

Department that under the Interpretation Act any authority such as the church council will be, must lay any regulations they make on the Table. That is essential, because if Parliament provided that the University Senate should have to do that, I see no reason why the church council should not be compelled to do the same, more especially as we are practically giving an open cheque to some unknown authority. Then again the University Act contains a condition that there shall be no religious test for entrance to the University. I see no reason why some such provision should not be included in the Bill before us now. If we do not include some such provision, it will amount to repealing the section I refer to in the University Act. Hon. members do not desire to do that. I propose to move an amendment along the lines of the section in the University Act regarding religious tests. The Premier said that the Bill was occasioned largely because of the Hackett bequest. Undoubtedly that bequest has opened greater possibilities for brainy sons and daughters of working men than were available in the past. I am particularly anxious to see that those possibilities are not abrogated by any provision in connection with these church colleges. While I am not desirous of placing any stigma upon any such council that may be established, we are entitled to protect the possibilities available for the sons and daughters of workmen. One means by which those possibilities could be curtailed, would be the charging of excessive fees by the residential colleges. From what I can gather there are very few, if any, of these church colleges that are payable propositions in themselves, although in Adelaide, Melbourne, and Sydney the fees for nine months' tuition amount to £110. That is a large sum for a working man to provide for the education of his child and at the same time to pay his way. I propose, therefore, to move an amendment that fees charged by any church council shall be subject to the approval of the University Senate. If some such provision is not included, we shall merely hand over to some unknown authority the right to do what they think fit regarding fees to be charged and not even the Senate will have any voice in the matter. I do not think it is asking too much to suggest that the Senate shall have the right to approve of the fees.

Mr. Latham: There will be no necessity for that if they do not use your land, for

they will go on with their building on so other site.

Mr. PANTON: That is so, but if it necessary to introduce a Bill to give a church council the right to use our land, it is essential to give some authority power supervise this phase of the work. Otherwise, I have no objection to the Bill, but do think the Senate should have the right approve of fees charged. I do not think should allow any authority to do just what they think fit in the matter.

Question put and passed.

Bill read a second time.

*House adjourned at 10.46 p.m.*

## Legislative Council,

*Wednesday, 8th December, 1926.*

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

### STANDING ORDERS SUSPENSION.

*Close of Session.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [3.4]: I move—

That for the remainder of the session so much of the Standing Orders be suspended as is necessary to enable Bills to be put through all stages in one sitting, and Messages to be taken into consideration forthwith, and the Standing Order 62 be suspended during the same period.

I do not think any apology is needed from me for submitting this motion at the present stage of the session. I recently stated that we could close down on the 16th of this month without rushing through any business. I am more than ever confident that, unless something unforeseen happens, we can do so on that date, if not before. I know of no contentious legislation that is to be submitted. There is the South-West electric power scheme, which is an important measure, but it will largely mean the acceptance or non-acceptance of the principle involved. Another place has considered a similar motion to this, and I think it is essential we should fall into line.

Hon. A. Lovekin: Do I understand that the Chief Secretary intends the motion to cover the 10 o'clock rule as to new business after that hour?

The CHIEF SECRETARY: Yes.

Question put and passed.

### ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Justices Act Amendment Bill.

### BILL—ROAD DISTRICTS ACT AMENDMENT.

Further report of Committee adopted.

Read a third time and returned to the Assembly with amendments.

### BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

### BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

*Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [3.9] in moving the second reading said: As far back as 22 years ago the railway employees were granted an independent appeal board under the Government Railways Act, 1904. In 1907 it was found necessary to make amendments, and the experience of 19

years suggests other alterations of the law. These proposed amendments have been agreed to by the Commissioner and all the parties concerned. Clause 2 repeals Section 52 of the principal Act. That section placed financial responsibility on a railway employee for any action caused by his wrong-doing or neglect. Its repeal has been the policy of the department for several years past. This provision has not been insisted upon when dealing with railway servants when damage has been occasioned through their neglect. Prior to that, in the old days, it was the custom to impose a penalty on the railway employee, and deduct the amount from his wages. Suppose a railway servant is guilty of neglect, and through that neglect damage is done to Government property. The Railway Commissioner may consider the offence severe enough to warrant him in dismissing the employee.

Hon. J. J. Holmes: But not to collect damages?

The CHIEF SECRETARY: No. So far as I have been able to discover that system does not obtain in any other branch of the public service. Section 69 of the original Act limits the right of appeal to those who have served continuously for 12 months. The amending Bill, by Clause 3, reduces the qualifying period to six months. That is the period required to make a railway employee eligible for other privileges in connection with arbitration awards. When he has been for six months in the service he can claim all the privileges of the permanent railway employees. If a man becomes qualified to enjoy these privileges, it is considered he should be given a right of appeal against punishment for disciplinary offences. Under Section 70 (c) as amended by the Act of 1907—this deals with the constitution of the appeal board—it is provided that one member and a deputy shall be selected by each of three sections of the staff, namely, (1) the salaried staff, (2) the locomotive branch, and (3) the wages staff. The weakness now constituted is that it gives a man employed in the loco. branch two votes in the selection of a representative, namely, one for the locomotive and one for the wages representative. That is not considered desirable. The amending Bill, by Clause 4, gives one member and a deputy to the salaried staff (railways); one to the salaried staff (tramways and electricity

supply); and one each to five sections of the wages staff, namely, (1) traffic and stores, (2) loco. running, (3) loco. workshops, (4) ways and works, (5) tramways and electricity supply. It has sometimes happened that the elected member sitting has not been in close touch with the work of the branch or section concerned, and has, therefore, not had the advantage of technical knowledge relating to the matter that comes before him in connection with his particular duties. The amendment we propose remedies this fault, and will render the board more acceptable both to the staff and to the Commissioner. A subsection which this Bill proposes to add to Section 70 provides for any member elected being so employed as to facilitate his attendance on the board. The person chosen might be working in, say, Geraldton; and in that case arrangements would be made for his transfer to headquarters in order that he might be able conveniently to attend meetings of the board. Clause 8 amends Subsection 1 of Section 71 by providing for the introduction of the preferential system of voting in connection with the triennial ballot. The preferential system is not adopted now. Section 11 of the Amendment Act of 1907 merely permits the deputy to act in the member's absence. This Bill makes it mandatory. The existing Act also provides that if the deputy fails to function, a substitute may be appointed by the Governor on the nomination of the employees in the section concerned. As no means exist whereby the employees as a body could make such nomination, the Bill transfers the nominative power to the industrial union concerned. Section 72 of the old Act provides that appeals shall be heard within 30 days of their lodgment, but makes no provision for any redress in the event of this period being exceeded. The Bill provides that if the hearing of the appeal be not commenced within 30 days, the punishment shall be revoked and the appellant's loss reimbursed. Section 74 of the Act deals with procedure. Under the amending Bill the board's authority is strengthened by providing penalties for non-compliance with a summons to attend as witness. The right of a witness to recover travelling expenses is also established. I move—

That the Bill be now read a second time.

