At all events, it is a shocking thing to discover that the Government are worse than Shylock. It is the same with regard to land rents. There they put on a fine of 60 per cent. per annum; in fact it is laid down in the regulations. If the lessee comes along a month late, he pays 5 per cent., which is equal to 60 per cent. per annum. This is rather strong. In connection with this measure, wherever there are borrowers trying to make good and work out, it is the best policy to nurse them and treat them generously, because forfeiture and renunciation of a holding means not only ruin to the unfortunate person who forfeits it but a serious injury to the State. Whatever land he may have cleared will grow up again in a couple of years and will then be harder to clear than it was originally. It is bad business to let anyone go off the land if that can be avoided. At the same time, I know too much of business to venture to criticise the management where in the interests of the State it is necessary to be more severe. On the whole it is safer to err on the side of leniency.

Hon. A. SANDERSON (Metropolitan-Suburban) [9.43]: I protested against

the Bill when it was first introduced. It is not much use protesting now because we have reached the stage when we must carry it through. The appeal we have heard to treat the farmers leniently was, I should think, unnecessary seeing that Parliament has passed the original measure of which this Bill is an amendment. I certainly agree with Mr. Cullen, that this department, if possible, should be made an adjunct to the Agricultural Bank, though I do not know how he proposes to carry out the suggestion. I have been looking at the criticism I ventured to make when the measure was originally introduced. I suggested that the Government required a large increase in the capital of the Agricultural Bank. I take it that would be what Mr. Cullen wishes done. I do not think it is necessary to go into details, but I may recall to hon. members that it was the Agricultural Bank which, at the first breath of trouble, practically collapsed and that the other financial institutions in this State—and I can repeat my words with greater emphasis to-day—with great wisdom, caution, and strength saw their customers through and are seeing them through to the present time. If we pass the second reading—and I do not propose to offer any opposition to it because the time has gone by, seeing that we have passed the original measure—I shall certainly follow with interest any attempt on the part of Mr. Cullen to make this an adjunct to the Agricultural Bank. The only way to do that, I think, is to give the bank more capital.

Hon. J. F. Cullen: There would be a further arrangement; this goes beyond the scope.

Hon. A. SANDERSON: My friend is a master of Committee work and the drafting of clauses, and in that respect I can only admire him from a distance. When he introduces the amendments, I shall support them if he can show that he is going to turn practically the whole of this work over to the Agricultural Bank. Different figures have been quoted and I am not sure which are correct. There is a great difficulty in discussing

public affairs in this State at the present moment in that we cannot get facts showing what the position of affairs is. The Agricultural Bank, I should think, could easily take an additional million of capital and, how my friend proposes to find that capital I do not know. The Government practically say they cannot provide it. If they cannot find the capital, how is he going to make this an adjunct to the Agricultural Bank.

Hon. J. F. Cullen: I am talking of the administration. The capital will be no greater in the one case than the other.

Hon. A. SANDERSON: I am entirely in favour of handing these affairs over to the Agricultural Bank and the Agricultural Bank only.

Hon. C. F. Baxter: It could not be done with any success at all.

Hon. A. SANDERSON: The hon. member is well qualified to speak from the farmers' point of view, but I do not think he will question my statement that this Bill was primarily introduced in favour of the farmers, and if there is one institution in this State that is in touch with the farming community, it is the Agricultural Bank. We know now this is not a temporary affair, but promises to be permanent. I draw the widest possible distinction between legislation necessitated by the war and legislation necessitated by the drought. To listen to some members one would think that droughts were almost unknown in Australia and were something quite exceptional, whereas we know one of the greatest problems in connection with land in Australia is the constant recurrence of droughts all over the Commonwealth.

Hon. C. F. Baxter: We have never had a drought in Western Australia yet.

Hon. A. SANDERSON: It is of no use telling me that. It was only when we pushed settlement into the outlying districts that we first got into touch with the drought. Everyone knew—the Agricultural Bank officers knew, although there were no records—that they were getting into the danger zone. I would not presume to discuss the land question on even terms with my friend

who is a representative of the Country party, but surely this measure was introduced primarily for the protection and assistance of the agricultural industry in the difficulties caused by the drought.

Hon. C. F. Baxter: By the dry seasons.

Hon. A. SANDERSON: There is no use in quibbling over that. I believe the best authorities in Australia will say that the different parts of Australia as a whole, excepting a very small portion of the South-West of Western Australia, are subject at different recurring intervals to drought. That will not be questioned by anyone who has taken the trouble to make himself acquainted with the position, and in this State we have one institution, and one only, which is in closest possible touch with all sections of the farming community, and that is the Agricultural Bank. In those circumstances surely it is wise to let the Agricultural Bank handle the industries affairs and I should certainly assist Mr. Cullen if he could devise a scheme for doing that. We have heard of some grants being made to the mines, and one of the tin mines received a small amount, but one authority stated that three-quarters of the assistance has been given to the agricultural settlers. I do not wish to criticise that, but I say the Agricultural Bank failed because it had not sufficient capital and possibly because it had not sufficient power to deal with the position in which it had put its own clients. It put them out on land, some of them without sufficient experience. All the other banks, as far as one can understand, have stood by their clients with wisdom, caution, and strength, but what did the Agricultural Bank do? At the first breath of trouble, as I have said, those responsible had to practically admit they had not sufficient capital to carry on, or even to meet the obligations they had already undertaken. I quite realise that it is useless to protest against this measure now. We cannot reject the second reading of this Bill, because we have got ourselves into such a position that we must go ahead and having arrived at that conclusion, I shall

gladly support Mr. Cullen to put the whole of the responsibilities, as far as possible, on the Agricultural Bank. In order to enable the bank to bear that responsibility, it would seem it must have a very considerable addition of capital to carry its clients through what is going to be a very difficult 12 months.

