

Legislative Council,

Wednesday, 1st December, 1926.

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The PRESIDENT took the Chair at 3 p.m., and read prayers.

PAPERS—UNKNOWN WESTERN AUSTRALIAN SOLDIER.

On motion by Hon. A. Lovekin, ordered: That there be laid on the Table of the House all papers relating to the proposed transfer of the remains of a Western Australian "unknown soldier" from their resting place in France to Perth.

BILL—WIRE AND WIRE NETTING.

Read a third time and *passed*.

BILL—STATE INSURANCE.

Third Reading.

Debate resumed from the previous day.

HON. A. LOVEKIN (Metropolitan) [3.8]: I am sorry I was not in the House when the Bill was passing through its previous stages. I do not think, however, in view of the attitude I have taken up all along, that I should allow the third reading to be carried without offering a few remarks. Last year we passed a Bill which made insurance compulsory. In passing it, as matters have since turned out, we ordered that which has proved to be impossible. The insurance companies we find have refused to insure the suffering miners. As Dr. Saw has said, the corollary to our action is that there must be found some means of insurance. The Government, notwithstanding an Act of Parliament which has been in existence for several years, have seen fit to say that they will undertake the duty and responsibility

of insuring these men. I do not think anyone can blame them. We may accept it as an axiom that the miners who are suffering from these particular complaints must be cared for. I take the view, however, that it is not the duty of the Government to launch a State enterprise in the form of another insurance office. It is the duty of the State itself to undertake the responsibility of looking after these men. It is the duty of every country to provide for its sick, and the miners who are suffering from these complaints must be regarded as belonging to that category. It is, therefore, the duty and responsibility of every taxpayer to look after them. We must not forget that everyone of us, especially in the cities, has profited by the work of those who in the past have been engaged in the mining industry. The population of the State has increased, and its wealth has increased, and we have all benefited. Seeing that these men have fallen by the way while engaged in employment which has enriched us, it is our duty to look after them. Rather than adopt the course which the Government have taken of starting another insurance office, I suggest they should drop that part of the Bill, and accept the full responsibility of the miners from the general revenue. I am absolutely opposed to the Government launching out in any new industry. It is not their duty to trade or to conduct business. It is their function to govern and see that the people do their duty properly in the community. With these few remarks I, with other members, am going to allow the Bill to be read a third time.

HON. J. CORNELL (South) [3.11]: I desire to emphasise the remarks I made on the second reading of the Bill, and to reiterate the warning I gave when the Workers' Compensation Act was before this House in Bill form. Any attempt to make adequate provision, even on the bare ground of justice, for the victims of our mining industry, will not be accomplished by any system of workers' compensation as we know it. It is going to fall far short of that meed of justice to which these victims in the past and those in the future are entitled. No doubt the best of intentions were behind the Workers' Compensation Act of 1924, and are also behind the Bill that is now before us. There is no gainsaying the fact that the refusal of the companies to insure the risks in our mining

industry forced upon the Government the necessity for doing something which would square with the existing machinery. The existing machinery is at fault. I say to the Government if they be returned next March, or to the Government who may succeed them, that what is required now and will be required in a few months' time is some impartial tribunal that will make exhaustive inquiries into the position we now find ourselves in. I submit there is sufficient data already available to bring home to any impartial body of men, who understand the situation, the impossibility of relying solely upon the system of workers' compensation from the point of view of the men employed in the industry, and of the industry itself. On the second reading I endeavoured to suggest, without making comments, a definite basis upon which the existing law should be inquired into, tightened up, and otherwise altered where necessary. In my opinion our experience is leading us to where South Africa was led in the early stages of its mining history, and to where the experience of New South Wales has led that State. There is no gainsaying the fact that both branches of our Legislature are convinced of the necessity for rendering a full measure of justice to the victims of the mining industry, and are also convinced that the industry is not in a position to carry the accumulated burden of the past. If, however, that burden is cleared up and the accumulated load is borne by the Consolidated Revenue, the industry thereafter should be left to bear its own responsibilities.

Hon. A. LOVEKIN: Can the industry bear a premium of £4 10s. per cent. even on the future men?

Hon. J. CORNELL: I think members who have gone into the subject recognise that the industry in its present position, or in any position that is likely to appear in the near future, cannot bear the burdens imposed upon it by the Workers' Compensation Act. I refer to the burden represented by the accumulated load, and not to any hypothetical burden that may be created. My inquiries have satisfied me that if the accumulated load is lifted, and if the system of medical examination continues, with proper inspection, and also with due provision in regard to new mines, the future impost upon mining will not be too heavy. With these few remarks I have much pleasure in supporting the third reading of

the Bill. In the interests of humanity it is our absolute duty, since we have set our hands to the plough, to evolve, in behalf of these victims of industrial disease, a system that will be fair, equitable and just all round.

Question put and passed.

Bill read a third time, and returned to the Assembly with amendments.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Assembly's Message.

The Assembly having disagreed to an amendment made by the Council and having further amended an amendment made by the Council, these were now considered.

In Committee.

Hon. J. CORNELL in the Chair; the Honorary Minister in charge of the Bill.

No. 4—Clause 12, insert after the word "only" in line 4 of Subclause 2 the following:—"Provided that nothing in this subsection shall prevent any person acting as general manager of two or more mines, if each of such mines has in charge thereof a certificated manager who is not engaged in the management of any other mine":

The CHAIRMAN: The reason given by the Assembly for disagreeing to the Council's amendment is—

The amendment is unnecessary, as the Act is not concerned with general managers, and reference to them can only introduce confusion.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Hon. E. H. HARRIS: The parent Act contains a reference to "manager," not "general" or "certificated manager." The Bill provides for certificated managers. I understand the object of Mr. Stewart's amendment is to provide that a general manager may exercise general supervision over a number of mines in one area or district. To safeguard that position the proviso was inserted. There can be no objection to its remaining in the Bill, as a certificated manager is still required on each mine. No confusion can result.

Hon. J. NICHOLSON: The Bill as submitted precluded a general manager from acting as general manager of two or more mines. For that reason the proviso was in-

serted by this Chamber. It is a safeguard, and perfectly reasonable, and we should insist on it. Clause 12 contains a subclause reading—

A certificated manager under this Act shall have control and management of one mine only.

In connection with mines and other large concerns, it is a general principle that one man may be general manager of two or three undertakings. Each mine under a general manager's control is still to have a certificated manager in charge.

The HONORARY MINISTER: I hope the Committee will not insist upon the amendment. The previous discussion need not be repeated. The Bill does not restrict one man from being a general manager of all the mines on the Collie coalfields, if that is thought desirable. The Bill merely provides that there shall be a certificated manager in charge of each separate mine. The proviso is quite unnecessary.

Hon. Sir Edward Wittenoom: Do not you think it makes the position perfectly clear?

The HONORARY MINISTER: I do not think so. The proviso is not sufficiently important to warrant the holding up of the Bill. Mine management is a calling that cannot be undertaken without practical knowledge. The Bill is the result of a conference between the mine owners, the miners, and representatives of the Mines Department, and therefore is an amicable arrangement satisfactory to all parties.

Hon. A. LOVEKIN: I do not think it makes much difference whether the amendment be included or excluded. We provide that each mine shall be controlled by a certificated manager but we do not say that there shall be a general manager or chairman of directors who shall supervise a dozen mines.

Hon. J. J. Holmes: The amendment will clarify the position.

Hon. A. LOVEKIN: It may do so to a certain extent.

Hon. J. Nicholson: It is very necessary to include the amendment.

Hon. A. LOVEKIN: I do not think so. If I were general manager, I would exercise my jurisdiction so long as I had a certificated manager in charge of each mine. It is not worth while quibbling with the Assembly and insisting upon an amendment that is really unnecessary.

Hon. J. EWING: The Government should be supported, for it is useless sending the Bill back with the amendment, which is

unnecessary. The Bill seeks to safeguard the mines and the lives of those who work in them. To that end we provide that each mine shall be controlled by a certificated manager. There is no necessity to insist upon the inclusion of provision for a general manager.

Hon. E. H. HARRIS: The reason advanced by the Assembly against the inclusion of the amendment is that references to general managers may lead to confusion. It is an equally good argument to say that the absence of any such references will lead to confusion.

Hon. J. Ewing: Why does it not do so now?

Hon. E. H. HARRIS: We have provided for certificated managers to control each mine.

Hon. J. Ewing: That has always been so.

Hon. E. H. HARRIS: But now we provide for it in an Act of Parliament. There is nothing to say that one man may be general manager of one or of a dozen mines. As it is it may be argued, in the absence of any reference in the Bill, that no one could be appointed as general manager except a certificated man as set out in the Bill. The inclusion of the Council's amendment will not impose a penalty upon anyone and the Committee would be wise to insist upon its retention.

Hon. J. EWING: The whole object is to place the responsibility upon the man who is looking after the mine. A general manager should not interfere with the actual management of a mine.

Hon. E. H. Harris: He cannot do so.

Hon. J. EWING: In years gone by the position was not thoroughly understood; now it will be. The man who is in control of the mine as manager will be the man actually in charge, and no general manager will be able to dictate to him how the coal shall be mined or how the timbers shall be put in. The safest way is to refrain from insisting upon the amendment and thus prevent any possibility of confusion.

The HONORARY MINISTER: A general manager will merely dictate the policy operating in connection with a mine, but the actual management of the mine will be in the hands of the certificated manager. Some of us have had experience in the past of a chairman of directors interfering with the management and the actual development of a mine, to the detriment of the operations.

Hon. J. J. HOLMES: Mr. Ewing's remarks convince me that we should insist upon the amendment. He pointed out

clearly that the intention was that the certificated manager should be the top dog.

Hon. J. Ewing: And so he should be, underground.

Hon. E. H. Harris: That is a qualification.

Hon. J. J. HOLMES: In the absence of some provision regarding general managers, we may have a strike among the certificated managers, should an attempt be made to appoint a general manager. The certificated men would contend that they were operating under an Act of Parliament that gave them the control of the mines, there being no provision included that would enable a general manager to interfere with them. The amendment will clarify the position and we should insist upon it.

Hon. J. EWING: Mr. Holmes is adopting a wrong attitude. There might be a general manager who might be an accountant, who would have no knowledge of underground workings at all. The whole object is to assure that the manager shall be in control below ground, for he knows how to set his timber and how to mine the coal. The general policy of the company will be in the hands of the board of control and the general manager, but there will be no interference with the certificated man with the practical knowledge of underground working.

Hon. J. J. HOLMES: The point involved is: Shall a company controlling several mines have the right to appoint a general manager to control the lot, apart from the certificated managers who are in control of the several mines?

Hon. J. Ewing: But the general manager may not have the practical knowledge.

Hon. J. J. HOLMES: I do not refer to the control underground, but to the whole policy of the company.

Hon. J. Ewing: But that is the position now.

Hon. J. J. HOLMES: There is nothing to indicate that in the Bill.

Hon. J. EWING: The position is exactly as Mr. Holmes suggests. There is a general manager who does not go below to tell the underground manager that he is doing the work in the wrong way. There is nothing to prevent the appointment of several general managers. All we desire to achieve is to see that the men who are actually directing operations in the mines shall not be dictated to regarding the actual working of the mines.

Hon. J. J. HOLMES: When the Bill was introduced we were told we were including in the Bill what actually existed at Colliery to-day. Now we are told that although we are not to make any provision for general managers, there are general managers in fact to-day. Unless we insist upon the amendment we shall provide for the certificated managers, but no mention will be made of general managers. Later on if it is proposed to appoint a general manager to supervise operations, there will be trouble. We should make the position clear that the owners have the right to appoint a general manager.

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

Ayes	..	..	..	10
Noes	..	..	..	11

Majority against .. 1

AYES.

Hon. J. R. Brown	Hon. W. H. Kitson
Hon. A. Burvill	Hon. A. Lovekin
Hon. J. E. Dodd	Hon. E. Rose
Hon. J. M. Drew	Hon. E. H. Gray
Hon. J. Ewing	(Teller.)
Hon. J. W. Hickey	

NOES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. C. A. Kempton	Hon. Sir E. Wittenoom
Hon. Sir W. Lathlain	Hon. W. J. Mann
Hon. J. M. Macfarlane	(Teller.)

Question thus negatived; the Council's amendment insisted upon.

No. 3. Clause 8, Subclause (4).—Delete the words "general secretary of the Miners' Union" in lines thirteen and fourteen and insert in lieu thereof the words "the accredited representative of any industrial union of workers who are engaged in the coal mining industry, and whose wages are determined on the basis of the tonnage of coal raised."

Assembly's amendment of the Council's amendment—

Insert after "workers," the words "registered under the Industrial Arbitration Act, 1912-25."

The HONORARY MINISTER: I move—

That the Assembly's amendment be agreed to.

Hon. E. H. HARRIS: The Assembly has offered no reason for its amendment. Will the Minister advance a reason?

The HONORARY MINISTER: On many occasions when reference has been made to the industrial laws or the factory laws, it has been recognised that registration by the Arbitration Court should be the test of an industrial body of workers. The object of the Assembly in making its amendment was to recognise registration under the Industrial Arbitration Act.

Hon. E. H. HARRIS: I have been told that when this matter was discussed in another place it was suggested that our amendment would open the door to bogus unions. The Industrial Arbitration Act of 1912-25 contains a definition of "industrial union" as meaning an industrial union registered under that Act. Any reference in any Bill before us to an industrial union can only refer to an industrial union registered under the Industrial Arbitration Act. Therefore it is idle to seek to add to our amendment the condition that an industrial union shall be a registered industrial union.

The Honorary Minister: The Assembly's amendment makes it clear.

Hon. E. H. HARRIS: It is already clear, without the Assembly's amendment, and so that amendment is superfluous. I hope the Committee will insist upon the Council's amendment.

The HONORARY MINISTER: Nobody knows better than Mr. Harris that the Assembly's amendment does clarify the position and provide against industrial chaos. Every clause in the Bill has for its object the continuance of industrial peace in the coal mining industry. The Council has amended this clause and the Assembly has amended the Council's amendment in the direction of clarifying it. Having in mind the control exercised by the Industrial Arbitration Act, and in the interests of industrial peace, it is wholly advisable that we accept the Assembly's amendment.

Hon. E. H. HARRIS: The words "the accredited representative" have been used elsewhere in the Bill as printed, and that without any reference to the union being registered under the Industrial Arbitration Act. Yet when the Council uses the same words in its amendment, we are told it is necessary to add to those words "registered under the Industrial Arbitration Act." In view of the definition in the Industrial Arbitration Act I say it is entirely unnecessary to add those words. Moreover, if it were necessary, it ought to be done by the

insertion in the Bill of a definition of "industrial union of workers." I hope the Committee will insist upon the Council's amendment.

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

Ayes	..	..	..	..	6
Noes	..	..	..	..	16

Majority against .. 10

AYES.

Hon. J. R. Brown
Hon. J. M. Drew
Hon. J. Ewing

Hon. J. W. Hickey
Hon. W. H. Kitson
Hon. E. H. Gray

(Teller.)

NOES.

Hon. C. F. Baxter
Hon. A. Burvill
Hon. J. E. Dodd
Hon. E. H. Harris
Hon. J. J. Holmes
Hon. G. A. Kempton
Hon. Sir W. Lathlain
Hon. A. Lovekin

Hon. J. M. Macfarlane
Hon. W. J. Mann
Hon. G. W. Miles
Hon. J. Nicholson
Hon. H. Seddon
Hon. H. A. Stephenson
Hon. Sir E. Wittenoom
Hon. E. Rose

(Teller.)

Question thus negatived; the Assembly's amendment not agreed to.

Resolutions reported and the report adopted.

The HONORARY MINISTER: I move—

That Hon. E. H. Harris, Hon. J. Nicholson, and Hon. Sir William Lathlain be appointed a committee to draw up reasons for disagreeing to the amendment made by the Assembly to the Council's amendment.

Hon. J. Nicholson: The Honorary Minister, as mover of the motion, should be a member of the committee.

The Honorary Minister: I have no desire to be on the committee.

Hon. J. NICHOLSON: As one who has been proposed as a member of the committee, I would value the assistance of the Honorary Minister. I think it would be desirable for him to act.

Hon. G. W. MILES: Are we adopting the procedure usual at this stage? Once this session I was appointed to a committee to draw up reasons, and the reasons sent to another place were not read there. It seems farcical to appoint a committee to draw up reasons if the proceedings of the Council are to be treated in that way.