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

## BILL—PUBLIC WORKS ACT AMENDMENT.

### *Second Reading.*

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [3.19] in moving the second reading said: As is generally known, the Public Works Act of 1902 is the main authority in the State for controlling the acquisition of private property for public works and for providing payment of compensation to the owner concerned. Such acquisition may be effected by purchase, by private contract, or by compulsory taking or resumption. It has been the experience of the Public Works Department that not many purchases can be arranged at prices satisfactory to the Government unless the seller is unaware of the identity of the buyer. The Government should be—and always have been, I am given to understand—ready to pay the reasonable market value of any property required in the public interest. Where damage is done by severance or by injuriously affecting adjoining property of the owner concerned, the department pay in accordance with the provision of the law passed in 1902. The State is not prepared, however, to pay on the basis of the value of the property to the Government for the public purpose in view. The legislation of this State and of the Commonwealth expressly provides that no increased price shall be paid for enhancement in value caused by the public purpose or public work necessitating the acquisition of the property. Such things must not be taken into consideration when determining the value. It is to safeguard this principle, and also to avoid fictitious prices, that the Bill is brought down. Where real estate is required and cannot be reasonably purchased, or where it is compulsorily taken and private settlement of the owner's claim cannot be arranged to the mutual satisfaction of the owner and of the department, the claim of the owner and the offer of the department are submitted for determination by the Compensation Court. In arriving at its decision the court is guided by Section 63 of the Public Works Act, 1902. This Bill seeks in one important respect to bring the law relating to resumption of land by the Government for public purposes into line with Commonwealth legislation. It does so by amending the original Act in such a way that when the question of compensation comes up for decision, instead of

the value of the land at the date it was taken being the subject of consideration, its value on the preceding 1st January will engage the attention of those whose duty it will be to determine the true value of the land. It must be remembered that this amendment will apply not only to land taken by the Government for the purposes of public works, but also to land resumed for the purposes of local authorities. The Bill contains a further provision that in the case of land taken for a railway or other work authorised by a special Act, the value of the land shall be estimated at the probable and reasonable price at which it might have been expected to sell on the first day of the session of Parliament in which the Act was introduced. There must, of course, be a fair addition for any improvements on the property; but as regards improvements effected between the 1st January and the date of resumption, only the actual cost will be allowed. The objects of the proposed amendments are, briefly, to simplify the assessment of value; to protect the State against doubtful transactions being entered into by property owners after the Government's public works proposals become known, which sometimes occurs through a leakage of information that it is almost impossible to prevent; to safeguard the interests of property owners who, in good faith, may have made improvements to their properties after a railway has been authorised by Parliament but before it can be known that their particular properties will be required; to enable contemplated projects to be published and openly discussed and reviewed without danger of imposing unjust financial burdens on the State. It has been the experience of the Public Works Department, both since the passing of the Public Works Act and during the period when the Arbitration Act of 1895 provided the only tribunal for the determination of compensation claims, that owners have been in a position to build up evidence of value in anticipation of resumptions by the Government. Usually it has been city and suburban properties that have been concerned in these operations. Country properties, especially those coming under rural Crown grants or Crown leases, do not readily lend themselves to such manipulation. Moreover, the reservations in favour of the Crown in those documents are considered to be effective deterrents. The amendments proposed are regarded as very necessary

in view of comprehensive resumptions which are to take place in the near future. These resumptions will be principally in the metropolitan area, but some of them will be made in various of the more important country towns. Ante-dating the fixing of values to the preceding 1st January is provided in the Commonwealth Land Acquisition Act, 1906. The date is a convenient one. The Bill will provide for a period before gazettal of resumption during which the potential value of the property can be investigated, so that justice may be done to all parties. I have used the phrase "potential value" because it is one generally introduced into arguments before the tribunal which has to fix the compensation. The claimant usually makes a strong effort to prove that the property has a "potential value" for a purpose other than that for which it is used. The property may be used as a store, but there may be an allegation that it possesses an added value, because it is adapted to become the site of a coffee palace. In some instances there may be sound grounds for contentions of the kind. At all events, the period between the 1st January and the date of resumption should furnish some evidence to test the claim as to potential value. Negotiations for settlement should be simplified and expedited by this amendment of the law, and references to the Compensation Court minimised. Experience has shown that there is necessity for protecting the interests of the State. When the Government's intentions with regard to public works and the land needed for such works are known, private transactions seeking to establish fictitious values for such land have sometimes been made prior to the gazettal of resumptions. These include bogus leases at exorbitant rentals and extended tenures, secret options which are only revealed after resumption, dummy sales at inflated prices, unregistered agreements to purchase, also with extravagant conditions. Ante-dating the fixing of values would lessen, if not entirely remove, all these practices. There is in the Bill a safeguard for property owners. At present no provision exists for payment of improvements made by a property owner between the date of the Act authorising the construction of a railway and the date of gazettal of resumption of the land required. Subclause 2 of Clause 2 of the Bill provides for this, and in fact goes much further, ensuring payment of values not exceeding the actual cost of improvements made by the owner between the preceding 1st January and the date mentioned in the "Gazette"

notifying the resumption. No owner is likely to build or construct permanent improvements when he knows he will not receive more than the actual cost. Any such buildings or improvements can therefore be regarded as bona fide. Owing to the danger of dummy transactions, rigid secrecy is now preserved regarding proposals of the Government departments.

Hon. J. Ewing: How do they manage to get absolute secrecy?

The CHIEF SECRETARY: That is almost impossible, but everything is done to preserve secrecy, even though with only limited success. Fixing a prior value would tend to obviate various disabilities. No one desires to see a person whose property has been resumed suffer any loss through the action of the Government. It is only just that the owners should be fully compensated and this Bill will ensure that. At the same time the measure will go a long way towards protecting the State against victimisation through scheming which follows once it has leaked out that the Government intend to construct large public works in a certain locality. As I have already pointed out, similar legislation has been in operation under the Commonwealth for the past 20 years; and there has never been a request for its amendment on the ground that it is unfair or unjust. Were it considered so, there would have been articles in the Press denouncing the legislation, and some member of Parliament would surely have taken steps to bring about its amendment. The only conclusion to be drawn from that inaction is that the Act has given all round satisfaction. If that be so, there is no reason why the principle should not be adopted here. I move—

That the Bill be now read a second time.

On motion by Hon. Sir William Lathlain, debate adjourned.

### **BILL—JETTIES.**

#### *Assembly's Amendment.*

Amendment made by the Assembly now considered.

#### *In Committee.*

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

Clause 5, paragraph (d).—Strike out the figures "14, 15, or 16," and insert the figures "13, 14 or 15" in lieu thereof.

The HONORARY MINISTER: I move—  
That the Assembly's amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

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

### **BILL—DENTISTS ACT AMENDMENT.**

#### *Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [3.35] in moving the second reading said: It is known that for many years members of the dental profession have looked forward to the establishment of a dental hospital in Perth. This anticipation advanced a step nearer realisation when a deputation from the Odontological Society waited upon the Honorary Minister (Hon. S. W. Munsie) in April of this year. The society pointed out that while the medical and surgical needs of the poorer members of the community were well catered for by the hospitals, practically nothing was done regarding the dental needs of the people. It is true that included in the honorary staff of the Perth hospital there are two dentists, and those gentlemen regularly attend at the Hospital, but they practically do nothing else but extractions. It would not be possible for any more than this to be done at the Perth Hospital unless considerable expenditure were incurred in opening a proper dental branch. There can be no question but that dental disease is the cause of very many human ailments. Indeed, it is now recognised that dental defects account for perhaps between 25 to 50 per cent. of various diseased conditions of the human body. There can be no question as to the desirability of the establishment of a dental hospital, where the lower-paid members of the community may receive free treatment, or treatment in return for small fees, if they are able to pay those fees. In the other capital cities dental hospitals have been established, at any rate in a majority of the States. When the deputation waited upon the Honorary Minister, no concrete scheme was put forward, but since then the Odontological Society, in collaboration with the Public Health Department, have been able to secure suitable premises,

and have put up a definite scheme, which it has given the Honorary Minister great pleasure to approve of. The premises in which it is proposed to establish this hospital are located in Murray Street, immediately opposite the building occupied by the Public Health Department, and close to the Perth Hospital. These premises are well situated and are considered well suited for the purpose. They should provide adequate accommodation for the dental hospital for some years to come. The scheme is to be subsidised by the Government, who will provide £ for £ on the capital cost involved in the necessary alterations to the premises, and in the provision of equipment. That is to say, for every pound that is raised by the society for the hospital, the Government will contribute a similar sum. A subsidy towards the maintenance of the hospital has been promised up to a maximum of £900 per annum, and it is considered that that amount will be sufficient to meet the requirements. As soon as the hospital is actually established and opened, it will be available for all poor people. Those who are not able to pay anything whatever will receive all necessary dental attention; those who can pay the small fees which will be fixed as a maximum, will be expected to do so, and all fees so collected are to go into the revenue of the hospital and be used to enable the hospital to carry on the work. The hospital will also act as a training ground for dental students, and its revenue will benefit from the fees paid by the students for the training they receive. The dental hospital is to be controlled by a board of management, to be appointed by the Government. The members will be composed of dentists, a doctor nominated by the British Medical Association, and two departmental representatives nominated by the Minister. There will be a dental superintendent at the hospital, and an honorary staff provided by the dental profession, in somewhat similar manner to the arrangements made for professional services at the Perth, Fremantle and Children's Hospitals. The operations of the hospital are not, of course, to be confined to the residents of the metropolitan area. Country people whose circumstances are such as to enable them to come within the financial limits which must necessarily be imposed—for instance, those who are not in a position to afford dental treatment—will be able to benefit by its operations. It is recognised, however, that