On motion by Hon. W. Patrick debate adjourned.

BILL—MARRIAGE ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th September.

Hon. J. F. CULLEN (South-East) [9.52]: This is a private Bill introduced in another place, and taken up by a representative in this Chamber. Its object is to legalise the marriage of a man with his deceased brother's widow. The proposal in the Bill is repugnant to the ideals of many people, and is one to which the religious bodies, which compose two-thirds of the population of Australia, are opposed.

Hon. C. F. BAXTER (East) [9.54]: The view taken in regard to this Bill by the hon. member who has just spoken appears to me to be an extreme one. Its object merely is to amend the law in the case where a man finds himself in the position of assisting his deceased brother's wife and children. A brother dies and leaves a wife and children on such a man's hands; he is a single man, and who is better qualified to be put in the position of a father to those children, and the husband of that wife, than one who is already connected with the family? We find that under our present law second cousins are permitted to marry, and second cousins are blood relations; but a man and his brother's widow are not blood relations at all. To my mind the people who take objection to this law are very narrow in their views. It is a queer kind of religion which would place obstacles in the way of children securing a father and a woman of getting a suitable husband for her protection and the

protection of her children. I intend to support the second reading of the Bill.

Hon. W. KINGSMILL (Metropolitan) [9.57]: I am not quite in accord with Mr. Cullen with regard to his remarks made on this Bill. It appears to me that the arguments against proposals of this kind, and the laws against marriage on the score of consanguinity are put there for the purpose of preventing the deterioration of the race through marriages between blood relations. The proposal in this Bill is to legalise marriage with a deceased brother's widow and from the point of view of consanguinity, or from the physiological, or any other point of view, I cannot see any reason why the stamina of the race is likely to be jeopardised.

Hon. A. SANDERSON (Metropolitan-Suburban) [9.59]: To my mind the law in Western Australia in regard to marriage is not stricter than it is anywhere else. Mr. Justice Burnside has remarked that the facilities for divorce in this country are greater than in any other part of the world. To that remark of His Honour I would only add that if this Bill passes, the facilities for marriage in this country will be greater than in any other part of the world. I pass by the religious aspect of the question, but I want to ask members if they really believe that the Commonwealth of Australia should go on on the lines suggested in this Bill? Surely that is a very unsound attitude to take up, and, therefore, for my own part, solely and wholly on the ground that the Federal Government have the power and will shortly exercise the power of legislating with regard to marriage—and I think hon. members must admit that the marriage laws should be uniform throughout the Commonwealth—I must, and I hope other members will, refuse to pass the Bill.

Hon. W. PATRICK (Central—in reply) [10.1]: I scarcely understand why there should be any opposition to this little measure, since what it proposes seems such a just and reasonable thing to be done. I was astonished at the eloquent address of Mr. Cullen. I am

safe in saying that the measure could never be of personal interest to either that hon. member or myself. To all intents and purposes the law of Western Australia at the present moment is that a man can marry his deceased brother's wife, but he has to take a trip to New Zealand at a cost of £80 to achieve that end. Any man who marries his deceased brother's wife in the Dominion of New Zealand finds himself legally married on arriving in Western Australia. I do not think it is necessary to say any more. The thing is perfectly plain. The relationship is on the same footing as in the case of a deceased wife's sister. In fact, in the majority of cases the relationship here concerned would be further away. I am sure the majority of members will admit that the proposal is only just, and in the interests of the family, if the deceased brother leaves any family. I am sure I can safely leave this Bill in the hands of the House.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair, Hon. W. Patrick in charge of the Bill.

Clause 1—agreed to.

Clause 2—Insertion of new section after Section 32 of principal Act:

Hon. A. SANDERSON: If Mr. Cullen does not intend to move an amendment on this clause, it means that the measure will go through both Houses without a division and practically without discussion. I do not propose to divide the Committee unless there is some reasonable prospect of support. Should the measure pass without division or discussion, it will represent a fitting conclusion to the extraordinary state into which the country has got itself.

Hon. J. F. CULLEN: There has of course been discussion of the measure in this House. I, for my part, put in as strong a protest as I could. However, I think we may as well have a division on this clause.

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

Ayes	13
Noes	3

Majority for	10
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AYES.

Hon. R. G. Ardagh	Hon. J. Duffell
Hon. C. F. Baxter	Hon. V. Hamersley
Hon. H. Carson	Hon. E. McLarty
Hon. E. M. Clarke	Hon. G. M. Sewell
Hon. H. P. Colebatch	Hon. Sir E. H. Wittenoom
Hon. J. Cornell	Hon. W. Patrick
Hon. J. M. Drew	(Teller).

NOES.

Hon. F. Connor	Hon. J. F. Cullen
Hon. A. Sanderson	(Teller).

Clause thus passed.

Clause 3—agreed to.

Title—agreed to.

[*The President resumed the Chair.*]

Bill reported without amendment, and the report adopted.

ADJOURNMENT—ROYAL AGRICULTURAL SHOW.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [10.12]: I move—

That the House at its rising adjourn until Thursday next.

Question passed.

House adjourned at 10.13 p.m.