Hon. J. Ewing: Did not another place take notice of the reasons?

Hon. G. W. MILES: No; it was announced that the Assembly's amendments

had been disagreed to by the Council and our reasons for disagreeing were not read. I see no need to appoint a committee.

The PRESIDENT: It is the duty of the Council to carry out the Standing Orders. Standing Order 226 provides for the appointment of three members to draw up reasons when amendments made by the Assembly on the Council's amendments are disagreed to. The Honorary Minister has proposed three members as a committee to draw up reasons. It is competent for any member to propose the addition of any other hon. member.

Hon. G. W. MILES: The point on which I should like information is whether we can insist on our reasons being read in another place.

The PRESIDENT: We can do nothing more than is provided in our Standing Orders.

Hon. G. W. MILES: Then I protest against the treatment meted out to us on a previous occasion when the reasons forwarded were not read.

Hon. E. H. Gray: What about the Council's treatment of the Assembly?

Hon. Sir WILLIAM LATHLAIN: The Honorary Minister should act on the committee, and I am perfectly willing that he should be nominated in my stead. He is in charge of the measure and is au fait with the details, and it is only fair that his side should be properly represented. I propose the Honorary Minister as a member of the committee.

The PRESIDENT: I understand the hon. member wishes to withdraw his nomination and substitute that of the Honorary Minister.

Hon. Sir William Lathlain: Yes.

The PRESIDENT: Is that agreeable to the Honorary Minister?

The HONORARY MINISTER: I appreciate the compliment Sir William Lathlain has paid me, but I feel sure that I would not be in as good a position as he is to give reasons for the Council having disagreed to the amendment made by the Assembly. Therefore I would prefer that he accepted the nomination.

Hon. Sir WILLIAM LATHLAIN: I still feel that the Honorary Minister, or those who share his opinion, should be represented on the committee. It is not entirely a matter of drawing up reasons; it is a matter of stating the case, and the three member-

proposed are of one opinion. I prefer that the opinion of the other side should be represented.

Hon. J. Ewing: The committee represent the majority.

The HONORARY MINISTER: Sir William Lathlain seems to be confusing the appointment of a committee for drawing up reasons with the appointment of managers to a conference. If this were a question of appointing managers, the position would be quite different. No one is better qualified to draw up the reasons for disagreeing than is a member who voted to disagree.

Hon. E. H. HARRIS: I should like to know the position of the committee regarding the two amendments with which we have dealt. They were sent from this House to another place, which has given a reason for disagreeing to one amendment but no reason for amending the other amendment. Should the committee frame a reason for only one or for both amendments? I submit that as only one reason has been sent to us, only one should be returned to the Assembly by way of answer.

The PRESIDENT: Standing Order 226 reads—

In any case when a Bill is returned to the Assembly with any of the amendments made by the Assembly on the Council's amendments disagreed to, the message returning such Bill shall also contain written reasons for the Council not agreeing thereto. Such reasons shall be drawn up by a committee of three members to be appointed for that purpose when the Council adopts the report of the Committee of the whole disagreeing to the amendments in question.

Question put and passed.

Sitting suspended from 4.12 to 4.34 p.m.

Resolutions adopted, and a message accordingly returned to the Assembly.

BILL—WEIGHTS AND MEASURES ACT AMENDMENT.

Assembly's Message.

The Assembly, having disagreed to an amendment made by the Council, this was now considered.

In Committee.

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

No. 1--Clause 6, add the following sub-clauses: "(6) In the case of beer (ale, porter and stout) the undermentioned vessel shall be deemed to contain the standard measure, if the actual contents are not less than the quantities stated in the following schedule: Hogshead 52 gallons, barrel 35 gallons, half-hogshead 26 gallons, kilderkin 17 gallons, 10-gallon keg $9\frac{1}{2}$ gallons, 9-gallon keg $8\frac{1}{2}$ gallons, 5-gallon keg $4\frac{1}{2}$ gallons. (7) This section shall not take effect until the expiration of six months from the commencement of this Act":

The CHAIRMAN: The Assembly's reason for disagreeing to the Council's amendments is—

That it is a negation of the principles of the Act.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. J. NICHOLSON: As an amendment to the motion now before the Chair I move, under Standing Order 225, the following alternative amendment:—

That a proviso be added to Subsection (1) of proposed new Section 20, as follows:—"Provided that in the case of beer (ale, porter and stout) the undermentioned vessels shall be deemed to contain the standard measure, if the actual contents are not less than the quantities stated in the following schedule:—Hogshead 52 gallons, barrel 35 gallons, half hogshead 26 gallons, kilderkin 17 gallons, 10-gallon keg $9\frac{1}{2}$ gallons, 9-gallon keg $8\frac{1}{2}$ gallons, 5-gallon keg $4\frac{1}{2}$ gallons," and that Subsection (7) contained in the Council's amendment be inserted to stand as Subsection (6).

The CHIEF SECRETARY: I am prepared to accept the alternative amendment.

Question put and passed; the alternative amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—DAIRY CATTLE COMPENSATION.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.48] in moving the second reading said: The object of the Bill is to provide compensation for dairy cattle owners against loss following any action taken by the Government in administering the Stock Diseases Act in regard to the repression of tuberculosis and actinomyces in

our dairy herds. The compensation referred to is based upon the principle of insurance whereby the owner contributes a certain sum in the form of registration fees. To this amount the Government propose to contribute a sum, and together the amounts will constitute a compensation fund. Compensation will be payable to the owners of cattle destroyed, in the proportion of 90 per cent. of the assessed value of the animal destroyed; that is to say the Government will contribute two-fifths of the amount payable and the dairymen will provide in the form of fees the remaining three-fifths. For example: the assessed value of animal is £15, and the amount of compensation payable, 90 per cent. of £15, is £13 10s. The amount payable from fees (three-fifths of £13 10s.) is £8 2s., and the amount payable by the Government (two-fifths of £13 10s.) is £5 8s.

Hon. J. J. Holmes: Who fixes the value of the animal?

The CHIEF SECRETARY: It will be assessed in accordance with the Act. In the first instance, they are all insured for £15. The value of the animal destroyed may not be as much as £15, but in the first place they will all come in on the original basis. Compensation can only be paid subject to registration in accordance with the Bill, that is to say, the claimant must have been registered at least 14 days prior to making a claim, except in such cases as the Minister controlling the Act may otherwise decide. Special circumstances may justify a variation. For the purposes of the Bill no animal will be assessed at a value in excess of £15. The assessed value of any animal slaughtered under the Bill is to be determined by the inspector ordering destruction, and the owner. Provision is also made in the measure whereby, in the event of an agreement as to value not being arrived at, the Minister shall have power to appoint an independent arbiter, whose decision shall be final. Registration of dairy herds for the purposes of the Bill is to be compulsory in such districts as may be defined by proclamation. It is proposed to deal in the first instance with the metropolitan area, and calculations are based upon a total of 6,000 dairy cows subject to registration. Such registrations at 2s per head will provide £600 as a nucleus for the fund. Provision will require to be made to set aside a sum of, say, £300 by the Government in order to meet the first year's operations. Any animal ordered for slaughter must be delivered to a Government abattoir, where it

will be slaughtered. After slaughter the commercial value of the carcase or part thereof is to be passed to the compensation fund. It is proposed that the operations of the Bill be made applicable to the metropolitan area in the first instance. I move—

That the Bill be now read a second time.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—TIMBER INDUSTRY REGULATION.

Second Reading.

Debate resumed from 25th November on the motion for the second reading and an amendment by Hon. J. Nicholson to strike out the word "now" and add "this day six months."

HON. J. E. DODD (South) [4.55]: I have a few remarks to make upon the Bill, it being one that deals with industrial matters. It is a short measure, following the lines principally of the Mines Regulation Act. Up to date the chief objection to the Bill seems to be that it entails a duplication of many of the regulations governing the timber industry. The timber industry is already regulated by the Factories Act, the Health Act, the Inspection of Machinery Act, the Industrial Arbitration Act, and one or two others. Therefore it is objected that by passing the Bill we shall be making too much legislation. Of course the industry is already under many restrictions; but if we could only see the number of restrictions hedging us all about, I am afraid half of us would go mad. However, when it comes to protecting human life and limb, it is a different consideration. The Bill deals principally with the safety of human life and limb, and for that reason I will support it, although I think possibly it could be amended in a way that would make for the better working of the timber industry. Only recently we passed the Traffic Act, which provides a great many restrictions. Yet that was supported by practically all members, it being generally recognised that for the protection of human life and limb those restrictions were necessary. For instance, when a man gets a motor car he has to secure a certificate as a driver. Then he has to register his car, and submit to speed limits, and obey all the rules of the road. There are endless rules that we cannot get away from when it comes to the

protection of human life and limb. As to the argument that the timber industry is already regulated by a number of other Acts, I may point out that the Factories Act, the Health Act, the Machinery Act, and the Industrial Arbitration Act are all State wide Acts, and are not confined to any place or industry, but apply all over the State, except for certain restrictions respecting the North-West. The timber industry and quite a number of other industries also are under the Factories Act. The Industrial Arbitration Act deals with conditions of labour and the wages of the workers, but has nothing whatever to do with the safety of the workers. For instance, under that Act the court may issue an award providing higher rates of wages for bad places. I know more about the mines than I do about the timber industry, and so I know that the Arbitration Court may award a higher rate of wages and shorter hours for men working in a mine. But the court has no power to say that that rise shall not be worked if it be dangerous; it deals only with conditions and wages, and has nothing to do with the safety of the workers. So that when we say that the industry is partly regulated by the Arbitration Act, we are only saying what we could say of every other industry. It applies to the Health Act, and the Health Act applies to the mining world. I do not think a mine becomes a factory at any time, but still, mines come under a large number of Acts, just as the timber industry or any other. This cannot be helped. Therefore I can see nothing in the contention that the Bill is not necessary because these other Acts are in operation. The Forests Act is similar to the Mining Act, which is quite separate from the Mines Regulation Act. The Mining Act deals with acreage, and all that kind of thing; the Mines Regulation Act is different altogether, and so it is with the Forests Act. There is nothing in the Forests Act relating to safety in regard to the working of the industry. It has been said there are too many inspectors and too many inspections. I am afraid there is a tendency towards appointing too many inspectors, though I do not know about there being too many inspections. I may point out that a health inspector is usually a factory inspector, and an industrial inspector under the Arbitration Act. All other inspectors are, I think, factory inspectors and Arbi-

tration Act inspectors, so we are really not duplicating the inspectors under those three Acts. There are certainly two or three other inspectors to be appointed under the Bill we are discussing, but it is not the employers that have complained about the inspectors. My experience in connection with mines is that men have always complained about there not having been enough inspections, and that the inspections have not been sufficiently severe. That was the reason for the agitation that brought about the appointment of workmen's inspectors. I had not a little to do with the appointment of workmen's inspectors in 1915, but I am not in a position to say how the innovation affected the mines. I believe, however, that the appointment of those inspectors has worked very well, and I have said many times that a great deal of good has resulted to the employers by the inspectors pointing out certain matters to the employers. I remember that the late Mr. Holman often said that there were more accidents in connection with the timber industry than in the mining industry. I have never been able to credit that. I know that many accidents have happened in mines, fatal accidents and otherwise, but I cannot imagine that as many have occurred in the timber industry. There may be minor accidents, and I am also aware that there have been a number of serious accidents in the timber industry, but when one comes to say that as many have happened in the timber industry as in the mining industry, I must say that I cannot agree with the statement. It has also been mentioned that there are many duplications in our industrial laws. That is another matter that might be taken up. I point out to the Honorary Minister that we are now undoing the very thing we tried to avoid when dealing with the Coroners Bill in this House in 1920. We passed that Bill to consolidate the law relating to coroners' inquests, and we took from the Mines Regulation Act and the Coal Mines Regulation Act the provisions in those measures relating to coroners. Since passing the Coroners Act we have included, in the Scaffolding Act, special provisions relating to inquests, and now we propose to include another such provision in the Bill we are considering. To my mind it is the wrong Bill in which to insert such a provision; the proper place is the Coroners Act. I point out to the Honorary Minister also that possibly there is a

word lacking in the Bill. Subclause 1 of Clause 21 says—

A person having a personal interest in or in the management of the timber holding in which the accident occurred shall not be qualified to serve on the jury empanelled on the inquest.

In the Coroners Act it is set out: "No person having a personal interest in or employed in a mine." The word "employed" has been left out of the subclause in the Bill, whether intentionally or not I cannot say. I might also direct attention to that section in the Coroners Act because Sir William Lathlain objected to any person having a personal interest in the management of the industry being debarred from sitting on a jury. That is already provided for in the Coroners Act, and the provision was made by the Government of which Mr. Colebatch was a member. It was taken from the Mines Regulation Act and the Coal Mines Regulation Act. The practice on the goldfields was this, that the police summoned a business man and he usually became foreman of the jury. Then two other jurors were summoned, and they were qualified miners. Rarely, however, was there summoned a miner who worked on the mine where the accident occurred. On the goldfields there are so many men who have been miners and others that a jury is empanelled with very little difficulty, a jury of men qualified to sit on an inquest arising out of an accident on a mine. The proposal contained in the Bill is not an innovation; it is already the law. The main trouble experienced by leaders of the unions on the fields was to induce juries to add riders. Not that they wanted to do anything that was wrong, but simply in the hope of bringing about better working results. Still, it was rarely that a coroner's jury could be induced to add a rider. After all, the object of a coroner's inquest is only to inquire into the cause of death. The main part of the Bill lies in the regulations, and the point is whether those regulations will be framed in a reasonable way, and whether they will be administered reasonably. Personally I can see nothing to justify the belief that the present Government, or any other Government, will frame a set of regulations that will be likely to harass the industry. At all events, I hope not. I do say this, that very great power is given to the Government under regulations; in fact, the regulations are the Bill. I should also like to refer to the statement that has been

made that members having an interest in the industry have no right to take part in the discussion. I cannot follow that reasoning at all. If we did that, then in respect of almost every Bill that was brought before the House some member or other would have to walk out and take no part in the debate. Surely the men engaged in the timber industry, whether workers or employers, have a perfect right to express their opinions. If we had to take any other stand, Mr. Nicholson would be debarred from moving the second reading of the Legal Practitioners' Bill, which is to come before us. I have always had an intense admiration for the pioneering companies of the State, no matter in what line of industry they are engaged and Western Australia owes a deep debt of gratitude to the companies and to those men who have worked in those industries as they have done. Sir Edward Wittenoom expressed the hope that the timber industry would not be reduced, by means of regulations, to the same condition as the mining industry. I would point out to that hon. member that the mining regulations never affected that industry in the way that he suggested. The mining industry has been broken by other legislation altogether. The mining regulations as they are to-day, have done absolutely no harm to the industry; we have always managed to work fairly well and amicably with the companies. I believe they are working fairly well to-day, but I know that in my time there was very little trouble except perhaps that there may have been, as there always will be, a certain number of growlers. If the Bill is passed, I hope the Government will not bring in a set of regulations that will be likely to harass the companies and that in the appointments it may be necessary to make, men will be chosen who can be relied upon to give a fair deal. I may direct attention to the fact that the Bill does not provide that an inspector shall be a member of the Civil Service. Unfortunately there seems to be a system growing up under which a number of men, who are not under the Public Service Act and consequently not controlled by the Public Service Commissioner, receive public service appointments. To my mind that is not desirable. I think the Public Service Act was brought in to do away as far as possible with political influence, and if, under the various Bills that come before

us, appointees are not to be officials under the Act, that will be a retrograde step. I would much prefer to see all the principal officials under these measures appointed, as far as possible, by the Public Service Commissioner. I support the second reading of the Bill.

HON. W. J. MANN (South-West) [5.15]: In some respects I agree with what Mr. Dodd has said, but in other respects I am wholly at variance with his views. First of all, one is inclined to protest against the introduction of such Bills as the one before us on the ground of multiplicity of legislation. If we are to have a Bill to regulate every industry in this State we shall soon have nothing but Acts of this description on the statute-book.

The Honorary Minister: This is an important industry.