country people who are in poor financial circumstances cannot come to Perth to receive the necessary attention. The Odontological Society has circularised all its country members and has arranged that they will attend to such cases free of charge, the dental hospital supplying these country dental practitioners, as may be necessary, with material to carry on this free work. The Bill before the House deals simply with one phase of the establishment of the hospital, and that is the provision of a certain amount of capital cost for this institution. The Dental Board has a considerable amount of accumulated funds, and it desires to spend a portion of these, about £350, in providing a moiety of the cost of the alterations to the buildings, and the equipment. This proposed action by the Board has been endorsed by the dental profession as a whole throughout the State, but under the provisions of the Dental Act as at present drawn, the power of the Dental Board in the expenditure of money is very limited, and it certainly would not be justified in embarking upon the proposal without receiving Parliamentary sanction. It became necessary, therefore, to introduce this special Bill to enable the Dental Board to give effect to the desire of members of the dental profession and of the Dental Board, in order that they may carry out the praiseworthy object they have in view. I move—

That the Bill be now read a second time.

**HON. G. A. KEMPTON** (Central) [3.45]: So well has the Minister placed the facts before members that it is scarcely necessary for me to go further into the subject. Still, I am deeply interested in the Bill, and should like to say something about it. For years past the Dental Board of Western Australia have desired to establish this dental hospital. They have by them quite a lot of money that has been subscribed by the dentists in registration fees and so on, and the board felt it was not right to hoard up that money, but that some definite use should be made of it. So the Odontological Society decided to go into the matter. They approached Mr. Munsie, the Honorary Minister who looks after health affairs, to see what could be done. Subsequently they called a meeting of the dentists of Western Australia to see whether the dentists would allow them to

use the money in hand. The Dental Act of 1894 contains this provision—

The board shall have power to appoint and pay, and to dismiss an examiner or examiners and a registrar and such other officers as the board may deem necessary for the carrying out of this Act and the rules, and all such persons should hold office subject to those rules.

Because of that, they felt it was impossible for them to spend part of the money unless they first had the permission of the dentists. So they called a meeting and a resolution was passed by the dentists as follows:—

That this meeting of dentists called by the Dental Board of Western Australia is in favour of using some of the funds of the Dental Board towards the establishment of a dental hospital.

That gave the board the moral right to go ahead with the project, and all that they now ask is that Parliament should give them the legal right, so that it cannot be said at any future time that they had wrongfully used the funds under their control. The hospital will be for the treatment of the necessitous poor who cannot pay the usual fees, and to provide free treatment at public institutions, the orphanages, and so on, and so make it possible for the inmates to have dental treatment. As the Minister explained, in the past two dentists have been attending the Perth Hospital in an honorary capacity. However, it is thought it will be very much easier and better for the general public, if this dental hospital be established, where not only the usual extractions and ordinary mouth work will be carried out, but where mechanical work also will be provided. The hospital will tend to educate the people in rules of health. All medical men tell us that many of the diseases and ailments we suffer from are caused through the mouth not being properly attended to. So the hospital will be a valuable means of teaching the public the necessity for having the mouth treated. Moreover, it will mean a lot to the dental students. In the past, the board has given them a good chance to go into all subjects theoretically, but the hospital will afford them a chance to do the actual work. In the other States there are chairs of dentistry at the universities, but here we have no such chair, and neither have we reciprocity between this and the other States. We want to raise the education of our dental students as nearly as possible to the standard obtaining in the other

States. For years past the medical men of Perth have freely given of their brains and time in helping the sick poor, and the dentists of Western Australia feel that they would like to do the same. From the individual dentist's point of view, perhaps, the scheme is not a good one, but they are all agreed that it will be good for the community generally. I will support the second reading.

**HON. SIR WILLIAM LATHLAIN** (Metropolitan-Suburban) [3.51]: It is a matter for congratulation that in this House within a few days we have had the Legal Practitioners Bill—under which a body of professional gentlemen are prepared to put their hands in their pockets and make an annual donation towards a chair of law in the University—and now this Dentists Bill, devised to permit the dentists to fulfil a similar obligation. It is an expression of the highest form of citizenship, and it is to be hoped the example set by these two professional bodies will be emulated in other directions. We realise how much these two bodies of professional men are doing for their fellow citizens, and I am sure that in appealing to the Government for assistance they are acting only in accordance with the wishes of the whole of the citizens. The point I would emphasise is that the action of both the legal practitioners and the dentists is an expression of true citizenship. I will support the second reading.

On motion by Hon. J. E. Dodd, debate adjourned.

## **BILL—TIMBER INDUSTRY REGULATION.**

*In Committee.*

Resumed from the previous day. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 16—Dangerous machinery to be guarded (partly considered):

Clause, as previously amended, put and passed.

Clause 17—agreed to.

Clause 18—Manager to inspect:

Hon. J. NICHOLSON: I wish to call attention to this clause. I have on the Notice Paper an amendment asking for its

deletion. The reason for that is that the clause is embodied in another Act. However, I have since given notice of my intention to move to insert a new clause that will probably meet the objection. In case that clause be agreed to, it is only right that this clause should stand.

Clause put and passed.

Clause 19—Employees to satisfy themselves of safety of appliances:

Hon. J. NICHOLSON: I move an amendment—

That in line five the words "unsafe or" be struck out.

They seem to be merely a repetition, for it is provided that "he shall not work in a place that is unsafe or apparently unsafe."

The HONORARY MINISTER: I have not had an opportunity to examine the amendment. I regret that previous notice was not given of it.

Hon. J. Nicholson: Notice was given.

The HONORARY MINISTER: It appears on the Notice Paper to-day for the first time.

Hon. J. Nicholson: No, it was on yesterday's Notice Paper.

The HONORARY MINISTER: This is the first I have heard of it. There is a difference between a place that is unsafe and a place that is apparently unsafe. To make assurance doubly sure and render the clause as effective as possible, the words should be retained.

Amendment put and negatived.

Hon. J. NICHOLSON: I move an amendment—

That in line seven the words "likely to produce danger of any kind" be struck out, and the words "which is apparently unsafe" inserted in lieu.

Anything is likely to produce danger of some kind at any time. According to the wording of the clause everything would be unsafe. My reason for moving the previous amendment was to make the clause harmonise with this proposed amendment.

The HONORARY MINISTER: This portion of the clause is very necessary and should be retained.

Hon. E. H. HARRIS: The Honorary Minister has adduced no argument against the amendment. The wording of the clause is exceedingly wide. A boy throwing stones on a timber holding would be a danger to life and limb.

Hon. A. BURVILL: The amendment should be accepted because it will bring that portion of the clause into harmony with the former portion. The previous amendment might well have been accepted to prevent ambiguity consequent upon the difference in the phraseology employed.

Hon. J. E. DODD: I can see little difference between the words in the clause and the amendment, but I point out that the whole clause imposes a great responsibility upon every worker in the timber industry.

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

Ayes	..	..	..	16
Noes	..	..	..	6
Majority for				10

#### AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. A. Burvill	Hon. E. Rose
Hon. V. Hamerley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. H. Stewart
Hon. Sir W. Lathlain	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. W. J. Mann
	(Teller.)