Hon. W. J. MANN: Every industry is of importance. We have the Industrial Arbitration Act, the Inspection of Machinery Act, the Factories and Shops Act, the Health Act and other Acts governing various industrial matters. There are so many such Acts that it makes one think there is little else to be handled. I wonder sometimes what the functions of the Arbitration Court will be if this tendency is to continue. It has been suggested that one of the main reasons for the introduction of the Bill is that it will deal with an industry that is particularly dangerous. There is just as much danger involved in walking across the streets of Perth on any business day, as there is in connection with the timber industry. Indeed, I think there is a great deal more danger to be encountered in the city streets.

The Honorary Minister: It all depends on the circumstances.

Hon. W. J. MANN: It is necessary to keep one's eyes well open, otherwise there is just as much chance of accident in Perth as is encountered by the men employed in the timber mills. Mr. Burvill gave us a lot of figures regarding accidents in the timber industry. I regret I could not comprehend them, because my experience, gained while living in a timber district for a great many years, is that of the accidents that occur about 95 per cent. are of a minor nature, of which we rarely hear. Certainly there are some serious accidents from time to time, but the majority of them do not happen in the mills. The accidents are out in the bush and I notice very little in the

Bill that will afford the bush workers any protection.

The Honorary Minister: What supervision is there over them now?

Hon. W. J. MANN: There is no supervision in the bush and the Bill does not provide for any supervision either. I regard the inspections that take place in the mills as fairly comprehensive. Mr. Burvill described the inspections as spasmodic, but I was pleased to hear him add that he was referring to his experiences of 26 years ago.

Hon. A. Burvill: Inspections are now made only once a year.

Hon. W. J. MANN: Under the provisions of the Inspection of Machinery Act, machinery at the mills has to be inspected at least once a year. That does not say necessarily that such inspections are not made more frequently.

Hon. J. Nicholson: That annual inspection refers only to boilers.

Hon. W. J. MANN: If an inspector visits a mill and after looking at the boiler is not satisfied with it, he orders a reduced pressure and gives a license to enable the company to carry on for a short period, sometimes only for a month. At the end of that period he returns for a further inspection. On top of that there are a number of surprise visits. It has been suggested that when an inspection takes place at a mill, the machinery is idle. That occurs only when boilers are to be inspected; it does not refer to other occasions.

The Honorary Minister: Have you any record of those surprise visits?

Hon. W. J. MANN: Those surprise visits are made, because I have met inspectors on occasions when they were on their way to the mills. I know those surprise inspections have been made and it is idle to suggest that because one has no record of the dates on which they were undertaken, there were no such surprise inspections.

Hon. J. Cornell: Does the hon. member infer that inspectors make surprise visits in connection with the boilers?

Hon. W. J. MANN: Yes, in connection with the boilers too. Inspectors go out to see whether certain instructions have been carried out.

Hon. J. Cornell: The inspectors give certificates for a specific period for specific pressures.

Hon. W. J. MANN: Regulations are made regarding those employed on the tramways, railways and so on. For instance, men

who are driving locomotives have to pass examinations and have to periodically submit themselves to eyesight and hearing tests. In that regard the position is fairly satisfactory. Further than that I find that most of the revolving machinery is placed either under the floors or under benches and covered so that the element of danger is eliminated as far as possible. I have seen men take risks in the bush and around the mills that made one's blood run cold, risks that no mill manager or foreman could possibly prevent.

Hon. J. Cornell: Every time a man puts a belt on he takes a risk!

Hon. W. J. MANN: Sometimes young men act in this way through thoughtlessness or more or less out of bravado. I do not advance that statement as an argument in favour of less supervision, but as indicating one phase that is present and is not preventable under any system of inspection. Mr. Dodd said that the regulations were, in fact, the Bill. I can hardly agree with that statement. There are some peculiar things dealt with in the regulations. For instance, included in the power vested in the Governor to make regulations for various purposes, is one aimed at "dealing with the ventilation of mills and matters relating thereto, and the prevention of dust." My experience is that there is any amount of ventilation in all mills.

Hon. C. F. Baxter: There is too much ventilation sometimes.

Hon. W. J. MANN: That is so. I would like the Honorary Minister to tell the House what dust he refers to. Is it the dust that surrounds a whim when it is drawn by a team through the bush? Is that the dust he refers to? If so, how does he intend to overcome the difficulty? Does he intend to use water carts out in the bush in order to keep down the dust? If it is the sawdust at a mill that he refers to, I would draw attention to the fact that perhaps 98 per cent. of the timber sawn is green timber that has just been brought in from the bush. There is no dust created in cutting that timber in the mill. The particles of wood thrown off by the saw are wet and fall to the ground, although they may come out a few inches. At some of the mills they go in for wet cutting and as the saw revolves, water drips on to it as it cuts the wood.

Hon. E. H. Gray: What about rip saws?

Hon. W. J. MANN: The timber is green and the presence of dust is negligible to

the greatest degree imaginable. Power is also taken to frame regulations for the good order and condition, safety and use of saw-mills and so on. That business is already looked after by the inspectors under the Factories and Shops Act and under the Inspection of Machinery Act.

Hon. W. H. Kitson: Who says so?

Hon. W. J. MANN: I know they have done so and the work has been carried out effectively. Another power taken is to provide regulations for the provision of smoke screens. Will the Honorary Minister tell us how he will prevent smoke getting into mills?

Hon. J. Cornell: By raising the chimney stacks.

Hon. W. J. MANN: If that is the smoke referred to by the Honorary Minister, that would be one means of achieving his object. I am afraid, however, that is not what he means. I think he refers to smoke that rises from the timber dump where the refuse is burnt. That dump is put as far away from the mill as the management can place it, because there is an element of danger from sparks. It is usual to place the fire dump on the side of the mill where the prevailing winds will carry the smoke away. If once in a while the wind changes, the smoke may enter the mill, but the distance between the actual fire and the benches is such that most of the smoke is dissipated before it reaches the benches. There may be odd instances where the smoke does get into the mills, but I have not seen mills where that happened. In any case the smoke that arises from the fire dumps is not to be compared with the smoke that the men in the mill have to put up with occasionally when bush fires are raging. If the Honorary Minister suggests making provision so that the women and children, as well as the men, shall be protected from the smoke arising from bush fires, I will be with him, but I cannot agree with his views on the question of smoke screens if he refers merely to smoke from the dumps.

Hon. E. H. Harris: It does not mean that if the regulations are framed they will refer to smoke from the mills only.

Hon. W. J. MANN: Perhaps the hon. member refers to tobacco smoke! Power is also taken to prohibit the employment of persons unable to speak the English language in such work because that inability

would be a danger to other workers. I heartily agree with the object sought to be attained under that heading. We should insist upon some such provision in relation to all industries, but particularly in connection with the timber industry. Then again power is to be taken to frame regulations requiring bush lines to be cleared of dangerous trees to a prescribed width. That is a most extraordinary kind of regulation to propose! If the Government intend to insist on bush lines being cleared of dangerous trees, the people generally would be perfectly justified, particularly those who have to use the main roads throughout the country districts, in asking the Government to clear those roads in the same way. If anyone travels from Perth to Augusta or to Pemberton, he travels over a narrow road, particularly in the more distant parts. It is more difficult to drive a motor along a track than an engine along a timber line. It is absurd to ask a company putting down a line that may last for one month or at most for six months to clear it of trees. People who live in the bush know how frequently a line is dropped into a little belt of country, and if the mill owner had to clear it—

Hon. E. H. Gray: Only of dangerous trees.

Hon. W. J. MANN: That is what I am alluding to—if he had to clear the line it would take as long to clear up the fallen timber and get the track down as it would to cut out the little piece of country.

Hon. A. J. H. Saw: It is not dangerous trees but trees in danger of falling.

Hon. W. J. MANN: All trees are in a measure dangerous. I do not think the hon. member could define a dangerous tree.

Hon. A. J. H. Saw: We could do so in this House.

Hon. W. J. MANN: But it is impossible to do so in practice in the bush and that is the part about which I am concerned. The provision for clearing lines is one that might well be eliminated in Committee.

Hon. J. Cornell: If a few more trees fell on country roads, it might be safer to walk around Perth.

Hon. W. J. MANN: I have an answer to that interjection, but it may not be wise to give it here. The Bill contains some good features and I shall support the second reading, but it contains some extraordinary provisions that I hope will be remedied in Committee.

HON. W. H. KITSON (West) [5.32]: I oppose the amendment moved by Mr. Nicholson. I find it difficult to understand the attitude of one or two members because it would be correct to say that every member on more than one occasion has said he would give place to no man in his desire to see that the lives of men working in our industries were safeguarded so far as it was possible to safeguard them by legislation. During the debate on this Bill one or two members have reiterated the statement, and yet have followed it almost immediately by opposing the provisions of a Bill designed to ensure to a large section of workers conditions of safety that should have been provided many years ago.

Hon. Sir William Lathlain: And that are already provided.

Hon. W. H. KITSON: The hon. member knows full well that in many instances they are not provided. It is strange that some members are not prepared to accept the statements of Ministers or of the department that has the administration of the Act. They know, or at any rate, should know, that had it been possible to administer some of the Acts that in part relate to the timber industry, those Acts would have been administered. There have been difficulties; it has been found impracticable to put into operation the statutes that some members tell us should have been enforced. It is the opinion of the officials administering the Act that the existing laws do not adequately cover the industry. I think Mr. Dodd gave a reasonable reply in regard to two or three of the Acts. Let me mention particularly the Arbitration Act which, while it does refer to a few of the items included in this measure, has not been effective in every case owing to the timber corporations not having observed the awards. It has been necessary on more than one occasion for the representatives of the workers to take action against the employers on that account. From my experience of the timber industry, which may not be so extensive as that of some members, I say without hesitation that quite a number of the conditions prevailing in the timber areas are a disgrace to the industry, and it will be a disgrace to the State if we permit them to continue longer than is absolutely necessary. This Bill provides for the appointment of inspectors to do certain things. The timber industry employs a large number of men over a big area of country. Men are working in many parts

of the country without supervision, carrying out duties that demand the exercise of considerable skill and knowledge—knowledge much greater than is required in other industries. I take it that the average inspector appointed under the Health Act, the Factories and Shops Act or even the Inspection of Machinery Act has had no practical experience of the timber industry, and if we are going to give the workers the protection desired under the Bill, the men to be appointed as inspectors should have experience of the industry. I could mention quite a large number of instances of suggestions having been made that would have prevented accidents, some of them serious, suggestions which would have cost little to give effect to but which were ignored by the employers.

Hon. Sir Edward Wittenoom: Then why do the men stay in those dangerous positions?

Hon. W. H. KITSON: Because they cannot help themselves. It is absolutely necessary for them to earn a living and they have to accept the conditions that are forced upon them. If the men said they were not going to work under such conditions on account of the dangers, the hon. member would be one of the first to ask the reason for their ceasing work. Is he going to suggest that the men should cease work every time they find themselves employed under conditions that they consider to be dangerous? We know that men often work under conditions that are extremely dangerous, simply because they have become accustomed to the presence of danger.

Hon. A. J. H. Saw: And many of them would not care to show the white feather.

Hon. W. H. KITSON: That is so. Many of them, too, know that if they complained they would not be kept on the job long. That is an experience that more than one of us have had in the industry. Talking of accidents—

Hon. J. Nicholson: Are you aware of any accidents having arisen from such conditions?

Hon. W. H. KITSON: Yes.

Hon. J. Nicholson: I have not heard of them.

Hon. W. H. KITSON: If the hon. member has not heard of them, I shall mention a few that have occurred quite recently. The other night certain figures were quoted by Mr. Barvill. Mr. Nicholson tried to manipulate the figures to show that the percentage of accidents in the industry was consider-

ably lower than Mr. Burvill had represented it to be.

Hon. W. T. Glasheen: What do you mean by saying he tried to manipulate the figures?

Hon. W. H. KITSON: Mr. Nicholson used the figures quoted by Mr. Burvill in a different way, in order to show by deduction that the percentage quoted by Mr. Burvill was not correct, but should be considerably lower.

Hon. J. J. Holmes: Perhaps Mr. Burvill manipulated them in the first instance.

Hon. W. H. KITSON: He may have done so. Mr. Nicholson endeavoured to show, on the figures quoted by Mr. Burvill, that the number of accidents in the industry was equal to about 2 per cent. Anyone who has taken an interest in Arbitration Court proceedings or in the timber industry generally knows that facts have been produced to prove that the percentage of accidents in the timber industry is the second highest of all industries in the Commonwealth. It is exceeded only by the percentage of accidents in the mining industry.

Hon. E. H. Harris: Mr. Burvill told us the percentage in the timber industry was higher than in the mining industry.

Hon. W. H. KITSON: Perhaps it was higher in the particular instances he quoted. I shall give figures to show that in certain instances the percentage is higher than in the mining industry, but I do not infer that the percentage for the industry generally is greater.

Hon. J. Nicholson: I hope you will classify them into minor, serious, and fatal accidents.

Hon. W. H. KITSON: I am not much concerned whether the accidents were minor, serious or fatal. If a man loses a finger, the loss is much more serious than the loss of a few pounds to a timber corporation. If a man loses a few weeks' work as a result of a minor accident of that kind—I assume the hon. member would call it a minor accident—any regulation we can introduce to obviate such an accident would be well worth while.

Hon. W. T. Glasheen: The worker is protected now.

Hon. W. H. KITSON: Yes, to a certain extent, but if we can bring in regulations that will protect men against the loss of life or limb, or against sustaining even minor injuries, it is our duty to do so. Let me refer to one of the small mills.

Hon. J. J. Holmes: Why one of the small mills?

Hon. W. H. KITSON: Because it is one about which I myself have recently made inquiries, and a second reason is that it happens to be a mill in which a member of this Chamber is personally interested. I refer to Mr. Nicholson. When I quote the accidents at that mill I shall be interested to learn whether he will deny my statement as he denied the statement made the other night. I refer to the Sussex mill. The number of accidents on that mill from the 6th March, 1926, to the 3rd August, 1926, a period of five months, was seven. The number of employees was 45, and so the ratio of accidents is equal to 37.3 per cent. per annum.

Hon. J. J. Holmes: You have had to do some manipulating to get that result.

Hon. W. H. KITSON: The seven accidents were reported to the workers' organisation.

Hon. J. J. Holmes: Why take the figures for five months?

Hon. W. H. KITSON: Because I believe that at the end of that period the mill closed down.

Hon. J. W. Mann: What was the magnitude of the accidents.

Hon. W. H. KITSON: I have particulars of them. No. 1 sustained a bruised ankle when hooking logs on a landing; he was under the doctor's care for one week. In the second case the man sustained a rupture by a fall at work, and was away from duty for a month. In the third case a man's thumb was cut when tailing out on a picket bench, and he was under the doctor's care for eight days. In the fourth case, that of a blacksmith, he suffered from severe burns. The fifth was a case of a bruised finger, and the man was under the doctor for 21 days. In the sixth case the man had a bruised foot, caused by timber falling off a skid during working hours. He was under the doctor for 19 days. In the seventh case the man suffered an injury to his ankle caused by a snag chain. This occurred on the 3rd August and on the 9th the man was still under the doctor and was unable to work for some time. Members may say these are minor accidents.

Hon. J. J. Holmes: Can you by an Act of Parliament prevent a blacksmith from being burnt?

Hon. W. H. KITSON: The average blacksmith is used to getting burned from time to time and takes no notice of it, but if he has to go to the doctor the injury is far more serious than that to which he is accustomed.

Hon. W. J. Mann: On a mill the doctor goes to the man.

Hon. W. H. KITSON: I mention that case because it happens to be one about which I have made particular inquiries during the last few days. If accidents of this kind happen, even though they be minor ones, with such frequency, it shows the necessity for the Bill. I do not think there is very much in the argument that it is a duplication of existing Acts. Mr. Nicholson will admit that the Acts he mentioned do not cover the whole of the timber industry, and that the Factories and Shops and Machinery Acts apply only to the mill itself. They do not apply to anything outside a mill. He will also admit that there is room for considerable improvement in the conditions existing on timber concessions in respect, for instance, to the sanitary arrangements.

Hon. J. Nicholson: That is a matter for the health officer.

Hon. W. H. KITSON: And also with regard to housing accommodation and other questions of importance.

Hon. J. Nicholson: Taking them all round, the houses are very good.

Hon. W. H. KITSON: I have a knowledge of complaints that have been made over a long period. There have been cases of three men being compelled to sleep in one hut, which was originally intended for one man. They have also had to sleep on the floor of the hut. There have been cases in which Greeks have been provided with decent huts, one for each man, while Britishers on the same concession have had to be satisfied with the conditions to which I have referred.

Hon. J. J. Holmes: Why the distinction?

Hon. W. H. KITSON: That kind of thing should not be permitted.

Hon. J. J. Holmes: Do you wish the House to believe that a mill manager would set up one set of conditions for Greeks, and a worse set of conditions for Britishers?

Hon. W. H. KITSON: I do not put it forward in that way. It does not matter who the men are that have to work in the bush country and in the timber industry, they are entitled to the best conditions that can be given. If men are expected to work under difficult conditions, it is only reasonable to expect that they should be provided with decent housing accommodation, good sanitary arrangements, and good working conditions generally. It is understood that

in many cases the arrangements have to be of a primitive nature. I think Mr. Mann said that inspections are frequently made in some parts of the timber industry, or on some small mills. The information I have is that it is impossible for the departments to make these inspections except in a spasmodic manner. There is plenty of evidence to prove that in the case of the majority of the mills the only inspection that is made is the inspection of boilers, as pointed out by Mr. Burvill. This occurs once a year. Notice is given of the proposed inspection; the machinery is stopped, and it is impossible for the inspector to look at anything except the boiler while he is there. The industry covers such a large area that it would be almost impossible for one inspector to deal with every phase of the industry such as is enumerated in the Bill before us, or may be referred to in existing Acts. If that is a fact, and there are sections of the industry which do not come under existing Acts, and it is impossible for the department to carry out inspections throughout the industry, such as is suggested by Mr. Mann as being done, the time has arrived when we should pass a law giving protection to the timber workers.

Hon. W. J. Mann: How would you inspect the men in the bush?

Hon. W. H. KITSON: Ways and means could be found whereby the conditions under which the men have to work in the bush could be inspected, if provision were made such as is suggested in the Bill.

Hon. Sir Edward Wittenoom: Do you think the Bill would prevent the accidents you have mentioned?

Hon. W. H. KITSON: It would prevent some of them.

Hon. W. T. Glasheen: Prevention is better than cure.

Hon. W. H. KITSON: Many instances have occurred during the last 12 months that could be enumerated, in connection with which a fair amount of compensation had to be paid, but which could have been obviated had the Bill been in operation. No one will deny that.

Hon. J. J. Holmes: Hospitals and doctors get nine-tenths of the compensation that is awarded when a man is injured.

Hon. W. H. KITSON: I am not concerned about that for the moment.

Hon. J. J. Holmes: You ought to be concerned.

Hon. W. H. KITSON: I do not think it does work out in that way. Under the Workers' Compensation Act the employees are receiving better treatment than they did. If the statement of the hon. member is correct, there is room for an amendment of the Act.

Hon. J. J. Holmes: There is.

Hon. W. H. KITSON: The departments say that the yards, the landings, the train or tram lines, do not come under the Factories or Machinery Department. They say that even if all the operations of the industry did come under them, they would not have sufficient staff to administer the Acts. They would require a comprehensive amendment of the present Acts if it was desired to put them into operation in the way desired by the Bill. The argument that the Bill means duplication of legislation does not carry much weight. I do not propose to deal with the regulations. If members are of opinion that they deal with things which are not important to the industry, and that they include restrictions which would constitute a drawback to it, there is no reason why they should not point out these things in Committee. That is not an argument against the passing of the second reading of the Bill. If the Bill becomes law it will be in the interests not only of the employers but of the employees. Many of the employers would be just as pleased to make improvements if defects were pointed out by the inspector as the employees would be to work under them. In some mills certain conditions exist because of ignorance as to their existence on the part of the management. When large numbers of men are working in the bush under conditions that are wholly undesirable, we should regard it as our duty to safeguard them in every way. I will not weary the House by quoting statistics, but I do want to make a statement of a somewhat general nature. For the last two or three years or even longer every conference of the Timber Workers' Union, which comprises about 7,000 members, has dealt more or less comprehensively with housing accommodation on the mills, sanitary arrangements, and the safeguarding required on mills, and all their appeals in the past have not induced Governments to do anything for them. The present Government have brought down a Bill which they believe is in the best interests of the industry as a whole. I think it will make for its smoother working. There

have been many occasions when there has been a stoppage of work, because the employers have not been prepared to concede certain conditions, particularly in relation to the sanitary arrangements. If the provisions of the Bill become law, anything of this kind will in future be obviated.

Hon. J. Nicholson: Is there any Act similar to this in the other States?

Hon. W. H. KITSON: I do not know that there is a similar Act, but I know there are provisions in different Acts of the various States that are more drastic than those comprised in the Bill.

Hon. J. Nicholson: I refer to the Machinery and Factories Acts.

Hon. W. H. KITSON: It is known to the department and to the Government that the provisions of the Acts referred to by Mr. Nicholson cannot be applied at present to the timber industry. It has, therefore, been necessary to bring down the Bill. I hope members will agree to pass the second reading. If they are not in total agreement with the Bill, they will have an opportunity of altering it in Committee to their way of thinking. I trust the claims of the employees will receive serious consideration at the hands of this Chamber. They are a deserving section of the community. I was surprised to hear one or two members make disparaging remarks concerning them, such as "Who inspired this clause or that clause?" and so on. From what I have heard in the Chamber it seems to me that one or two members have not been so much concerned about providing safeguards for these employees, such as it is desired they should get under the Bill, as they have been, as one member put it, about clipping the wings of the Government.

Hon. J. Nicholson: I did not hear that said.

Hon. W. H. KITSON: I did. I appeal to members to look at the Bill from the humanitarian point of view, and to be prepared to do for the timber workers what is done for almost every other section of workers in the State and the Commonwealth. The conditions under which a man works in the metropolitan area are considerably better than those that could possibly be obtained in the bush. The city worker is covered by all manner of safeguards, but in many cases a timber worker is not covered at all. Therefore, if we are going to do justice to those men, we should agree to the Bill and give them what is asked for under the

measure. Thus we shall avoid much trouble which, I firmly believe, will be caused in the future unless the men are covered somewhat on the lines proposed. I trust that the Bill will pass the second reading, and that if hon. members have any alterations to make in it they will make them in Committee and will be prepared to give good reasons why any of the provisions should not be incorporated.

HON. J. CORNELL (South) [6.1]: I would have refrained from speaking on the amendment but for the fact that the mover of the amendment has urged, as the sole reason for taking what is considered in this House a drastic step, that everything the Bill proposes to do is done by existing Acts. On close analysis that reason will be found to be superficial. Only one existing statute could extend to the timber workers what the Bill proposes to extend to them, and that is the Inspection of Machinery Act.

Hon. J. Nicholson: And the Factories and Shops Act.

Hon. J. CORNELL: We will leave the Factories and Shops Act aside, because it hardly enters into the question apart from the health point of view or the air space point of view. The only Act that could really benefit the timber workers is the Inspection of Machinery Act. Accidents do not occur as the result of bad sanitation or bad ventilation, but they do occur as the result of faulty machinery and lack of inspection. I recommend that hon. members before voting on the amendment should examine the Inspection of Machinery Act and ascertain whether there is any substance in Mr. Nicholson's contention that that measure gives practically all the powers of inspection that are needed. I contend that the Inspection of Machinery Act is of too circumscribed an ambit, and that it cannot possibly in its present form give what is needed by the timber industry. The Act in question is a statute of 82 sections, covering many phases of industry. Shorn of all verbiage having no application to the timber industry, the Act contains only eight or nine provisions really applying to that industry.

Hon. E. H. Harris: And that is all that is necessary, because those provisions cover all machinery.

Hon. J. CORNELL: Let me deal with that point. The Inspection of Machinery Act defines what machinery is, and fixes the age of workers of machinery. It contains

a provision that notice must be given before machinery is installed, and that if in the opinion of an inspector it is necessary, a guard or protection must be provided. Further, the Act states that machinery shall be inspected once a year.

Hon. J. Nicholson: Not less than once a year.

Hon. J. CORNELL: The legal mind is ingenious. The difference between at least once a year and not less than once a year is merely the difference between tweedledum and tweedledee.

Mr. Harris: What the Act provides is equivalent to not less than once a year.

Hon. J. CORNELL: If I had one orange I could say either that I had one orange or that I had at least one orange. That is what the interpretation amounts to. There is no obligation whatever on any inspector to inspect machinery more than once a year.

Hon. V. Hamersley: There is nothing to prevent him from inspecting it every day.

Hon. A. J. H. Saw: Apparently the minimum becomes the maximum.

Hon. J. CORNELL: That is what it amounts to in practice.

Hon. J. Nicholson: No; that is quite untrue.

Hon. J. CORNELL: When the Inspection of Machinery Act was before this Chamber as a Bill, reasons were asked for the innovations proposed, and the reply was that amendments were being made so as to get revenue and make the Act self-supporting. I think Mr. Harris will bear me out in that statement. The fact remains that if under the Act there were a roster of inspections covering all the machinery operated in Western Australia and providing for more than one inspection per annum, the department's ledger would show an excess on the expenditure side. One object of the Act is to make the expenditure side square with the revenue side. I have gone carefully through the Inspection of Machinery Act, and, apart from the few exceptions I have mentioned, the measure contains nothing that will give to the timber workers such protection as is proposed by the Bill. If hon. members will read the Act they will find that 90 per cent. of its sections apply in two directions—inspection of boilers and granting of engine-drivers' certificates.

Hon. E. H. Harris: Not at all.

Hon. J. CORNELL: At least 90 per cent. of the sections have one of those two bearings.

Hon. J. Nicholson: Read the Act a little more closely.

Hon. J. CORNELL: Starting at Clause 20, which deals with inspection of boilers—

Hon. J. Nicholson: Start at Clause 16.

Hon. J. CORNELL: There are sections dealing with defective machinery and inspection of boilers, and then right on to—

Hon. J. Nicholson: You are missing some of the most important clauses.

Hon. J. CORNELL: One can go on to the end practically, and with a few isolated exceptions all the provisions refer to inspection of boilers, testing of boilers, examining of engine-drivers for certificates, and the granting of such certificates, and who shall fire boilers and who shall drive engines. Out of 82 sections only about seven or eight can be of any actual benefit to the timber workers. It is no use trying to put over me that the power to inspect boilers can prove of any advantage to timber workers as a whole. Boilers are standardised, and the work of inspection becomes absolutely routine. The matter of boiler inspection, therefore, can be put out of consideration altogether as regards this Bill which Mr. Nicholson proposes to jettison. Whether the measure is passed or not, boiler inspection will go on, and so will examination of engine-drivers—and very rightly, too. Both are conditions precedent to the working of the industry, and they have practically no bearing on the risk to life and limb. Who ever hears of a boiler blowing up nowadays?

Hon. J. Nicholson: That is due to the great care exercised in inspecting.

Hon. J. CORNELL: Where is the care as regards inspection? Where in any part of the civilised world has a boiler blown up within the last 20 years?

Hon. E. H. Harris: There has been a case in Western Australia.

Hon. J. CORNELL: I suppose it was a farmer's boiler, which is subject to inspection every two years. Not by any stretch of imagination does the existence of the Inspection of Machinery Act operate as a reason for rejecting this Bill. A question has been raised as to the number of accidents which have occurred in the timber industry. What is the position in that respect? To what source should one have recourse to ascertain the number of accidents? Presumably to the Inspection of Machinery Department. What accidents are recorded there?

Hon. E. H. Harris: The accidents are recorded in the department, but no one has resurrected them yet.

Hon. J. CORNELL: What obligation is there to report accidents to the Inspection of Machinery Department? What is an accident under the Inspection of Machinery Act? Subsection (2) of Section 50 says—

For the purposes of this section, "serious bodily injury" shall be such injury as results in the injured person being disabled from following his or her ordinary occupation and earning his or her usual rate of remuneration for a period of two weeks or more.

What about minor accidents? If a man is incapacitated for as much as 13 days, no report is put in. I quite agree with Mr. Burvill's views as to a fair calculation of the percentage of accidents occurring in the timber industry. Under the Workers' Compensation Act an accident now dates from the day of injury. Formerly an accident dated as from three days after its occurrence. The ratio of accidents in the timber industry is not such as some hon. members have contended, and in the light of all the circumstances their contentions are ridiculous. On the basis of 14 days' disablement, a reasonable ratio of accidents in the timber industry cannot be obtained. A reasonable calculation would be to include all accidents disabling a worker for three days.

Hon. J. Nicholson: Would you hang up the mill until somebody ordered it to go on again?

Hon. J. CORNELL: The hon. member interjecting is now passing from the sublime to the ridiculous. The only thing that under any Act or under this Bill could hang up a mill would be a fatal accident. We are now on the tea adjournment, and I will content myself with expressing the hope that the House will agree to read the Bill a second time and make any necessary amendments—some are necessary—in Committee. The Bill represents a question of principle, and I think the Chamber should extend to that great body of men who are voiceless here so far as the vote is concerned, some consideration by granting them a system of inspection comparable to that obtaining on our goldfields.

Sitting suspended from 6.15 to 7.30 p.m.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central—in reply) [7.30]: I wish briefly to touch upon one or two matters that have been brought forward. It

seems to me the whole of the opposition has centred in the inspections and the increased obligations from a financial standpoint. To reply to the whole of the arguments adduced by members would take more time than at this stage I should feel justified in occupying. It would be a simple matter to quote the arguments used and reply to them. But it strikes me as one of the outstanding features of the debate that those opposed to the Bill have contended that those concerned in the industry ought to be in a position to say just what should be done in respect of the industry. If that were the case, one of the warmest supporters of the Bill should be Mr. Nicholson himself. I want to dissociate myself from any insinuation that Mr. Nicholson, having a financial interest in the industry as a shareholder in a company, ought not to take so prominent a part in considering the Bill. What does it matter if he has a financial interest in the industry? But there is a bigger responsibility on the shoulders of members who, like Mr. Nicholson are interested in the industry, than there is on the shoulders of the lay members of the House; for Mr. Nicholson and others interested in the industry know the industry, and know that those employed in it should get a better deal than they are getting to-day. That is why I say that those having a financial interest in the industry are under an obligation to support the Bill, knowing as they do the conditions that obtain in the mills to-day. Mr. Nicholson took me to task for having said the mill owners were side-stepping their obligations. When I said that, I had not Mr. Nicholson in my mind. But the mill owners are side-stepping their obligations to-day.

Hon. J. Nicholson: I am not aware of that.

The HONORARY MINISTER: Possibly not. Perhaps the hon. member has not been advised by his foreman, or by the foreman's boss, just as those officials have not advised the department of accidents that have occurred. That is why I said the mill owners were side-stepping their obligations; certain accidents have occurred and have not been reported. I emphasised that, both when speaking and, later, by interjection, and I think sufficient has been said by other members to prove conclusively that the mill owners have side-stepped their obligations. I have no idea of dealing exhaustively with the many phases of the Bill, but will con-

fine myself to its outstanding features. Mr. Nicholson, the principal opponent of the measure, is a mill owner himself, and so his duty is imperative to see that those in his employment are protected.

Hon. J. Nicholson: What about the existing Acts?

The HONORARY MINISTER: Nobody knows better than does the hon. member that those Acts are dead letters.

Hon. J. Nicholson: There is no reason why they should be.

The HONORARY MINISTER: The attitude adopted by the opponents of the Bill has been based on the question of expense. The Government are prepared to accept their responsibility in that direction. To put those other Acts into operation would mean an immense expenditure. The Bill aims at obviating that increased expenditure.

Hon. J. Nicholson: Under the existing Act it will mean less expenditure.

The HONORARY MINISTER: If the Bill be not passed, if the hon. member and Sir William Lathlain and Sir Edward Wittenoom and others insist upon their suggestions being put into operation, it will cost the Treasury a huge amount of money. Possibly, if the Bill be defeated, it will become necessary to put those suggestions into operation, at whatever cost. The hon. member suggested inspections by the machinery inspectors. Nobody knows better than he does that those inspections are a farce.

Hon. J. Nicholson: I do not know it.

The HONORARY MINISTER: Well, every member should know it, and none better than Mr. Nicholson, who owns a mill himself.

Hon. J. Nicholson: The inspections of machinery are very thorough.

The HONORARY MINISTER: There can be no question about the inspection of machinery being very tight. That is practically the only inspection carried out at the mills to-day. As the result of the up-to-date methods adopted by the Inspection of Machinery Department, the department has to give notice to the mill owners, to Mr. Nicholson or his representative, and in consequence the mill is cleared for four or five days, steam is blown off and the inspector comes along to inspect the boilers.