#### NOES.

Hon. J. E. Dodd	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Harris	Hon. J. B. Brown
	(Teller.)

Amendment thus passed.

Hon. C. F. BAXTER: This is a most extraordinary clause.

The Honorary Minister: It is now.

Hon. C. F. BAXTER: The whole responsibility is now thrust upon the employees, who will find it most difficult to carry it. The clause should be deleted.

Clause as amended, put and negatived.

Clause 20—Inspector may give notice of dangerous or defective matters:

Hon. C. F. BAXTER: Some consequential amendments will require to be made to this clause.

The CHAIRMAN: They will be made.

Hon. J. NICHOLSON: I move an amendment—

That in Subclause (1), line five, after the word "and" the following words be inserted:—"the inspector shall report forthwith the matter to a person appointed by the Minister, who shall thereupon personally inspect the same, and if he is satisfied as to the existence of the danger or defect referred to he shall."

I would point out that a district inspector is not required to have any knowledge of



machinery. This fact prompted me to move the amendment. Under the clause he is called upon to fulfil functions he is not qualified to fulfil. If, however, the Honorary Minister would insert the words "a special inspector with the qualification of an inspector under the Machinery Act" I would be willing to waive my amendment.

The CHAIRMAN: Perhaps it would be as well to have this clause recommitted at a later stage so that the amendment may be drafted in proper form.

Hon. J. NICHOLSON: If the Honorary Minister will postpone the clause, I shall be prepared to discuss it with him.

Hon. A. BURVILL: The difficulty might be got over by leaving the clause as it is and amending the definition of district inspector.

Hon. G. W. MILES: I oppose the amendment. The clause as it stands is quite in order. District inspectors will be on the spot when an accident occurs, and will report there. The amendment proposes that there shall first be reference to an office in Perth. So the operation of the measure will be complicated.

Hon. J. NICHOLSON: Mr. Miles has not realised the position. There are three classes of inspectors—district inspectors, some of whom may have no knowledge of machinery; special inspectors for machinery and so forth; and workmen's inspectors.

The CHAIRMAN: The Committee have already agreed to the qualifications of district inspectors.

Hon. J. NICHOLSON: Even with those qualifications a district inspector might have no knowledge of machinery. Yet this clause calls upon him to report whether machinery or plant is dangerous or defective. An inspector under the Inspection of Machinery Act has to be qualified.

The CHAIRMAN: The Committee have amended the clause as regards examination.

Hon. J. NICHOLSON: If the words "district inspector" are retained in this clause, the district inspector should have the qualifications of an inspector under the Inspection of Machinery Act. The object of my amendment is to prevent mistakes being made.

The HONORARY MINISTER: Mr. Nicholson's endeavour to facilitate matters makes the position obscure. The result of passing the amendment would be mere duplication. In any case, the owner has the right of appeal to a magistrate. An amend-

ment has been carried providing for examination of district inspectors. Any district inspectors appointed will be fully qualified. Inspection of machinery will continue whether it is made by inspectors under this measure or by others.

Amendment put and negatived.

Hon. E. H. HARRIS: I move an amendment—

That in Subclause (2) the words "controlling officer," lines 11 and 12, be struck out, and "inspector" inserted in lieu.

Amendment put and passed.

The CHAIRMAN: In Subclause 3 the words "controlling officer" may be consequentially struck out, but something should be inserted in their place.

Hon. E. H. HARRIS: I move an amendment—

That in Subclause 3 the words "controlling officer," line six, be struck out, and "Minister" inserted in lieu.

Hon. H. STEWART: In Clause 4 the words "controlling officer," which have been deleted, had a very definite significance. There must be someone to control the administration of the Act. Something definite should be inserted here in lieu of "controlling officer." The responsibility for dealing properly with the Bill rests primarily with the member putting up an amendment, and secondarily with the Honorary Minister.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That after "manager," in line one of Subclause (4), the words "continues to use or carry on any such machinery, plant, matter, thing, or practice, and" be inserted.

Hon. A. LOVEKIN: I have not taken any part in the discussion on the Bill, but I notice that nearly every clause has had one or more amendments made to it.

Hon. E. H. HARRIS: A number of them are consequential.

Hon. A. LOVEKIN: What occurs to me is this: It seems to me that with so many amendments in it the Bill ought to go back to the draftsman, for the House has a great chance of making itself ridiculous, since some of these amendments may have considerable effect on other Acts covering the same thing. We are taking up a great deal of time in discussing these matters, and the Bill ought to go back to the draftsman, for

It will have to be recommitted. It occurs to me whether it would not be better to postpone the whole of the measure until next session and then have a consolidating Bill brought down.

Hon. A. BURVILL: The Minister ought not to have any objection to the amendment, for a defect found in the machinery might be so great as to render necessary the laying up of the machinery for a time. This simply protects the manager of a mill to that extent. It may not be possible to run the mill again until the defect is remedied.

The HONORARY MINISTER: I cannot see any objection to the clause as printed. Under the clause the owner, agent, or manager would be guilty of an offence unless he ignored the directions of the inspector, or the Minister, or the magistrate, and continued to use the defective machinery. If he deliberately ignored those directions he should come under the provisions of clause 4.

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

Ayes	..	..	18
Noes	..	..	7
<hr/>			
Majority for	..	11	
<hr/>			

## AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. A. Burvill	Hon. J. Nicholson
Hon. J. E. Dodd	Hon. E. Rose
Hon. V. Hamersley	Hon. H. Seddon
Hon. E. H. Harris	Hon. H. Stewart
Hon. J. J. Holmes	Hon. Sir E. Wittenoom
Hon. G. A. Kempton	Hon. Sir J. Yelland
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. A. Lovekin	(Teller.)
Hon. J. M. Macfarlane	

## NOES.

Hon. J. R. Brown	Hon. G. W. Miles
Hon. J. M. Drew	Hon. G. Potter
Hon. E. H. Gray	Hon. W. H. Kitson
Hon. J. W. Hickey	(Teller.)

Amendment thus passed.

Hon. J. NICHOLSON: I move an amendment—

That after "inquiry," in line three, the words "fails to comply" be inserted.

This is really consequential on the previous amendment. It will make the provision read consecutively.

Amendment put and passed.

Hon. H. STEWART: I move an amendment—

That in line three "industrial" be struck out, and "police or resident" inserted in lieu.

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

Clause 21—Coroners' inquests:

Hon. E. H. HARRIS: This provides that a person having a personal interest in the management of a timber corporation shall not be entitled to serve on a coroner's jury. Obviously, we should make it apply also to employees. I move an amendment—

That after "or," in line one of Subclause (1), "employed" be inserted.

Hon. J. NICHOLSON: I do not know why the clause should be allowed to remain at all.

The CHAIRMAN: The hon. member can subsequently vote against it.

Hon. J. NICHOLSON: The amendment would not carry the matter any farther than it is in the print before us.

Hon. A. Lovekin: What is the effect of the Coroners Act on this?

Hon. J. NICHOLSON: The Coroners Act provides for all coronial inquests. This clause is really double-banking. That is why I suggest we strike out the whole of the clause and leave these provisions to the Coroners Act. If Mr. Harris sought to exclude not only the person having a personal interest in the holding but a person employed in any capacity on the holding, it would be better.

Hon. E. H. HARRIS: A person employed in the management is next in importance to the man having a personal interest in it. If it is intended to strike out the whole clause, I will withdraw my amendment.

Hon. A. BURVILL: I approve of Mr. Harris's amendment. I have known of two instances in connection with coroner's inquiries where the jury were composed of the management and mill employees, and the cause of the accident in each case was smothered up. I consider the amendment suggested is necessary to prevent that kind of thing happening. Mr. Harris's amendment should be agreed to, as well as the amendment I intend to move a little later on. It will have the effect of preventing employees sitting on a jury.

Hon. J. E. DODD: The word "employed" is in the Coroner's Act, and Mr. Harris's proposal is exactly the same as the section in that Act. The clause should not be struck out. If we do that we shall not give the timber workers the representation that is desired at an inquest.