Hon. W. J. Mann: That is only for an inspection of the boilers.

Hon. E. H. Harris: The administration is at fault.

The HONORARY MINISTER: The hon. member knows that the mill owner has to be advised in advance.

Hon. W. J. Mann: But that is only for an inspection of the boilers.

The HONORARY MINISTER: The hon. member knows what powers the machinery inspector has to-day. His inspections are futile. I am surprised to hear those interjections from members representing, one a goldfields province, and the other a timber province.

Hon. E. H. Harris: I know the Act pretty well.

The HONORARY MINISTER: And you ought to support the Bill.

Hon. E. H. Harris: I have said I will support the Bill.

The HONORARY MINISTER: Still the hon. member implies that there is sufficient supervision under the existing Act to deal with the industry.

Hon. E. H. Harris: By interjection I said the administration was at fault. I repeat it.

The HONORARY MINISTER: I am not attempting to defend the administration. It is not in my department. Still, if the administration is at fault, Mr. Harris, who understands these things, ought to have brought it to the notice of the Government or of the department. Mr. Nicholson, who now complains of the supervision, should have drawn attention to the lack of supervision.

Hon. J. Nicholson: I do not say there is a lack of supervision.

The HONORARY MINISTER: Still, the implication is there. It appears to me the whole of the opposition to the Bill centres on the inspection.

Hon. J. Nicholson: Is the Minister aware that there is not in force in the Eastern States any Act similar to the Bill.

The HONORARY MINISTER: Just the same, the supervision in Victoria is much stricter than it is in this State, and the mills there are very much smaller than ours. The supervision in the Eastern States is stricter and more costly than in this State. That being so, we are asking for very little under the Bill. All that is being sought is that the conditions that obtain under the Mines Regulation Act shall apply to the timber industry. No better case can be advanced than that which was put up by Mr. Cornell. Whilst we are prepared to agree to certain conditions in connection with

certain departments of labour, we deny them to others. It is a moot point whether the timber industry is not more dangerous for those engaged in it than is the mining industry. Those who have had experience of both will say that perhaps the timber industry is the more dangerous of the two.

Hon. W. T. Glasheen: Not at all.

The HONORARY MINISTER: Mr. Glasheen complained of that portion of the Bill that provides for the removal of trees overhanging a railway track. The Bill only aims to give power to frame regulations to deal with questions such as that. The hon. member knows that overhanging trees and limbs of trees are frequently a source of danger, and that the people who should remove them are too lazy to do so.

Hon. J. Nicholson: You will find overhanging trees on country roads.

The HONORARY MINISTER: Quite so. We should frame regulations to deal with country roads.

Hon. Sir Edward Wittenoom: What about the cost?

The HONORARY MINISTER: The cost would be very light. We know that overhanging some of the timber lines there are frequently to be found trees that are half burnt out. Of course, it is nobody's job to remove them, and they are not removed until a tragedy occurs.

Hon. J. Nicholson: You will find such trees on many country roads.

The HONORARY MINISTER: Yes, but two wrongs do not make a right. We have the opportunity now to deal with the matter, and power is sought to frame regulations possibly to save loss of life by the removal of dangerous trees. Therefore there is no necessity to camouflage the issue, as is being done. There are many phases of the question that could be dealt with at length and there are many replies that could be made to questions that have been raised by members during the course of the debate. The most effective reply that can be made is that the Bill aims solely at the correct supervision of the industry, and anyone that views the position from any other standpoint must have strong reason for his objection. The principal objections against the Bill have been raised by Sir Edward Wittenoom and Mr. Nicholson. Both those gentlemen are au fait with the industry, and that being so we should take their objections seriously. The speeches made by both are indelibly im-

pressed on my mind, word for word almost, and I have to think seriously before taking exception to their statements. There are, however, certain obligations on both those hon. members in the way of leading this Chamber to assume that all that the Bill aims at is the safeguarding of life and limb. Therefore the Bill should have their heartiest support instead of their condemnation. Perhaps they may have been misled to a certain extent that in the event of the Bill going through, some harsh measures may be put into operation. I wish to say candidly that if the Bill goes through, an army of inspectors will not be appointed. Workmen's inspectors will be appointed and they will be elected by the workmen themselves, exactly as is done in connection with the mining industry. If Mr. Nicholson has any objection to that procedure he should also object to the existence of inspectors under the Factories and Shops Act and the Mines Regulation Act.

Hon. J. Nicholson: The inspectors will come under the Factories Act, Machinery Act, and all the others.

The HONORARY MINISTER: Nothing of the kind, and the hon. member knows it well. He knows that the powers possessed by the inspectors under the Factories Act apply merely to a bit of dust. Those inspectors cannot insist on anything connected with the protection of life and limb in the timber industry. The hon. member is putting up a smoke screen, and he has been doing so ever since the introduction of the Bill. He knows well that the inspectors he has referred to are powerless.

Hon. J. Nicholson: They are not powerless.

The HONORARY MINISTER: If they are not, it will require a considerable sum of money to give them the additional powers. We have no desire to embark on huge expenditure. Members, too, object to expenditure in any such direction. Under the Bill, health inspectors will attend to the duties that will come within their scope, and the machinery inspectors will look after their particular duties also. There will be no duplications. It is not necessary to say very much more in reply, but one could go on and elaborate on the statements that have been made. I could unload numerous reports that have been written in respect of the mills throughout the State. I am not quite sure that some of those re-

ports do not directly apply to the mill owned by Mr. Nicholson. I shall refrain from sounding a jarring note, but that hon. member has attacked the Bill in such a way that I am impelled to say I have a report of a condemnatory nature regarding various mills, and it would be a rash statement if I said that the hon. member's mill was not one of the worst. The hon. member has an opportunity to investigate the reports. "Let him who is without sin, cast the first stone." Mr. Nicholson was the principal attacker, and when he leads an attack in opposition such as he has done, he should be in a position to see that he is well entrenched. I say he is not well entrenched. There are very few mills that can stand the close scrutiny that should be given them. The Bill, I repeat, merely aims at ordinary supervision, and nobody will possibly cavil at that. If anyone is running an industry, he should not raise any opposition to inspection. That is all that the Bill seeks to do. Why all this opposition to it I fail to understand. Strange to say, supervision of the timber industry has been lacking to a great extent. The facts are not hard to understand until one comes to handle a proposition such as this. It is realised then why those who are so closely associated with the industry raise so much opposition to legislation of this nature. I appeal to members to carry the second reading, and I repeat that the only opposition that has been raised has come from mill owners who appear to be afraid of inspection. When the Bill reaches the Committee stage, it may be necessary to make some amendments, but in that direction I hope members will be leniently disposed.

Amendment (six months) put and negatived.

Question put and passed.

Bill read a second time.

BILL—LEGAL PRACTITIONERS' ACT AMENDMENT.

Second Reading.

HON. J. NICHOLSON (Metropolitan-Suburban) [8.0], in moving the second reading said: This is a short Bill but none the less an important one. It is one in which I am personally interested. The Bill will commend itself to hon. members generally, because it is prompted entirely by unselfish and

worthy motives. The primary object of the Bill is to establish a Chair or Faculty of Law at the University. It may be said that in every country of any importance that possesses a University there is usually a Chair of Law or other facilities provided for the study of law. Unfortunately or fortunately, law enters into every department of our activities.

Hon. A. J. H. Saw: Some people cannot even die without the assistance of the law.

Hon. J. Cornell: Is it not of assistance in connection with arrivals?

Hon. J. NICHOLSON: Even after a person is dead the assistance of the law is invoked from time to time.

Hon. J. Cornell: The Divine or statutory law?

Hon. J. NICHOLSON: Perhaps both. We possess a University, but we have no Chair of Law. The same may be said of other professions, notably that of medicine. I hope the day is not far distant when we shall be able to provide facilities at our University for the qualification of the men and women of this State in other professions. The result of the absence of these facilities from our University activities is that many of our students who are desirous of gaining the highest qualifications in the professions they may wish to enter, find it necessary to go abroad or at least outside the State, to complete their education. It is, therefore, for the benefit of the community generally that efforts shall be made in the direction indicated in the Bill. The measure originated as the result of a meeting of legal practitioners held some months ago. The meeting unanimously expressed itself in favour of the establishment of a Chair of Law, and of contributions being made by members of the profession towards the cost of the Chair. It was further resolved that power should be given to the Barristers' Board to accomplish that end, and the matter was referred to a sub-committee. Following upon that, a deputation waited upon the Premier who lent a very sympathetic ear to the deputation. The total cost of establishing this Chair will be somewhere in the vicinity of £1,300 or £1,400 per annum. To that amount, £500 will be contributed from the sources indicated in the Bill. Should there be any surplus, that surplus will be devoted to the other purposes mentioned in the Bill, to which I shall briefly make reference. The surplus will be used particularly in extending the Law Library, which is a very import-

ant adjunct of the profession. It is more than ever essential that the Law Library shall be maintained at a high standard, but that is a somewhat costly undertaking. I will explain briefly the main provisions of the Bill. I would draw attention to Clause 1 and to the fact that I have on the Notice Paper an amendment to it, that I will move when we deal with the measure in Committee. I propose to add to Clause 1 the words "and shall come into operation on a day to be fixed by proclamation." The reason for that amendment is that until the whole of the arrangements are finalised, it will be impossible to give effect to the Bill. There are certain preliminaries that have to be gone through, hence the amendment. Clause 2 provides a definition of a "certified practitioner" and is self-explanatory. Clauses 3 and 4 constitute the main part of the Bill. In the existing Act there are certain provisions regarding the period to be served by articled clerks, and an amendment is suggested in Clause 3. It will be found that Clause 4 sets out how the money will be applied. It reads:—

All moneys received by the board under this Act shall be applied as follows:—(1) For the purposes of carrying out the provisions hereof and of the rules; (2) For the payment of the sum of £500 in each year to the University of Western Australia as a contribution towards the establishing and maintaining of a Chair of Law. Any sum remaining in the hands of the Board on the 30th day of June each year beyond the sum of £100 may be applied by the Board for the purposes of the Law Library.

In Clause 5 a proviso was added in another place and it has been found necessary to amend it slightly. The proviso that was inserted reads as follows:—

Provided that the words so added shall not apply to Western Australian residents who, at the time of the coming into operation of this Act, shall have already entered themselves as students at any of the Inns of Court in England.

It was proposed by the first portion of Clause 5 to make certain provision for barristers who come to Western Australia from one or other of the Inns of Court of England or Ireland. As was explained in the Legislative Assembly, barristers come from England and Ireland or from elsewhere overseas, and are entitled to claim admission by virtue of their qualifications. It is common knowledge, however, that the qualifications required for barristers in England and certain other places are somewhat different from the qualifications

required for practitioners here. In order that a person may become qualified to practice law here, it is necessary that a certain period shall be served under articles. Thus a man who qualifies here gains not only office experience but court experience as well. On the other hand, men who come here from overseas as qualified barristers have not had that advantage and many of the practitioners here have been enrolled as students of the law at one of the Inns of Court. By performing the functions required and passing certain examinations they become qualified, although they are without actual experience in the practice of the law. It was considered advisable to insert the provision that anyone coming here qualified as a barrister and applying for admission should have at least two years' standing. That would assure that the barrister seeking admission would have had some practical experience in the practice of the law. That was a wise amendment. During the discussion in the Assembly, however, it was recognised that there are a number of young men from this State who had already decided to take up the law as a profession. Some had gone Home as Rhodes Scholars and these young men had become enrolled as students at one or other of the Inns of Court. It was recognised that it would be unfair to make the position of those persons less favourable than that of others. Accordingly the proviso I have referred to was added. An examination of the wording of the proviso discloses that there will be some difficulty regarding interpretation. It was inserted hurriedly to meet the expressed wish of one hon. member. The difficulty arises in the interpretation of the phrase "Western Australian residents." It is known in law that a man may be domiciled in a State and yet not be resident in that State. If any hon. member has his fixed domicile here and goes away to another country temporarily, he still remains domiciled in Western Australia although not resident here. On the other hand, if a man comes here temporarily, he may be resident but not domiciled. He retains his domicile in the country of his origin or adoption. In order to overcome that difficulty I have an amendment on the Notice Paper to strike out the reference to Western Australian residents who have entered themselves at Inns of Court and I propose to insert the words as set out on the Notice Paper. That will make sufficient provision for young men who have gone to the Old Country to qualify.

Hon. J. Cornell: What about New Zealand?

Hon. J. NICHOLSON: The New Zealander who goes through a certain course is entitled under the Act to be admitted. I present the Bill, feeling it is one that will commend itself to members, and I trust it will receive unanimous support. I move—

That the Bill be now read a second time.

HON. A. LOVEKIN (Metropolitan) [8.16]: I am glad that this Bill has been introduced because it is on lines that I advocated a session or two ago when I introduced a Bill to help those who desired to enter the legal profession but who found themselves confronted by many obstacles. That Bill was not agreed to. Therefore I welcome this Bill seeing that it follows on somewhat similar lines. I understand the practitioners are going to pay a sum per annum towards the establishment of a chair at law at the University. The amount to be paid to the University is limited to £500. I think that clause should be amended so that provision may be made for an amount of not less than £500, because in course of time, as the population increases, there may be many students at the University and instead of one professor being necessary, two or more may be required. At any rate, as population and students increase, the charge will be greater and I doubt whether £500 will be sufficient. Nor will my proposal be any undue tax upon the practitioners, because if more funds are required, there will be more practitioners to pay. Therefore, the sum of £500 should not be limited for all time. The amount to be paid should be discretionary, and we might well provide a minimum of £500 to begin with. If the hon. member has no objection, I shall move for the insertion of the words "not less than."

Hon. J. Nicholson: Very well.

Hon. A. LOVEKIN: The latter part of Subclause 2 of Clause 5 makes articles compulsory practically for two years. I suppose it is necessary for even a barrister to learn how to serve a writ or file an affidavit, but I think two years is much too long. If a student passes the University examination and does one year of articles, that should be sufficient for one who is not going to practise as a solicitor but is going to devote his attention to the bar. If a student has had a University course and cannot learn in a year all there is to be learnt

about the serving of writs and filing of affidavits, he will not be of much value to the bar. I shall move to make the period one year. I think we should encourage all members of the community to aspire to higher positions and higher callings. We talk about our splendid education system, but our system is not as good as the system in Japan. Here we find schools of mixed classes—children in the possession of full mentality and children of indifferent mentality. In Japan the children are separated. There the mentally deficient is not found in the same school as the mentally efficient, because those in the one category hold back the others. In addition to separate schools for the mentally deficient, there are special schools for the blind, special schools for the dumb and special schools for the deaf. In the secondary schools one of the compulsory subjects for three years is the English language, three hours per day being prescribed for males and two hours for females. English is the only language that is compulsory, and the information usually found in year-books is published in English. In the secondary schools the State steps in and ascertains the aptitude of the children for particular callings. When children are found to be specially apt, the State takes them in hand and helps them towards their goal.

Hon. J. Cornell: You could very well apply that principle to the Perth Boys' School.

Hon. A. LOVEKIN: Perhaps so. The State goes even further. When youths, after leaving a secondary school, have obtained employment, for instance as clerks in banks, etc., and are found to have special aptitude for banking and finance, the State sends them away to England and the Continent to learn the methods there. When I travelled from Kobe to Colombo there were two young men going to London, at the expense of the Japanese Government, supplemented by their respective banks, in order to learn British banking methods. They were intelligent young men.

The PRESIDENT: The hon. member has not yet connected his remarks with the Bill.

Hon. A. LOVEKIN: I am just going to do so. I am saying what is being done in Japan to assist young men who have an aptitude for a particular calling. In this State, under a measure such as the Bill now before us, young men with an aptitude for law should receive assistance from the State

to continue their University course and secure admission to the bar. The same should apply to young men with an aptitude for medicine. That would be going a step further than this Bill proposes, but I think it would be a wise thing to do. Mr. Nicholson proposes to move an amendment with regard to domicile. I am not sure that even his amendment will be adequate. I take it that no person can be domiciled in two places at the one time. If a man remains in England for one day over six months, he is regarded as being domiciled in England.

Hon. J. Nicholson: That would not alter his domicile of origin. That is only for taxation purposes.

Hon. A. LOVEKIN: Yes. After six months a man is regarded as being domiciled in England and is subject to taxation.

Hon. J. Nicholson: That is so.

Hon. A. LOVEKIN: I wish to ensure that the words proposed to be inserted will make the position quite clear. I have pleasure in supporting the second reading.

On motion by Hon. A. J. H. Saw, debate adjourned.

BILL—ROYAL AGRICULTURAL SOCIETY.

Second Reading.

Debate resumed from the 25th November.

HON. J. M. MACFARLANE (Metropolitan) [8.25]: As one who has been associated with the Royal Agricultural Society for a long time, I am pleased that the suggestion made many years ago for the introduction of a measure of this description has at last been given effect to. The society are grateful to the Government for having made it a Government measure. It was felt that unless the Government sponsored the Bill, it might not receive the support to which it was entitled. The members of the Royal Agricultural Society have always been loyal to the Government. They do not recognise any party, but they give their loyal support to the Government. Their great object is to secure the development of agriculture. Now that this Bill has been introduced, they feel that their work for and on behalf of the State through all the years has at length been recognised. I am authorised to say that the members are duly grateful to the Government for having given them this consideration. Affiliation has been in the air for

a long time. Back in 1907, when Sir James Mitchell was Minister for Agriculture, he addressed a large gathering of agriculturists and made the following statement:—

I am very glad to have this opportunity of meeting the delegates from the various societies throughout the State, and I am much obliged to the chairman and to the secretary for their kind remarks about myself. If I do interest myself in any movement that makes for the good of an industry, I bear in mind that the State generally will benefit. Agricultural societies do an immense amount of good, but that might be largely increased by better management. For that reason, at a meeting of the Northam Agricultural Society some 12 months ago, I suggested that we should set a movement going which would result in the various societies affiliating. With this object in view, we approached the Royal Agricultural Society, and I think our thanks are due to them for our presence here to-day. With regard to the general scheme, I approve of it or I should not have allowed the circular to go out bearing on it my mark of approval. It should be that every show should provide in every class an object lesson, which I am sure has often been missed in the past through faulty judging, and many societies too, have also offered prizes for classes other than pure bred. These two things alone are sufficient to justify affiliation of all societies. On the printed circular we find that the first thing mentioned is the court of appeal. I am entirely in accord with that. At the same time the Government who provide a subsidy of some £4,000 are justified in saying that the judging at shows shall be as nearly correct as possible; but it would be of no use protesting or appealing unless you knew you could in some way reverse the decision of the judge. The only way then is to appeal to some recognised authority, and I think that the appeal should be to the Royal Agricultural Society, because it is composed of men who are right at the top of the tree in connection with this business, and apart from that, if you are to have this court of appeal, it will be of no use appealing unless it is to be final. With regard to the fixing of show dates, last year there were three shows held on the same date within a few miles of Perth. This is entirely wrong, because it follows that the subsidy provided by the Government did not do the work it might have done if the shows had been held on different days. Then I was prevented from attending more than one of these shows. I am determined that there shall not be a repetition of this. Show subsidies must at least do the work we expect of them, and I am determined that there shall not again be any clashing.

Hon. H. Stewart: Has he been bringing in the Bill ever since?

Hon. J. M. MACFARLANE: No, a Bill was drafted but it was not introduced. Why, I cannot say. The society, however, have been carrying on under the draft measure and have done good work. Recently it was again found necessary to ask

for legislation. When affiliation was first thought of there were some 20 societies in existence, and these were represented at the meeting to which I have referred. Since then the number of societies in the State has increased to 63. On behalf of the Royal Society and these 63 societies, I am asked to express thanks for the introduction of the Bill. The council regret that the Minister could not see his way to accept the draft Bill that was handed over to him by the Premier, to whom we presented a petition that it should be introduced as a Government measure. The council feel somewhat worried about Clauses 6 and 7, and through their solicitor ask for amendments which I will explain later. I trust that the Minister, whom I have been assisting as far as possible on behalf of the society, will not conclude that I have let him down. Mr. Ashton said to-day that if these clauses were carried, the society would not give their sanction to the Bill. I will explain why I think the Minister is asking too much by the Bill, and why I think he is not being fair to the council or to the country societies. In its work in the State the Royal Agricultural Society has been endeavouring to uplift agriculture in many ways. For several years it has brought judges from the Eastern States with a view to increasing the value of the educational side of the Royal Show. This is of use to the sons of farmers and students generally, who can get into touch with these experts.

Hon. H. Stewart: I think the Royal Society has rather fallen down on that job. The practice has been put into operation in one year and not in another, and this has led to disappointment.

Hon. J. M. MACFARLANE: The Minister says that the main object of the Bill is to avoid clashing of dates, and to regulate the conduct of societies generally. Some agricultural societies have been faced with trouble by reason of some member taking action with which the society could not deal. An appeal has been made to the Royal Society to support the country organisations in disciplining a member for transgression of the rules, but the parent organisation has been obliged to announce that it could not do anything in the matter. It is necessary that such a state of affairs should be reviewed. One of the country societies circularised the other country societies and asked that affiliation should be

brought about. It was stated that if such conditions were allowed to continue chaos would result, and that power must be vested in some body to see that the disciplining of any person for breach of the rules was carried out. Not only do country societies clash, but it is sometimes found that an application is made to form a society, and if the application were granted this would operate to the disadvantage of another society already in existence, but which found it difficult to carry on. That is one of the weaknesses of giving too many affiliation permits to the country districts. It may tend to the creation of too many societies, and may prevent the educational and social side of their activities being properly carried out. One gentleman connected with the council told me that if the societies affiliate with the Royal Agricultural Society and work under its rules, they will be able to exhibit only pedigreed stock. That is not so. True, the function of the Royal Agricultural Society, which is the parent body, is to allow the exhibition at Claremont of pedigreed stock only. In the case of country societies this is purely a domestic matter, though it is hoped that in time they will be able to enforce the same conditions in this respect as are in force at the Royal Show. The parent body does not intend to exercise that power. In the beginning of its career it could not insist on the exhibition only of pedigreed stock, because it would have ceased to exist at that time. We know that country shows cannot get a decent exhibit of pure bred stock, and it has therefore been left to country societies to make their own domestic arrangements so far as these exhibits are concerned. The Department of Agriculture have repeatedly drawn attention to a danger that lies in this practice. Some unsophisticated buyer may purchase a beast at one of these country shows in the belief that it is a pedigreed animal, whereas it is only a graded animal. The animal is then passed on to someone else as being pure bred, because it won a prize at a country show. Later on it is hoped that it will be possible for only pedigreed stock to be shown at important country centres. It would be manifestly wrong to endeavour to impose such restrictions at present, and it is not intended to do so. It has been held that affiliation with the Royal Agricultural Society will very often spoil the chances of other societies doing good work in

particular sections. I refer to other than agricultural societies, namely horticultural, poultry and dog societies. These have never been considered by the Royal Society except as sections. The parent body has made a practice of asking these smaller societies to make suggestions with regard to the schedule, and to appoint their own judges and stewards for their sections. That is being done now. The definition of agricultural societies is one appertaining to agricultural and big stock. The outside lines to which I have referred certainly make a fine feature at the Claremont show ground, but they are separate societies and not comprehended in the Bill.

The Chief Secretary: That is so.

Hon. J. M. MACFARLANE: There has been much criticism in the matter. It is felt that the Royal Society will have some hold over them, but that is not intended. It merely asks them to assist in the making up of the schedule, and to find stewards to run their particular sections at the show grounds. Sir James Mitchell had a good deal to say about bonuses. It is not now necessary to consider them with regard to affiliation proposals, because bonuses are not now being paid by the Government. The complaint of Sir James Mitchell, as to the money being wasted, falls to the ground. Every member will recognise that with the returning prosperity of Western Australia and the necessity for developing the State along the best lines, and of having the best stock imported from time to time, it may yet be necessary for the Government to renew these bonuses and assist development through these societies. The best way to assist in this matter is to help country societies as well as the Royal Agricultural Society. It would be wise to have this arrangement working smoothly so that the best results may accrue from the returning prosperity of which I have spoken. When an application for affiliation is made it is usually considered on the basis of each society being required to be 25 miles from another. There have been instances in which societies have existed much nearer to each other than that. Every case is investigated and the claims of societies already in existence are taken into consideration. Affiliation is not granted until all these matters have been inquired into. This has always been the practice and will continue to be the practice. When an affiliation is granted it is given temporarily with the object of find-

ing out whether the society can exist or not. I have known of cases where the permit has been extended for a period of three years, because during the first two years the society was not able to make great headway. The charge has been made that the power of withdrawing the right to hold a show of that description is restrictive, but the society have shown no tendency in that direction. The last body to make application for affiliation is the group settlement of Catterick, who have been accepted on the usual terms. Admittedly it will be some time before they can put up a decent show. Members of the Royal Agricultural Show regard this matter not so much from the educational as from the social side, which is of equal value with the educational. The gathering together of the people is an important factor in making country life happy. Another beneficial feature of the work of the Royal Agricultural Society is the co-operation with racing and trotting clubs throughout the State. At one time the racing and trotting dates used to clash with the dates of agricultural societies, depriving these of the opportunity of having successful shows. The Royal Agricultural Society approached the racing and trotting bodies and were able to arrive at an arrangement for mutual understanding regarding dates. Thus clashing was avoided, or else co-operation was arranged. Such co-operation has, to my knowledge, taken place on numerous occasions. I advance these considerations as some reason for believing affiliation to be a good thing. Western Australia, if the Bill passes, will be the first State to enforce affiliation. I may add that affiliation is believed to be necessary in the other States, which are watching the results of this attempt—especially Queensland and Victoria. The Federal Government have been moving recently to help agriculture in the various States by establishing and subsidising a herd-testing scheme. The feeling is that the agricultural societies can give the Federal Government and the State Agricultural Department great assistance in this respect. I am pleased to say arrangements have just been completed whereby Western Australia will receive from the Federal Government assistance to the extent of £70 per testing unit. We have about seven units in this State. I refer now particularly to milking cows, the testing of which will prove of great advantage to the dairying industry here. In asking members to accept my

amendment to Clause 6, I wish to give them an idea of how that clause duplicates the work of the council of the Royal Agricultural Society, and also an idea of the council's reasons for feeling dissatisfied with the clause. The council is composed of 20 members, whose names and places of residence I will give—Mr. J. W. Broun, Beverley; Mr. W. G. Burges, York; Mr. R. Carroll, York; Mr. G. C. Rose, York; Mr. C. J. Roberts, Moora; Mr. P. H. Harper, Moora; Mr. T. H. Wilding, Northam; Mr. H. N. Higham, Narrogin; Mr. J. Deane Hammond, Kellerberrin; Mr. J. A. Maisey, Dowerin; Mr. Allan Jones, Dowerin; Mr. V. H. P. Spencer, Wongan Hills; Mr. J. D. Paterson, Pinjarra; Mr. G. A. W. Piesse, Wagin; Mr. H. V. Piesse, Katanning (retired, election pending); Mr. R. H. Rose, Bunbury; Hon. Edwin Rose, Bunbury. In addition, the president of the Royal Agricultural Society is Mr. M. T. Padbury, who can be considered an agriculturist though he now lives in the metropolitan area. There are also Mr. William Padbury, Mr. Gilham, and Mr. Loton, of Upper Swan, who are concerned in agriculture. Thus some 20 out of 30 members of the council are recruited from the country districts. Moreover, some of them are presidents or vice-presidents of country agricultural societies to-day. Clause 6 of the Bill provides—

Uniform by-laws governing all registered agricultural societies and the members thereof shall be made, and may be revoked, altered or amended by the council of the Royal Agricultural Society and delegates of the registered agricultural societies, present and meeting together, at a conference convened from time to time by the Royal Agricultural Society.

The Minister has told the House there are 60 agricultural societies. The actual number is 63. In addition to members of the council of the Royal Agricultural Society who now represent the country, a delegate from each of the country societies will be able to appear at council meetings to deal with some particular question, thus stultifying the considered thought and action of members of the council. Thus the work done in the council will be at least duplicated, if not stultified. That is why I ask for the support of members to the suggestions put up by the Royal Agricultural Society through their solicitor. It is only fair that the delegates from country societies should be limited to one each. In that way number and quality would be equalised.

Hon. H. Stewart: Have you anything to say regarding Subclause 3 of Clause 6?

Hon. J. M. MACFARLANE: No objection is taken to that provision. The second proviso to Subclause 3 of Clause 3 reads—

Provided also that, in any case, there shall be an appeal to the Minister from the refusal by the Royal Agricultural Society to register any society, club, association, or other body of persons, and effect shall be given by the Royal Agricultural Society to the decision of the Minister if the appeal is allowed and registration is directed.

Thus the Minister has a great measure of control.

Hon. H. Stewart: Only as regards registration.

Hon. J. M. MACFARLANE: I have no doubt that any interest the Minister may take in agricultural society matters will be welcomed. I am glad that the Bill is before the House, and I support the second reading. I trust that the leader of the House will recognise that the Royal Agricultural Society, in asking for these amendments, are merely asking for a fair thing. I hope, too, that the amendments in question will be accepted.

HON. H. STEWART (South-East) [8.55]: I agree with other members that the object of the Bill is to obtain organisation throughout the agricultural industry. As regards the clause referred to by Mr. Macfarlane, we ought to give it full consideration. I hope that the hon. member, after placing his amendments on the Notice Paper and thus affording opportunity for their consideration, will come prepared for a full discussion. I accept Mr. Macfarlane's statements regarding the constitution of the Royal Agricultural Society, but I may say that I have been an affiliated delegate to the annual conference for the last four or five years, and that my experience is that country delegates under the present system can express desires but do not exercise much influence. They are in the same position as the body of convocation associated with the University of Western Australia. Convocation can consider legislation which has been recommended by the Senate of the University and can pass opinions on it, but have no power to initiate legislation or to disallow legislation connected with the University. The position of societies affiliated with the Royal Agricultural Society is very similar. They are in various stages of development, and delegates who come to the annual conference arrive at certain decisions. In the past those decisions

have received some consideration, and have been the subject of correspondence. But Mr. Macfarlane will, I think, agree that there has not been much practical result from those conferences except as regards fixing the dates of shows. Unfortunately, the conferences have been marked by a great scarcity of attendance on the part of members of the council of the Royal Agricultural Society. I think the largest number of members of the council present has been three. When delegates from affiliated societies attend, one may certainly expect a larger attendance of council members than is represented by 10 per cent. The clause to which Mr. Macfarlane has directed attention deals with by-laws. Those by-laws may become of great importance to many of the outside societies, particularly in connection with pure-bred stock. The affiliated societies do not wish by any means to be placed in a position to outvote the Royal Agricultural Society; but the clause should be fair to the affiliated societies as well as to the Royal Agricultural Society. I consider it better to express at this stage any information members may have than to defer giving it until the Bill is in Committee.

On motion by Hon. H. J. Yelland, debate adjourned.

BILL—METROPOLITAN MARKET.

Second Reading.

Debate resumed from the 25th November.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central—in reply) [9.0]: There is not much in reply to be said to the various speeches. Apparently all members are agreed on the principle of central marketing, although there is some divergence of opinion as to who should control the markets. All will agree with the necessity for the Bill. Judging by the amendments outlined on the Notice Paper, quite a lot will be said in Committee, and so I will not now refer to those proposed amendments. It is not intended to take the Bill into Committee to-night, as I understand several members who wish to have something to say in Committee are not here this evening. Whatever else may be done, I hope that in Committee the principle of the Bill will be adopted, and that its main features will be adhered to.

Question put and passed.

Bill read a second time.

To Refer to Select Committee.

HON. SIR WILLIAM LATHLAIN
(Metropolitan-Suburban) [92]: I move—

That the Bill be referred to a select committee consisting of the Hon. J. M. Macfarlane, Hon. V. Hamersley, Hon. E. H. Gray, Hon. H. Seddon and the mover, and that the committee have power to call for persons, papers, and records, to adjourn from place to place, and to sit on days on which the House stands adjourned.

I desire that the Bill should be referred to a select committee because of the many misstatements and misrepresentations that have been made in respect of control by the Perth City Council. Only a select committee could deal with them all. During the debate Mr. Nicholson referred to the unanimity that marked all the circulars received from the various associations. I have here one of those circulars sent out by the Westralian Farmers Ltd. It has the appearance of having been broadcast to a number of organisations. It has been done on so large a scale that it is not even signed by the general manager, but merely bears his stamp. Mr. Yelland made certain statements during the debate. He withdrew some of them, but not all of them. Referring to the letter published by the Mayor of Perth he distinctly said the Westralian Farmers Ltd. were not in any way connected with the Fruit Producers' Association. When replying to the statement as to the raising of the percentage for the selling of fruit he said—

Two of the gentlemen who are directors of the Westralian Farmers, Ltd., were also shareholders and directors in the Producers' Markets in the same way as I might happen to hold shares in two companies not associated.