Amendment put and passed.

Hon. A. BURVILL: I move an amendment—

That in Subelause (1), after the words "management of," insert "or an employee working in."

It is necessary that not only those who have a personal interest in a timber holding, but also those who are employed on that particular holding, should not serve on a jury.

The HONORARY MINISTER: The effect of the amendment will be to disqualify from service on a jury any person employed on a timber holding.

Hon. A. Burvill: No, only on that particular holding where the accident has taken place.

The HONORARY MINISTER: A worker on a holding has no direct interest in an accident, and no purpose to serve other than to see that justice is done. The clause should be allowed to stand as it is.

Hon. G. POTTER: The clause as printed is a reflection on those who are responsible for carrying on the industry. No one can say that the management have at any time done anything to suborn evidence, or to tender evidence that has not been in accordance with the facts.

Hon. E. H. GRAY: If we are to exclude all who are employed on a mill the position will be made very difficult. It might be right to exclude the manager who is directly interested.

Hon. G. Potter: Because in your mind he would be a prejudiced party?

Hon. E. H. GRAY: In anybody's mind. It is quite likely that an accident might happen through carelessness or mismanagement, and if we carry the amendment we shall make the measure impossible to operate.

Hon. J. E. DODD: The amendment is based on justice. The proposal has been in operation for a number of years, and I have never seen it abused. I have never known of the privilege being abused by miners. I have had many years of experience in attending inquests. There is certainly greater scope for the selection of a jury on the gold-fields, enabling men to be chosen who were not working on a mine where an accident occurred. If that result can be secured in connection with the timber industry, well and good. It is not such a serious matter as many members seem to think. This inquiry will be merely to investigate the cause of death. Seeing that we have applied this

provision to the industries covered by the Factories and Shops Act, the Mines Regulation Act and the Coal Mines Regulation Act, we might well leave this clause as it stands. At the same time I believe it should appear in the Coroners Act and not in this Bill.

Hon. A. BURVILL: I know of at least two instances where it was recognised, although it could not be proved, that there was collusion in connection with fatal accidents. It was easy in those cases because the members of the jury were selected from those on the particular concession concerned. There is not that isolation about mills that Mr. Gray suggested. It is always possible to secure a jury without going to the management or to the employees of a particular mill in the South-West.

Hon. E. H. HARRIS: This is an important question. Mr. Gray said that only men with cast iron hides would endeavour to be selected as jurymen. Mr. Burvill suggests that there are one-eyed men in some districts. Perhaps the difficulty could be overcome if the Honorary Minister accepted Mr. Burvill's amendment with the addition of the words "where practicable."

Hon. A. Burvill: There will be very few left on a small mill after you select your jury.

Hon. E. H. HARRIS: On the other hand, strangers might be appointed who would be incompetent to deal with matters relating to a timber mill. It should be the object to get intelligent people to act on juries, people who would display a grip of the position.

Hon. A. BURVILL: On some mills less than a dozen men are employed. In addition to the jurymen, it is necessary to have witnesses as well. Hon. members will realise what difficulty may be experienced at times in conducting inquiries in those circumstances. As to Mr. Harris's suggestion regarding incompetent jurymen, we must remember that their decision would be based on the evidence produced.

Hon. W. J. MANN: There are quite a number of even large mills where it would be difficult to conduct inquiries if we exclude from selection the persons suggested. In all probability there are a number of mills in the South-West where no one within a radius of five miles is not associated in some way with the mills. There would be a difficulty in securing a jury there, and it would certainly be impossible to select a jury at some of the smaller mills. I do not know that

there should be any restriction at all. I have reported scores of inquests concerning fatal and other accidents, and I can say emphatically that the mill managers are human beings and not ghouls as has been suggested. The same applies to the employees. In view of my 25 years experience, I should say let them both be on the jury.

The HONORARY MINISTER: I hope Mr. Burvill will not press his amendment. Even with the addition suggested by Mr. Harris, it would present difficulties. I agree with those who suggest that provision should be included in the Coroners Act rather than in the Bill. At the same time the provision is not inconsistent with the Coroners Act and the clause should stand, thus avoiding possible hardship and friction.

Hon. J. NICHOLSON: One cannot speak too highly of the human qualities of the mill managers who, it has been asserted, are more like ghouls.

Hon. W. H. Kitson: Who suggested that?

Hon. J. NICHOLSON: It has been suggested on several occasions.

Hon. E. H. Gray: By whom?

The CHAIRMAN: Order! I hope the hon. member will not proceed along these lines.

Hon. J. NICHOLSON: I can endorse what Mr. Mann has said. The amendment, however, would exclude only those persons who were employed on the particular holding where an accident took place. It would not exclude workers from an adjoining timber holding from serving on the jury. It would be necessary to go a few miles only to secure the services of jurymen.

The Honorary Minister: At some centres it would be necessary to go quite a long distance.

HON. J. NICHOLSON: In common fairness if one side is to be excluded, both should be excluded.

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

Ayes	..	..	..	17
Noes	..	..	..	7
				—
Majority for	..			10
				—

## AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. A. Burvill	Hon. G. Potter
Hon. V. Hamersley	Hon. E. Rose
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. H. Stewart
Hon. A. Lovekin	Sir E. Whittenoom
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. Sir W. Lathlain
Hon. G. W. Miles	(Teller.)

## NOES.

Hon. J. B. Brown	Hon. J. W. Hickey
Hon. J. E. Dodd	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. E. H. Harris
Hon. E. H. Gray	(Teller.)

Amendment thus passed.

On motion by Hon. E. H. Harris, Subclause 3 consequently amended by striking out of line 1 the word "a" and inserting "the accredited" in lieu.

Clause, as amended, agreed to.

Clause 22—Power to make regulations:

Hon. J. NICHOLSON: I move an amendment—

(That Subclause (4) be struck out.

The subclause deals with the sanitary conditions of timber holdings and is unnecessary because there is ample provision in the Health Act to meet all requirements.

The HONORARY MINISTER: Mr. Nicholson's amendment would render the clause inoperative as the subclause embodies one of the main objects of the Bill. Without it inspectors would be powerless to deal with sanitary conditions on a timber holding. Under the haphazard and infrequent inspections by the health authorities, it has been impossible to obtain adequate supervision. An army of inspectors would be required to enforce the requirements of the Health Act on timber holdings.

Hon. J. NICHOLSON: All that would be necessary would be to appoint the inspectors under this measure to be inspectors under the Health Act. The Health Act contains all the provisions requisite to safeguard the community, and the subclause would merely mean duplication.

Hon. A. BURVILL: Will the Honorary Minister inform us who is to administer the provision? I understand that the inspectors will have to be qualified to inspect mills and bush landings. Will they also have to be qualified sanitary inspectors?

Hon. H. STEWART: Members have seen departmental camps of men engaged on construction work where sanitary requirements have been dealt with as in military camps. In stipulating the sanitary conditions to be observed we should not run the risk of hindering or ruining pioneering work. There must be some give and take in such matters.

Hon. G. POTTER: Last week-end I saw a temporary timber camp where the sanitary conditions were based on military camp lines. In 1914 it was obvious that

the men who came from the bush were most particular about matters of hygiene.

Hon. H. Stewart: They knew how to deal with that phase.

Hon. G. POTTER: That is so. When these regulations are framed, those responsible for them will not so stultify the industry as to place impossible burdens upon it. I shall vote for the clause as printed.

Hon. W. H. KITSON: Bush workers know well what is required in a case of this kind. I wonder whether Mr. Nicholson desired the paragraph to be struck out because from one or two timber mills complaints have been received from the men concerning the sanitary arrangements, the housing accommodation, and the water available for drinking. More than one complaint of this kind has been received, but no notice has been taken by the management. Primitive arrangements often have to be made, and in view of this no inspector would ask for anything unreasonable. Nevertheless, a certain standard must be maintained at every mill. The sanitary arrangements should be sufficient, the housing accommodation should be all that is necessary, and good drinking water should be available. These things can be done without harassing the management of any of the mills. The health authorities could not supervise every timber holding as it should be supervised.