He went on to say they were not associated in any way with the Westralian Farmers. I have here a schedule issued by the Osborne Park Agricultural Society. It contains an advertisement for the Producers' Markets Ltd., associated with the Westralian Farmers Ltd. I have here also another advertisement published in the "Producers' Review" in which the Producers' Markets Ltd., Perth, is shown to be associated with the Westralian Farmers Ltd. In addition I have here a record of the shareholders in the Associated Fruitgrowers, as follows: "The Associated Fruitgrowers 5,500 shares, the Westralian Farmers Ltd. 500 shares, C. W. Harper one share, A. C. R. Loaring one share, Owen Sparks of Bridgetown one share, John McNeil Martin, M. Barker, one share, and the executors of the late Basil Murray one

share." I regret that such a definite statement should have been made by the hon. member, for it entirely misled the House. There was no doubt left in the minds of members when Mr. Yelland said the Westralian Farmers Ltd. were not in any way connected with the Producers' Markets. I stressed, and Mr. Nicholson stressed, the similarity between the circulars and the replies received from the various organisations. It appears the circular originated in this way: here is a copy of it sent to the secretary of one of the associations—

The Osborne Park market gardeners have requested that I write asking you to communicate with every member of the Legislative Council on the subject of the Marketing Bill. Our friends at Osborne Park are afraid that in spite of all the opposition from country members, the city representatives may have an amendment passed, giving control to the City Council. The following is a list of the members of the Legislative Council, and if you could spare the time to write to each one of them I have no doubt it would have a good effect.

That is written on the Westralian Farmers' letter paper and stamped with the general manager's name. Evidently this letter originated from the Osborne Park market gardeners. There was something peculiar about the whole of that meeting. As one of the members for the Province I was requested to attend it, but unfortunately I could not go, because I was asked by the Governor to attend a special meeting at Government House regarding the Boy Scout movement. But Mr. Millington, M.L.A., member for the district, attended the meeting and practically took charge of it. Mr. Millington was a member of the select committee appointed to inquire into the previous Marketing Bill and was then pronounced in favour of control by the City Council. Yet at the meeting at Osborne Park he distinctly urged them in favour of the Government taking control. I am sorry Sir Edward Wittenoom is not here for I wanted to show him how easily he is gulled, experienced campaigner though he be. I have here a report of that meeting at Osborne Park published in the "West Australian." It reads as follows:—

Metropolitan Marketing. Osborne Park and City Council. There was a large attendance on Monday night at a special meeting of the Market Producers and Fruit-growers' Association of Osborne Park, held in the Agricultural Hall, Main-street. The Metropolitan Marketing Bill has passed through the Legislative Assembly, and the meeting was called to discuss the prospects of the measure in the Upper House. Mr. J. Fortune was in the chair. An

interesting feature was that the objects of the meeting were explained by the chairman in English, by Mr. Buzolic in Jugo-Slav, and by Mr. M. Guelfi in Italian.

This is the organisation from which the circular was issued with a view to influencing every one of the other organisations. That was the origin of the circular sent around to those organisations.

Hon. E. H. Gray: They are all vitally interested in marketing.

Hon. Sir WILLIAM LATHLAIN: Undoubtedly. I am merely proving the origin of the circular sent out by the Westralian Farmers Ltd. at the instigation of the Osborne Park producers.

Hon. J. Nicholson: And which members said influenced them in their opinions.

Hon. Sir WILLIAM LATHLAIN: Undoubtedly. Sir Edward Wittenoom and other members definitely said so. When I mentioned that throughout the world marketing schemes were mostly controlled by municipalities Mr. Glasheen called attention to the fact that the Covent Garden market was an exception. I have here a copy of the report and evidence furnished by the select committee to the House. Some valuable evidence was given by Mr. John Wade, representative of the Port of Manchester. This is what he said about Covent Garden—

Covent Garden is rather an extraordinary conglomeration. It is not a market that any big municipality in England would be proud of. I would prefer to pay £6 a week for premises in the Manchester market than to pay £5 a week for similar premises at Covent Garden.

That is Mr. Wade's opinion with regard to Covent Garden.

The PRESIDENT: I ask the hon. member to confine his remarks as much as possible to giving reasons why the Bill should be referred to a select committee.

Hon. Sir WILLIAM LATHLAIN: I am endeavouring to do so, but I had to draw attention to the misstatements and the origin of that particular phase of the question which emanated from Osborne Park, also because there is evidence regarding the point raised by Mr. Stewart to emphasise the fact that the markets should be similar to those of Melbourne. Mr. Stewart dealt only with the question of export markets, but what is in the minds of members of the City Council, and in the minds of everyone, is that the markets should be conducted on ex-

actly the same lines as those under which the Melbourne metropolitan markets are carried on. Mr. Glasheen, as well as Mr. Stewart, also said that the City of London controlled the whole of the markets within an area of seven miles of London, with the exception of Covent Garden. I may point out that the Covent Garden markets are carried on under a special charter granted because of the long period of their existence, showing that the English people respect the rights of private citizens. Many misstatements have been made in regard to the conduct of markets, and as those statements have reflected against the City Council, I am desirous of showing to hon. members that the City Council would be just as competent as the Government to deal with the matter, that in fact the conduct of markets is a particular function of the municipal authorities. As Mr. Dodd said, by handing over the control to the Government we shall be creating another State trading concern, where those who constitute the trust will receive emoluments for their services. Under the control of the City Council no payments would be made to anyone, at least I take it that that would be the case.

Hon. J. R. Brown: It would swell the 3 per cents.

Hon. Sir WILLIAM LATHLAIN: When the 3 per cents. were under my control I spent less than was spent in Kalgoorlie, and I would do the same again to-morrow. With regard to the origin of the circulars that have been sent out by the various organisations, I feel it is only fair that a select committee should be appointed to investigate the whole matter.

Hon. E. H. Gray: It is a little bit late for a select committee.

Hon. Sir WILLIAM LATHLAIN: It is never too late to mend. The City Council and members who are supporting the City Council's contention are just as sincere and just as earnest as are the Government, in their desire to see suitable markets established. After all, if the City Council should be given control, they will be only the landlords. I submit the motion for the appointment of a select committee.

HON. J. M. MACFARLANE (Metropolitan) [9.20]: I support the proposal for the appointment of a select committee because I feel that the House has to a great extent been misled by the correspondence

that has taken place, correspondence that has emanated, as has been shown, from one particular source. An atmosphere has been created by that correspondence which seems to indicate that the City Council desire to interfere with marketing arrangements. That is not the intention at all, and it never will be the intention and will never receive my support. I feel satisfied that the correspondence has created a false impression amongst some members. I would like to go further and say that if we take the markets away from the City Council we shall be doing the ratepayers a wrong. This kind of thing has been done before. For instance, in 1935 the tramways of the city would have reverted to the ratepayers without any cost. Unfortunately the Government stepped in and bought the system, and so deprived the ratepayers of what would have become their property without payment. That action on the part of the Government also created a disadvantage by establishing dual control of the roads. In addition, the Government have taken away from the municipal authorities the control of weights and measures. That control provided a certain revenue for the municipality and it meant a slight reduction of rates. The Government have also taken away the traffic fees from the ratepayers. I was a member of the Perth Municipal Council at the time and the Government's action concerned the ratepayers to the extent of 3½d. in the pound by way of rates. On top of all that it is suggested that an area should be taken from the centre of the city and added to those areas that are already not returning any rates. This area would consist of six or seven acres or more of valuable land somewhere close to the centre of the city. It must be there for the establishment of centrally situated markets, and it is proposed to take it without in any way contributing to the rates of the city. The city will have to give up that area, and also the services carried on now in connection with the examination of foodstuffs. That is where there is likely to be some clashing between the trust, in the event of the Government having control of the markets, and the City Council. I am not referring to the examination of fruit, because that is carried on by the Agricultural Department. In the Mayor's report for 1925 there was a reference to the condemnation by the municipal authorities of 3,500 rabbits, whilst fruit and vegetables to

the number of some thousands were also condemned. I am certain that a conflict will arise between the trust and the City Council should the markets be under Government control. I support the appointment of a select committee because I am convinced that it will be possible to prove that the control should be under the municipality. I do not think the investigation would take any great length of time. In any case, the ratepayers would get a fair spin and the House would be convinced of the justice of the claim being made by the City Council.

Hon. A. BUEVILL (South-East) [9.25]: I oppose the appointment of a select committee. Sir William Lathlain talked about the similarity of the motions to which reference has been made and the unanimity associated with the correspondence placed before members. The position is that the Fruitgrowers' Association had a meeting in Perth at which there were 55 delegates representing 23 associations. With a gathering of that description, at which everyone was of a practically unanimous opinion, what else could be expected but unanimity? Mr. Glasheen read the letter in full and it will be found in "Hansard." There is therefore no occasion for me to quote it. The conference of fruitgrowers was held in August, 1926, and a sub-committee was appointed consisting of 12 members representing all these organisations to go into the matter and present their views to the Minister for Agriculture. A report of what took place on that occasion will also be found in "Hansard." All were in favour of the Bill as presented, except, perhaps, that they asked for an additional representative on the trust. There were, of course, other organisations that were not represented at that particular conference. A deputation from the poultry organisation waited on certain members of this House and their case was similar to that set up by the other associations. The camouflage put up in connection with the Westralian Farmers so far as the producers are concerned does not carry any weight whatever. The Westralian Farmers are not altogether unacquainted with the co-operative movement. There is an affiliation of the co-operative societies in the State and the headquarters of that society are at the Westralian Farmers, Ltd., where the secretary has his office. The Westralian Farm-

ers do not control the affiliated associations; they merely have a certain number of votes and are in the minority. Other industrial societies are in this co-operation. That is another reason for the unanimity amongst the producers. Coming nearer to Perth, and getting in amongst the other public bodies, we again find the same unanimity. In last week's Press there is a paragraph dealing with the metropolitan markets and it refers to the action taken by the Perth Road Board. I will read this.

Metropolitan Markets. Action by Perth Road Board. In directing the attention of the Perth Road Board to the proposal that the power to establish and control markets in the metropolitan area should be placed in the hands of a non-elected trust, the City Council said it regarded the scheme as a direct attack on the rights of local governing authorities, and asked the board to support it in its protest against the measure before Parliament. Members of the board, at their last meeting, discussed the matter very fully, and the opinion was expressed that the markets, although necessarily established within the City of Perth boundaries, would serve producers and consumers from far beyond the actual city limit. In the circumstances the producers and consumers would be in exactly the same position as under a nominee board, having no voice in the election of city councillors who would control the markets. It was pointed out that had the City Council submitted a proposal for the appointment of an elected board or trust, upon which producers and consumers would have been represented, other local governing bodies might have given it their support, but their past experiences had not encouraged a belief that their interests would be safeguarded if left entirely to the City Council. The attitude of the council with reference to the sanitary site at Mount Lawley and the electricity supply in the metropolitan area, were referred to, and finally it was unanimously resolved "that the board conceives it to be in the best interests of the many producers and consumers within this district that the proposed metropolitan markets should be controlled by a representative trust or board." Mr. E. W. Hamer presided, and every member of the board was present.

I do not know that I need say any more in opposition to the motion of Sir William Lathlain. The question of the markets has been a burning one for over 20 years, and if the select committee is appointed now it will merely amount to one way of shelving the matter till next session. The City Council had the opportunity to do something two years ago, and they did not make much of a fist of it. I advise hon. members to vote against the motion for the appointment of a select committee.

HON. V. HAMERSLEY (East) [9.31]: I oppose the proposal of Sir William Lathlain to refer the Bill to a select committee. By way of indicating the views of those who are concerned in this proposition, I will quote an extract from one of the numerous letters I have received from organisations and private individuals throughout my province. I do not regard the letter as one of those to which Sir William Lathlain referred. The letter I mention contains the following extract:—

When the City Council formulated a Bill some time ago no representation whatever was given the producers—

Hon. J. M. Macfarlane: None was asked for.

Hon. V. HAMERSLEY: The letter continues—

—The City Council can only be interested in its ratepayers, and may therefore be parochial in its ideas and conceptions. The Government, whether Labour, National, or Country Party, must view matters from a national viewpoint, and I am requested to ask your support in passing this Bill in this present form with the Government as the controlling factor. I trust, therefore, you will do your utmost to give expression to the wishes of the growers and producers who, after all, find the commodities that make such a Bill necessary, and deserve and are entitled to the fullest consideration.

Hon. E. H. Harris: Do you support that view?

Hon. V. HAMERSLEY: From the attitude adopted by the City Council and those who have apparently expressed the views of that body in connection with this question, the City Council seem to be concerned about the loss of municipal rates. I am more concerned about the satisfactory disposal through the markets of the produce of our growers, who are far removed from Perth. I am more concerned with the distribution of that produce throughout the whole State.

Hon. J. M. Macfarlane: And so are the City Council.

Hon. V. HAMERSLEY: It seems to me that the City Council are more concerned about the opposition that might be created to those who are already conducting markets.

Hon. J. M. Macfarlane: No.

Hon. V. HAMERSLEY: It has been suggested that the City Council were afraid they would lose rates because of the proposals of the Government. If the Bill goes

to a select committee it will mean, as pointed out by Mr. Burvill, the shelving of the measure. I know how earnest so many of the growers are in regard to this question. They consider this is their one grand opportunity to get their produce marketed under one roof. I know how materially that will affect those in whose interests the Bill has been introduced. I hope the House will not agree to the appointment of a select committee.

HON. J. CORNELL (South) [9.35] : I desire to make my attitude clear on the proposal to send the Bill to a select committee. I have indicated that personally I am in favour of municipally controlled markets. We are now at the parting of the ways. Are we going to get a market controlled either by the municipality or by a Government trust? I fear that if a select committee be appointed at this stage of the session, it will be good-bye to the markets, municipally or trust controlled.

Hon. A. Lovekin : The time necessary for the select committee to complete the work would be 48 hours.

The Honorary Minister : Not at all.

Hon. J. CORNELL : If we do not agree to the appointment of a select committee and if the Bill is amended and gets out of the control of this House, then again it will be a case of goodbye markets. I am therefore like Mahomet's coffin; I am hung up between the heavens and the earth. I have received many letters of advice from various people interested in the subject. They favour the markets being controlled by a trust. The one point, however, upon which they are most insistent is that they want the markets, and urge that I shall not take any action that will tend to lose the Bill. I am going to oppose the appointment of a select committee at this stage as one step towards securing the markets.

HON. A. LOVEKIN (Metropolitan) [9.37] : Although I am a representative of the Metropolitan Province, I realise that the cost of living in this State is abnormally high, and if we can bring the producers and consumers together by means of a market, so much the better will it be for the community as a whole. I think that on a body controlling markets of this description, the producers as well as the consumers and the municipality should be represented. The

question of the best way in which the particular sections of the community mentioned can be represented, could be inquired into by a select committee. Investigations could be made by the select committee in a way that could not be done on the floor of the House, because certain information has to be obtained, and therefore I think the committee could do good work in that direction. Should the Bill go before a select committee, I would insist that the producers be represented as well as the consumers, and the municipality. There is another question that should be gone into by the select committee. Clause 11 of the Bill sets out that the land vested in the trust shall be exempt from municipal and other rates. There seems to be some difficulty there. The land may be exempted from municipal and other rates, but what about the Federal land and income tax? That land tax would be imposed on several acres of land in the heart of the city, which would be necessary for the purposes of the market. We should make certain that we are not merely jumping from the frying pan into the fire. We should see that we are not merely providing that the land shall be exempted from municipal rates, only to find that the trust will have to pay a heavy Federal land tax. In my opinion, the trust would be liable for the payment of that tax. Then again, provision is made for various expenditure, and so on. In the course of time the market will show a profit. Where is that profit to go? The committee should look into that question and we should not allow those profits to go into the Government coffers.

Hon. J. Nicholson : That is where they will go.