Hon. A. Burvill: You suggest that the mill inspector will look after all these things?

Hon. W. H. KITSON: Yes. If he finds things are not as they should be, he will take the necessary action in a common sense way.

Hon. A. Burvill: Provided he has the qualifications.

Hon. W. H. KITSON: A man who has worked in the timber industry for five years knows what is necessary in this regard. The Committee would be doing an unfair thing by striking out the paragraph.

Hon. J. Nicholson: Why not appoint these particular men as health inspectors?

Hon. W. H. KITSON: We should not leave matters of this kind to be dealt with by the Health Department.

Hon. Sir WILLIAM LATHLAIN: No one is objecting to the provision of proper sanitary arrangements on the mills. The fact that these matters have not been attended to in the past reflects seriously

upon the Health Department. It would be wiser to appoint additional health inspectors than to appoint a number of men under the Bill to do this work. A qualified health inspector would know how to deal with the mosquito pest, for instance, and how to carry out the sanitary arrangements in a proper manner. The work would be done better than if it were left to a man who was not possessed of the necessary qualifications.

Hon. H. STEWART: If Sir William Lathlain's suggestion were adopted it would mean considerable additional expense without necessarily securing additional efficiency. Men who have been associated with the industry for five years would know what was essential in this direction. The Health Department already make proper arrangements for their work, without unduly increasing the cost of administration, and should not be called upon to undertake these extra duties.

The HONORARY MINISTER: The men who would be appointed would possess common sense, be able to read and write, and to interpret intelligently any simple regulation. It would cost an enormous sum of money for this work to be carried out by the Health Department, and there would be the further difficulty of securing the services of a sufficient number of health inspectors. It is absurd to suggest that a highly qualified official should be sent to attend to the sanitary arrangements at a mill. If an epidemic broke out, the fact would immediately be reported to the Health Department, and a competent officer would be sent to the spot.

Hon. A. BURVILL: The Honorary Minister is labouring under a misapprehension regarding myself. I am seeking information as to the qualifications of the inspector, a point on which the Bill is silent.

The CHAIRMAN: The clause deals with power to promulgate regulations, not with the qualifications of inspectors.

Hon. A. BURVILL: I want an assurance from the Honorary Minister that the men appointed will have the proper qualifications for regulating small townships. I have been on a mill which had between 300 and 400 employees. In some cases sanitary arrangements have been made by employers and charged for at a weekly rate. I do not suggest that the inspectors should have qualifications which would be expensive to acquire.

Hon. W. J. MANN: Is it proposed that the person who will do the work under this regulation shall be under the control of the Central Board of Health? I believe that is the case now as regards small centres. If it is so in this instance, I see nothing objectionable in the proposed power.

Hon. A. LOVEKIN: The Honorary Minister indicates that the inspector will be under the control of the Central Board of Health. Where does the Bill say that?

The HONORARY MINISTER: I say that every inspector is under the local board of health.

Hon. W. J. MANN: I asked the Honorary Minister clearly whether these inspectors would be under the jurisdiction of the Central Board of Health.

The Honorary Minister: Yes.

Hon. J. M. MACFARLANE: Two statements which have been made astonish me. According to the Honorary Minister, the inspector of the Central Board of Health does not come in contact with mills. It is within my knowledge, however, that the Central Board of Health have an inspector constantly in the country doing this very work of inspection. That inspector would be better qualified than the inspector sought to be appointed under the Bill. Members who support the provision seem to think that intelligence will be got only from the mill employees. They altogether disregard the employer and his staff. A mill manager is just as anxious as anybody else that conditions on the mill shall be healthy, and that good drinking water shall be available. In the Harvey district, I know, there is a local inspector of health, and an inspector from the Central Board of Health visits once a month. the business of the latter being to lay down conditions for the conduct of the mill camp. Thus all that it is desired to achieve by this provision exists already.

The CHAIRMAN: The question is not as to the appointment of inspectors, but as to power to frame regulations.

Hon. W. H. KITSON: What we have to decide is whether we are in favour of regulations dealing with sanitary matters, stagnant water, drinking water, and so forth. I do not think any member of the Chamber will oppose regulations dealing with such matters.

Hon. J. Nicholson: Not unless the matters are already provided for in the Health Act.

Hon. W. H. KITSON: We know it is impracticable for the Central Board of Health to cover the whole of the timber industry with the inspectors at their disposal. If sufficient inspectors are to be appointed by the Central Board of Health to do that work, the problem becomes insoluble from the financial aspect. It should be a comparatively simple thing for an inspector used to the district to see that the necessary conditions are observed.

Hon. G. W. MILES: The proposal here is to duplicate work. There is no need whatever to appoint fresh inspectors. One inspector could go round all the districts and see what needs to be done. In the old days progress associations attended to such matters. Why cannot a timber inspector be appointed an honorary health inspector?

Hon. W. H. Kitson: Because he would not have the necessary qualifications.

Hon. G. W. MILES: I protest against all this duplicating legislation which we are passing, and as a result of which the man in the country will not know where he is. I agree that the best course would be to postpone this Bill till next year and bring down a consolidating measure, instead of having the industry governed by eight Acts. If Parliament were prorogued for three or four years and there were no more legislation, but better administration, it would be advantageous.

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

Ayes	..	..	..	9
Noes	..	..	..	10
				—
Majority against	..	..	..	1
				—

#### AYES.

Hon. J. J. Holmes	Hon. J. Nicholson
Hon. G. A. Kempton	Hon. E. Rose
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. A. Lovekin	Hon. J. M. Macfarlane
Hon. G. W. Miles	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. E. H. Harris
Hon. J. R. Brown	Hon. J. W. Hickey
Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. W. J. Mann
Hon. E. H. Gray	Hon. G. Potter
	(Teller.)

Amendment thus negatived.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. J. NICHOLSON: I have on the Notice Paper a motion to insert a new clause. If that clause be passed, it will be only fair that some of the subclauses we are

now considering should remain. That being so, although I have given notice to move that Subclauses 5, 8, 9, 12 and 13 be struck out, I will pass over some of them, pending the decision on the proposed new clause. Subclause 5 certainly ought to come out, if the owners of mills are still to be subject to the provisions of the Factories Act and the Machinery Act, for the matters it deals with are all covered by those Acts. On the other hand, if the owners of saw mills are not to be required to comply with the provisions of the Machinery Act and the Factories Act, Subclause 5 should be allowed to stand, for of course some control must be exercised. The same remarks apply to Subclause 8. Subclause 9, providing for the making of regulations for the sufficient lighting of mills, including artificial illumination, is not necessary, since the mills do not work by night.

Hon. A. Burvill: I worked in a sawmill for four successive years, and on night shift all the time.

Hon. J. NICHOLSON: In my experience it has never been done. Then there is Subclause 12, dealing with the framing of regulations for the draining of tram lines and other places. Surely that is unnecessary. Subclause 13 deals with regulations for the provision of smoke screens. I seriously object to that. I move an amendment—

That Subclause (13) be struck out.

The HONORARY MINISTER: I appreciate the hon. member's reasons for not pressing the amendments he has on the Notice Paper; he is to move for the insertion of a new clause covering all those things. However, I may as well advise him that I will certainly oppose portion at least of his proposed new clause.

Hon. A. BURVILL: The subclause is not sufficiently descriptive. Every sawmill has a fire dump, and when the wind is in a given direction the smoke blows right through the mill, setting up uncomfortable working conditions. It is all right so long as the fire dump is situated at a reasonable distance from the mill. The subclause as it stands is altogether too broad.

Hon. J. J. Holmes: Could you not provide glass cases for the men?

Hon. A. BURVILL: If Mr. Holmes were working in some of the places I have seen in sawmills, he would find good use for a glass case.

Hon. W. H. KITSON: The trouble is that when the wind is in a certain direction it

blows the smoke from the fire dump right through the mill. I am advised that it would be a simple matter to erect an inexpensive smoke screen that would keep the smoke out of the mill.

Hon. E. H. Harris: What about putting out the fire dump.

Hon. W. H. KITSON: It is necessary to keep it burning. No hon. member would care to work in a smoke laden atmosphere, particularly if it could be avoided by the expenditure of a few pounds on a smoke screen. I understand that more than one accident has occurred because of the vision of the employees being obscured by smoke.

Hon. J. Nicholson: I have never heard of any such accidents.

Hon. W. H. KITSON: I am advised there have been more than one. If it be possible to frame a regulation dealing with this matter and so prevent smoke going through the mills, we should provide for it.

Hon. J. J. HOLMES: To be effective the smoke screens would have to be air proof. Such a screen would render the mill unfit for habitation, for the men could not work in an air tight building. Last year on a hot day the men in a certain shearing shed, not very far from Perth, said they could not work in the shed. They ordered the iron to be pulled off the sides of the shed. This was done. But it rained that night, and the carpenter had to go along and put back the iron. Perhaps that is what will happen at the timber mills: the smoke screens will be erected, and on the first hot day they will have to be pulled down. If we are going to harass the capitalists who have money in the sawmills, they will just get out of the business.

Hon. W. H. KITSON: The hon. member has not given a fair presentation of the case. I can quite imagine it would be easy to erect a smoke screen to prevent the smoke going through the mill, without interfering with the due passage of air through the mill. As to the hon. member's shearing shed illustration, I can quite understand it, for I have worked in shearing sheds where the conditions were very bad.

Hon. W. J. MANN: I am sorry the Minister has not given more information as to the nature of the contrivance. So far as I can see it will necessitate the closing in completely of one side of the mill. Waste timber dumps are put as far away as possible for the sake of safety, and they are always put on the lee side. I cannot see that it is practicable to make a smoke

screen. The only attempt that I know of in this direction is at Mornington, and from what I have been able to gather, some of the men declare it to be a success, while others say they wish it further away.

Hon. A. BURVILL: A smoke screen is often required because of the lay-out of the mill. I am satisfied that if reasonable precautions were taken it would not cost much to put up a screen that would throw the smoke clear of the men working in the mill. I move an amendment—

That before "provision" the word "reasonable" be inserted.

Hon. J. J. Holmes: Give us an interpretation of "reasonable."

The CHAIRMAN: The hon. member may not move that amendment unless Mr. Nicholson withdraws his.

Hon. J. NICHOLSON: One may as well try to provide a smoke screen for men clearing and burning off. A smoke screen would entail the closing in of two sides of the mill and that would make it much less comfortable for the men.

The HONORARY MINISTER: All that the paragraph aims at is something reasonable to protect the men. If a smoke screen should not be required it will not be erected. It will certainly not be costly and will be built out of the waste timber on the job. It will be a convenience for which the men have been agitating for years. Is it not better to have a set of contented men, especially when the cost would be comparatively little?

Hon. G. W. MILES: Mr. Burvill is not the only member who worked in a timber mill 25 years ago. Seven years of my life were spent in a timber mill 30 years ago. I never heard of such a ridiculous thing as a smoke screen and we had pretty good mills in those days. If you are going to erect a smoke screen it will not be possible, as the Minister said, to do so for nothing.

The Honorary Minister: I did not say that.

Hon. G. W. MILES: Well, next to nothing. That was the Minister's argument. As a matter of fact, to be effective, a smoke screen would have to be as high as the side of this building. If it is desired to get the Bill through, these tiddley-winking things should be allowed to go by the board. It is not right that the time of the House should be wasted on this class of legislation. We were engaged on it up to 11 o'clock last night and we have

been on it again all day to-day. Every amendment brought forward is argued for half an hour before going to a division and in that way the time of the country is wasted.

The CHAIRMAN: Order!

Hon. G. W. MILES: I withdraw that. But we are really wasting much time over these small matters.

Hon. J. NICHOLSON: Subclause 15 relates to the power to make regulations requiring bush lines to be cleared of dangerous trees to a prescribed width, and for the patrolling of lines. If we agree to that provision, we shall simply be legislating for what is actually done. We would be saying that the mill owners had been guilty of omitting to do things that would mean an interference with industry.

Hon. J. J. Holmes: Do they do that now?

Hon. J. NICHOLSON: Yes. Bush lines are cleared to a reasonable width by expert men, who take out all the dangerous trees. I am not aware of any accident that has occurred through trees falling on bush lines. If the Minister thinks it necessary to include any such provision, then it is far more essential to make some such provision regarding trees along public roads through the bush and elsewhere. I move an amendment—

That Subclause 15 be struck out.

The HONORARY MINISTER: It is absolutely essential that regulations shall be framed as set out in Subclause 15. The fact that dangerous trees may be seen alongside bush roads does not affect the position regarding bush lines. There are trees that are half burnt out and dead limbs overhanging bush lines, and yet they remain there. It seems to be no one's business to remove them, hence the necessity for some such provision.

Hon. A. BURVILL: Mr. Nicholson has endeavoured to convey the impression that this will mean clearing out all the trees along a bush line.

Hon. J. Nicholson: I said no such thing. I read the subclause.

Hon. A. BURVILL: It merely deals with dangerous trees.

Hon. A. J. H. SAW: I cannot see anything unreasonable in the subclause. If a tree is dangerous it should be taken out. The question we have to ask ourselves is this: Are the Committee in favour of dangerous trees being left alongside bush lines?



Hon. J. J. Holmes: The mill owners will cut down such trees.

Hon. A. J. H. SAW: The subclause merely says that if a mill owner does not cut down such trees, he will have to do so.

Hon. H. A. STEPHENSON: If a mill owner is to take out all the dangerous trees, he will have to take out every tree that is within a hundred yards or so of the line, because every standing tree is potentially dangerous. I have taken shelter under a big upstanding tree and shortly after I moved away it fell over.

Hon. A. J. H. Saw: You did not regard the tree as dangerous because you stood under it?

Hon. A. STEPHENSON: Every standing tree that will reach a line or a house is dangerous. With the subclause under discussion in the Bill a mill owner would be called upon to take out every tree within a certain distance of a line. I question whether the Honorary Minister can give one instance where an accident has been caused through an overhanging branch or a tree falling across a bush line.

Hon. Sir EDWARD WITTENOOM: On one occasion I travelled along the line from Balingup to Nannup through forest country, where there were trees standing all along the line. If every tree had to be taken out there, it would be a very expensive matter.

Hon. Sir William Lathlain: And it would destroy one of the most beautiful spots in Western Australia.

Hon. Sir EDWARD WITTENOOM: If trees remain along such a line, how can it be expected that ordinary bush lines will be cleared in the way suggested? The proposal is an absurdity. No one wants a tree to fall on him. It would seem as though it is considered that the proprietors of timber mills want that sort of thing to happen, whereas the mill owners have to effect insurances against accidents. It has been suggested that the employers want to make everything as uncomfortable as possible for the workers. On the contrary, the employers try to do everything to make the position of the employees comfortable. They want the men to be contented. The proprietors of bush lines give the best possible facilities. They do not want trees to fall on men and kill them. They want to get the business carried on in the most satisfactory manner. No owner would desire a workman to run into unneces-

sary danger, and bush tracks are made as safe as possible.

Hon. W. H. KITSON: I wonder why some members delight in quoting extreme cases.

Hon. Sir Edward Wittenoom: They are looking at the Bill.

Hon. J. Nicholson: That is about as extreme as you could wish.

Hon. W. H. KITSON: I have a copy of regulations under the Forests Commission, Victoria, dealing with forest tramways.

Hon. Sir Edward Wittenoom: We are dealing with Western Australia.

Hon. W. H. KITSON: They provide that the strip of forest land licensed for the construction and use of a forest tramway shall be not less than 7 ft. or more than 12 ft. in width. That is an essential regulation.

Hon. H. A. Stephenson: Under this Bill you want it to be about 200 feet.

Hon. W. H. KITSON: Nothing of the sort.