Hon. A. LOVEKIN : On the other hand, the profits should go back into the market, so that the producers and the consumers should reap the advantage. These are three points that occur to me offhand that the committee should investigate. It is merely a question of inquiry and I believe Sir William Lathlain will agree with me when I say that 48 hours should be sufficient to secure the completion of the work of the select committee. I consider that sufficient myself to look into the question and to ascertain the facts. I will vote for the appointment of the select committee because we should get some more information before we proceed with the Bill.

HON. J. NICHOLSON (Metropolitan) [9.41]: I support the views expressed by Mr. Lovekin. The reasons he advanced in favour of the appointment of a select committee are such that should appeal to all hon. members. In examining the views expressed by those opposed to the appointment of the select committee, the misunderstandings and misrepresentations that have been apparent through the course of the second reading debate still present themselves. Mr. Cornell expressed a grave fear that the Bill would be lost if we referred it to a select committee.

Hon. H. J. Yelland: I think it is a certainty to be lost.

Hon. J. NICHOLSON: I do not believe there is any grave fear of that happening.

Hon. J. Cornell: I am sure there is.

Hon. J. NICHOLSON: On the other hand, there is a grave fear that the members opposed to the appointment of a select committee will later on regret that they succeeded in their opposition, for they will find that they have involved their producer friends in a very serious loss indeed.

Hon. A. Burvill: We have well considered the position.

Hon. J. NICHOLSON: When Mr. Hamersley spoke he read an extract from a letter received from a friend. In the course of that letter it was suggested that in the Bill introduced in the Assembly two years ago, no reference was made to the appointment of representatives of the producers and others. Apparently it was considered that the City Council had some ulterior motive. If an opportunity were given by means of a select committee to inquire into all the reasons and explanations, the whole of the mist could be cleared away and members would thoroughly understand the position. I ask members to pause and consider another aspect. On one hand, if the proposal of the City Council were given effect to, the producers as well as the consumers would receive benefit, because the producers and consumers would be brought closer together, and the arrangement would be more effective under the control of the City Council than if a trust were appointed. It would be more economical, too. If on the other hand the provision of a metropolitan market were left to a trust, the Government would have to find the whole of the money for the resumption of the requisite land and for the erection of buildings. This would mean that the

general taxpayers would have to pay for the market, whereas if the control were left to the City Council, the cost would concern the ratepayers of the city only.

Hon. G. W. Miles: Are the ratepayers going to do that without getting any compensating advantage?

Hon. J. NICHOLSON: The work would be undertaken entirely at the cost of the City Council.

Hon. A. Burvill: But then the City Council would put the rates on.

Hon. J. NICHOLSON: It has been indicated that whatever was done would be done on a fair and reasonable basis. Those interested would be required to pay only a reasonable amount of interest and sinking fund. Mr. Lovekin has pointed out the probabilities of heavy Federal taxation from which there may be some exemption with respect to municipal land, and therefore the producers would be in a much better position under the City Council than if they were in the hands of a trust, because there would also be greater economy.

Hon. A. Burvill: I doubt it.

Hon. J. NICHOLSON: If the hon. member has any doubt, the only way to solve it is to agree to an investigation by a select committee in order that we might ascertain exactly what the trouble is. Then we could settle the difficulty once and for all. I suggest that it would be well worth while to refer the matter to a select committee on the distinct understanding that the report was presented within a limited time.

Hon. J. Ewing: Within what time?

Hon. J. NICHOLSON: Say by Tuesday next.

Hon. A. Burvill: It would be a waste of time.

Hon. J. NICHOLSON: Nothing is a waste of time when we are seeking to solve difficulties. Difficulties were made to be surmounted, but when they do arise, a man is foolish that rushes headlong into them without examining every step. There is wisdom in making inquiry in this instance; we can make it with benefit to ourselves and arrive at a wise solution. I hope members will support the appointment of a select committee.

HON. J. EWING (South-West) [9.50]: I did not speak on the second reading although I recognised the importance of the measure. I support the Bill, and because of that I am opposed to the appointment of a select com-

mittee. Mr. Lovekin told us that the Bill could be inquired into and reported on in 48 hours. I do not think the hon. member meant that. Mr. Nicholson said a select committee could report by Tuesday next. If a select committee did so, the report would be utterly valueless. If we were going to inquire into the question of control by the City Council as against control by a trust, it would take the best part of a month, and unless that time were taken, the report would be worth nothing. The proposal of the Government to do something in the way of establishing a market is before us. For the last 20 years the matter has been under consideration. Two sessions ago the member for Perth (Mr. Mann) introduced in another place a motion to establish a market, and it contained no suggestion of any recognition for the producers. Now the City Council, in order to get control in their hands, have offered to give the producers two representatives. They did not offer the producers any representation before, but now, when the Government have shown some earnest in the matter and have introduced a Bill, the offer is forthcoming from the City Council. It looks something like a bribe. I suppose there is no objection to using the word in that sense.

Hon. J. Nicholson: There has been no bribe. The City Council have asked for their rights.

Hon. J. EWING: I think the producer should look after his own business and in the disposal of his produce should have a big say in conjunction with representatives of the consumers and of the City Council, as is suggested by the Government. There has been introduced into the debate an element which is not good, namely that the country people are against the city people and the city people are against the country people. The one is undoubtedly dependent upon the other. It is useless for anyone to talk rot of that kind to me. It has been decided by a large majority of the producers that a Bill of this description is necessary. Representations were made to the Government and certain amendments have been proposed. Those proposals, together with the proposals of the City Council, can be placed clearly before us in Committee. Any attempt to inquire by select committee in 24 hours, 48 hours, or even two weeks is ridiculous. We must accept the Bill now or lose it. I prefer to have it, because the producers want it. I have nothing against the City Council. In other parts of the world the municipal authorities control

activities of this kind. Mr. Baxter mentioned what happened when he was Honorary Minister, but time after time the City Council have not come up to scratch.

Hon. A. Lovekin: Are you prepared to see the markets subject to Federal taxation without inquiry?

Hon. J. EWING: I think that question will be considered by the Government. The Minister will doubtless be able to give us an explanation in Committee and, if it is not satisfactory, the remedy will lie in our own hands. I appeal to members to vote against the appointment of a select committee, not because I represent the South-West Province, which is deeply interested, but because the producers wish to manage their own affairs. At this late hour we should not refer the question to a select committee. Sir William Lathlain has to-night proposed his first select committee. I should have liked to support him. If I believed with Mr. Lovekin and Mr. Nicholson that a select committee could make full inquiry and report in 24 hours, I would support the motion.

Hon. J. Nicholson: It could be done by Tuesday.

Hon. J. EWING: If a select committee were appointed its members would read the Bill through and state their opinions, without calling evidence at all. It would be impossible to call evidence in the time mentioned by Mr. Lovekin and Mr. Nicholson. A full inquiry would occupy at least a month. The idea of a select committee meeting upstairs and bringing in a report without evidence is too ridiculous for words. Mr. Hammersley would not be on the select committee and there would thus be no representative of the producers.

Hon. J. Nicholson: You could be on it.

Hon. J. EWING: I do not wish to be on it. I have made up my mind to vote against the appointment of a select committee. I shall vote for the Bill and hope that the Minister's explanation in Committee will be satisfactory. I have never heard anything so ridiculous as the suggestion that a select committee could take evidence and report on Tuesday. Mr. Lovekin might be able to give some excellent advice on the technical question of taxation, but that does not comprehend the whole of the Bill and he could just as well give his explanation in Committee. Any select committee appointed should inquire into the whole question and, failing a thorough inquiry, it would be better to have none at all. I, as a representative of the

producers, am not prepared to agree to time being wasted and possibly the Bill being lost, which would be a calamity to my district.

HON. H. J. YELLAND (East) [9.58]: I thought sufficient had been said on this matter during the second reading. I should have liked to see the question put to the vote without further discussion. However, I have been accused of misrepresentation by the mover of the motion, and while I feel it was quite beside the question of appointing a select committee to traverse that ground, since it has been covered, it is doubtless within my province to follow him. I do not withdraw one word of what I said on the second reading. I can substantiate every word I said. I have been accused of stating that the Westralian Farmers Ltd. were not associated with the Producers' Markets. In the sense in which the term was applied, that the Westralian Farmers were the controlling body of the Producers' Markets, let me say they are not associated at all. Of that there has been ample proof. Sir William Lathlain this evening has tried to camouflage the real position. He has told us that the Producers' markets consisted of 500 shares held by the Westralian Farmers Ltd., and two or three other names were indicated of people who held one share each. The hon. member also said that 4,500 shares had been issued. I would like to know to whom the others have been issued.

Hon. Sir William Lathlain: They are held by the Producers' Markets.

Hon. H. J. YELLAND: That means that a controlling interest is not held by the Westralian Farmers Ltd. I ask, from what quarter has there been misrepresentation?

Hon. J. J. Holmes: Is there anything about that in the Bill?

Hon. H. J. YELLAND: I was only following up the accusations that have been made. There has been reference to the origin of the objection to the Perth City Council having control, and to the circularisation of various bodies in the country. I have taken no notice of these circular letters, but I have taken notice of the hundreds of individuals I have met in my travels around the country. If Sir William Lathlain would get into touch with the producers he would see that they do not want to have anything to do with the Perth City Council.

Hon. A. Burvill: Quite right.

Hon. H. J. YELLAND: Surely no objection can be raised to the central organisation sending out information to the branches. What the producers want is a fair deal, and their representatives in Parliament should see to it that the Bill is framed in accordance with their wishes. That is the only way in which the information can be distributed. Because of the accusations that have been levelled against the organisations concerned I have discarded their views altogether, and have taken the trouble to approach individual producers themselves. With one exception, and that is the case of a man who is "always against the Government," everyone said he was opposed to the Perth City Council having control. With one voice they said, "Let us have city markets but let us have them as they are provided for in the Bill, with one or two slight amendments." I hope the Bill will not be subjected to the delay that will be necessary if it is referred to a select committee. I feel like Mr. Cornell, that if this step is taken it will be good-bye to the measure. We should recognise the wishes of the producers, and pass the Bill for their benefit. I have no desire to traverse the ground I covered in my previous speech. No Bill has ever been brought before the House, designed to benefit the producers, in which there has been greater unanimity of opinion and greater spontaneity of agreement amongst the producers than is the case with this Bill, and opposition to control by the Perth City Council.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central) [10.4]: I must oppose this "knock-out" amendment moved by Sir William Lathlain. The Government went to a great deal of trouble in preparing the Bill. It is the result of practically 20 years of agitation for these markets. The motion is characteristic of the procrastination that has been evidenced by the Perth City Council on this question. One has only to review the history of the agitation and to go through the file to realise this. It is a pity Sir William Lathlain did not go through the file as I did.

Hon. Sir William Lathlain: I lived through it.

The HONORARY MINISTER: Had he gone through the file more carefully he

would not have moved as he has done. Every encouragement has been given to the Perth City Council by successive Governments, Premiers, and Ministers for Agriculture to provide their own markets. This Government have introduced the Bill and we are within kicking distance of getting something. Again, metropolitan members with one voice have attempted to knock it out. It seems that history is repeating itself. There have been big undertakings in other countries, and on many occasions the cup has been dashed from the lips of those who were about to have their wishes carried out. History is repeating itself so far as the Perth City Council is concerned. When we have the opportunity to establish these markets, the cup is about to be dashed to the ground, and smashed to fragments by those very gentlemen who most loudly raised their voices in agitation for the market. I hope the Bill will not be lost, for in Committee any points that require to be dealt with can be reviewed. If the Bill is referred to a select committee it is idle to expect a report within 24 hours.

Hon. J. Ewing: It would not be worth much.

The HONORARY MINISTER: It is a reflection upon the Legislative Council to refer it to a select committee. Surely this Chamber is capable of dealing with the Bill itself, and it should not be sent upstairs in the care of three or four members, who will frame a report and tell us what to do. How can they get into touch with the producers and those concerned in the time at their disposal. It cannot be done. The hon. member has spoken about the money for the operations of the Perth City Council. We all know the result of a recent referendum that was taken in the city when the ratepayers turned down the proposal of the City Council. A referendum would have to be taken in this case, and perhaps the ratepayers would decline to allow the City Council to raise the money. The Government are standing behind the Bill, and if anyone should complain, they should. The hon. member would be well advised to withdraw his motion.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban—in reply) [10.10]: The Honorary Minister refers to this as a "knock-out" motion. No one is more desirous of having markets than I am. I

have perhaps given more time and consideration to the Bill than any member of this Chamber. To say that the Perth City Council have not availed themselves of their opportunities is not to state the facts. The Labour Government took in hand the question of establishing markets. They secured the land, but it is still there, and will be used for another purpose. It would have been futile for the City Council to undertake the construction of markets, seeing that the Government would not say whether they intended to go on with them or not. Some time ago the City Council prepared at their own expense, and presented to Parliament, a Bill which was ignominiously thrown out because certain members could not agree to one or two of its clauses. No consideration was given to it. It was an insult to the City Council that the Government of the day allowed the Bill to be thrown out without consideration. It has been stated that if the Perth City Council controlled this business the Bill would be amended to give them power to borrow the necessary money without reference to the ratepayers. That statement was clearly made. Some time ago a deputation representing the sellers waited upon members in one of the ante-rooms. Mr. Harcourt Harper, who is secretary to the Producers' Association, said he did not care who controlled the markets so long as they got them. He did not mind whether the control was in the hands of the City Council or the Government.

Hon. J. M. Macfarlane: Mr. Fortune said the same thing.

Hon. Sir WILLIAM LATHLAIN: Yes, and so did others. They also said that as sellers they were entitled to some representation on the board. The Perth City Council had stated their willingness to give two seats to the producers, and suggestions were also made that both the sellers and the consumers should be represented.

Hon. J. M. Macfarlane: The poultry people said the same thing.

Hon. Sir WILLIAM LATHLAIN: Yes. Mr. Burvill referred to the opposition of the Perth Road Board. Those who know the history of that opposition will understand why the Perth Road Board do not want City Council control. It arises from the fact that the Perth sanitary site, owing to the negligence of the Government in not proceeding with the sewerage scheme, is in the North Perth area. It is required that it should be removed, and this is a sore point

between the two bodies. There is only one question to decide, and that is as to who will be the best landlord. On behalf of the Perth City Council I am prepared to accept the Bill with one or two slight amendments.

Hon. J. Cornell: I am concerned about the market.

Hon. Sir WILLIAM LATHLAIN: Members representing country districts often speak about the need for railways. A considerable sum will be required for these markets, but that would go a long way towards building a line of railway such as is required in the country. I hope the motion for the appointment of a select committee will be carried. It would lead to a proper decision as to who should control the markets. The Perth City Council, in their desire to have control, are only following in the footsteps of other capital cities of Australia and the principal cities in England. There is one important factor that will lessen the cost to the producer. Under City Council control the board would work in an honorary capacity. Under Government control members of the board will probably be well paid, and this will naturally lead to a considerable increase in the cost of running the concern. Boards of that description are more inclined to construct elaborate buildings, such as would not yet be necessary, than would be the case with the Perth City Council. I give place to no one in my desire for markets. If the committee is appointed there will be only the one question to be considered, that of the landlord. The Bill provides the nucleus of everything that is required, no matter who controls the market. The evidence the committee will be able to bring forward will undoubtedly convince the House that the Perth City Council are the right people to control the markets. I hope, therefore, that the House will refer the Bill to a select committee.

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

Ayes	..	..	..	..	7
Noes	..	..	..	..	16

Majority against .. 9

AYES.

Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. G. Potter
Hon. A. Lovekin	Hon. Sir W. Lathlain
Hon. J. M. Macfarlane	(Teller.)

NOES.

Hon. J. R. Brown	Hon. G. A. Kempton
Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. Cornell	Hon. W. J. Mann
Hon. J. M. Drew	Hon. G. W. Miles
Hon. J. Ewing	Hon. E. Rose
Hon. E. H. Gray	Hon. H. Stewart
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. J. W. Hickey	Hon. W. T. Glasheen

(Teller.)

PART.

AYE.	No.
Hon. H. Seddon	Hon. C. F. Baxter

Question thus negatived.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Progress reported.

House adjourned at 10.22 p.m.

Legislative Assembly.

Wednesday, 1st December, 1926.

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

QUESTION—RAILWAYS, BURRACOPPIN STATION-MASTER.

Mr. GRIFFITHS asked the Minister for Railways: 1, Has he received a petition from the Burracoppin settlers requesting that a station-master be appointed at that