Hon. W. J. Mann: How many bush lines are less than 12 feet now?

Hon. W. H. KITSON: I do not know. If there are none, why object to the subclause?

Hon. Sir William Lathlain: The trouble is that 50 feet might be prescribed.

Hon. W. H. KITSON: Members should exercise a little commonsense.

Hon. J. Nicholson: Commonsense has acted wonderfully well so far without any such regulation.

Hon. W. H. KITSON: If that were so, there would be no need for the measure. For a long time determined efforts have been made by employees to secure a regulation of this kind. If there was a dangerous tree in the metropolitan area it would soon be removed.

Hon. H. A. Stephenson: Can you guarantee how long a tree will stand up?

Hon. W. H. KITSON: No. Only trees that in the opinion of people in the industry were dangerous would be removed.

Hon. E. H. Harris: That is, in the opinion of the inspector?

Hon. W. H. KITSON: Yes.

Hon. Sir Edward Wittenoom: Do you know of any accidents having happened through the absence of such a regulation?

Hon. W. H. KITSON: I am advised that there have been a number.

Hon. J. Nicholson: I am advised that there has never been any.

Hon. E. H. HARRIS: Members have apparently overlooked the additional provision for patrolling the line. I presume it is intended that bush lines shall be patrolled as are the railways of the Government. Clause 8 empowers an inspector to examine and make inquiries respecting tram and train lines and rolling stock. Thus it would be one of the duties of the inspector to do what we are asked to provide for by regulation. Clause 18 provides that every person employed on a timber holding shall use ordinary and reasonable precautions. Consequently there is no need to provide for a regulation to govern those things.

Hon. A. BURVILL: If a regulation were framed, it would have to be laid on the Table and, if unreasonable, it could be disallowed.

Hon. G. POTTER: The subclause has been given an appearance of importance that it does not deserve. Supporters of the Bill have told us that the timber corporations are operating for profit.

Hon. J. Nicholson: They are not getting it.

Hon. G. POTTER: If they cannot have the mills served uninterruptedly by the bush lines, operations must cease, and that is the worst calamity that could befall the owners. It is in their interest to see that no risk is taken of the lines being obstructed.

Hon. W. J. MANN: The men who select the routes and supervise the laying of bush lines are highly expert and, for the safety of the mill and continuity of service of logs, they take good care no tree is left standing that is likely to cause trouble. Those men can walk through the bush and tell at a glance whether a tree falls is likely to fall. If a tree falls across a track, the locomotive is held up, the mill is rendered idle and the men have to be paid during the period of idleness. If 12 feet was all the clearing required, owners would not be likely to raise objection, but during a gale a branch might be carried as far as 200 or 300 yards. It is already customary to patrol bush lines after a gale.

Hon. H. STEWART: In the event of a dangerous tree growing near a road, the road board may obtain a summons from two justices to order that the tree shall be removed. It is not easy to determine what constitutes a dangerous tree, and this provision might well be struck out of the Bill.

Amendment put and passed.

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

That paragraph (19) be struck out.

This deals with housing accommodation, which is already covered by arbitration awards and agreements applying to the industry. The housing generally is of a good standard.

The HONORARY MINISTER: There are many instances where the housing accommodation is bad, but there is no legislation to rectify the position. Awards do not deal fully with the question, nor cover all that is required. The workers in the industry are entitled to fair treatment in this respect. This is an important paragraph, and I scarcely understand the opposition to it. Up to now members have agreed to nothing in the Bill, from cover to cover.

Hon. J. Nicholson: That is hardly a fair statement.

The CHAIRMAN: The Honorary Minister is sailing rather close to the wind, but I thought it hardly worth while to pull him up. Mr. Nicholson will have the right of reply.

The HONORARY MINISTER: Mr. Nicholson has opposed practically every clause in the Bill.

The CHAIRMAN: An hon. member has a perfect right to oppose any and every clause if he wishes.

Hon. E. H. Gray: He makes full use of the opportunity.

The HONORARY MINISTER: The employees would be more contented if regulations were framed giving them better conditions than they now have.

Hon. J. J. Holmes: I should like the Honorary Minister to tell me the meaning of the words "and accommodation."

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

Ayes	..	..	..	15
Noes	..	..	..	8

Majority for	..	7
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#### AYES.

Hon. V. Hamersley	Hon. G. Potter
Hon. E. H. Harris	Hon. E. Ross
Hon. J. J. Holmes	Hon. H. Seddon
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. H. Stewart
Hon. J. M. Macfarlane	Hon. Sir E. Wittenoom
Hon. J. Mann	Hon. G. W. Miles
Hon. J. Nicholson	(Teller.)

#### NOES.

Hon. J. B. Brown	Hon. E. H. Gray
Hon. A. Burvill	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. J. Ewing	Hon. A. J. H. Saw
	(Teller.)

Amendment thus passed.

Hon. A. BURVILL: Paragraph 20 provides for sectional representation, to which the Minister in another place voiced his objection.

The CHAIRMAN: The Committee has already agreed that workmen's inspectors shall be elected.

Hon. A. BURVILL: I am sorry that the principle was agreed to. I have no option but to refrain from moving to strike out this paragraph. Appointments of this description should be left to the Government of the day, and the Minister himself in another place, said he would move for the excision of that particular reference. I tried to have it taken out of the Bill earlier in the proceedings but the voting went against me.

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

That paragraph (21) be struck out.

It is altogether too comprehensive.

Hon. J. J. Holmes: I do not think you need say anything about it. We will vote it out.

Hon. Sir EDWARD WITTENOOM: I consider that all the subclauses from 15 to 21 should be struck out. I support the amendment.

The HONORARY MINISTER: The subclause, though comprehensive, appears in almost every Act of this nature. To foresee all the regulations required is impossible. A similar provision to this is to be found in the Mines Regulation Act of 1906, the Factories and Shops Act of 1920, the Inspection of Scaffolding Act of 1924, and the Industrial Arbitration Act. These are ample precedents.

Hon. J. NICHOLSON: Those Acts do not include the words "other purposes not expressly provided for," which appear in the Bill. Under those comprehensive words almost any regulation might be justified. The power asked for is astounding.

Hon. Sir WILLIAM LATHLAIN: Words almost identical with those now objected to were deleted by this Chamber from the regulations governing apprenticeship. The adoption of Subclause 21 would empower the Government to reinstate every provision that we have deleted.

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

Ayes	..	..	..	14
Noes	..	..	..	6

Majority for .. 8

#### AYES.

Hon. J. Ewing	Hon. J. Nicholson
Hon. V. Hamersley	Hon. G. Potter
Hon. J. J. Holmes	Hon. H. Seddon
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. H. Stewart
Hon. W. J. Mann	Hon. Sir E. Wittenoom
Hon. G. W. Miles	Hon. G. A. Kempton

(Teller.)

#### NOES.

Hon. J. B. Brown	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitchin
Hon. E. H. Gray	Hon. A. Burvill

(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clauses 23, 24—agreed to.

Clause 25—Penalties:

Hon. J. NICHOLSON: I move an amendment—

That in Subclause (1) the words "i.e. he is an owner, agent, or manager, £50, and if he is any other person" be struck out.

I hope the Honorary Minister admits that this amendment equalises the penalties. There is at present a disparity between the employer or agent or manager, and the employee, the penalty being £50 in the former case and £10 in the latter.

The HONORARY MINISTER: Mr. Nicholson's fairness is not apparent to me in this instance. Again the hon. member is endeavouring to get for the timber industry what does not apply to the mining industry. This subclause is taken word for word from the Mines Regulation Act. Thanks to amendments made in the Bill at the instance of various members, the timber industry is getting preferential treatment. There is not an atom of fairness in objecting to the clause, and I strongly oppose the amendment, which would produce chaos.

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

Ayes	..	..	..	13
Noes	..	..	..	7

Majority for .. 6

## AYES.

Hon. J. Ewing  
Hon. J. J. Holmes  
Hon. G. A. Kempton  
Hon. Sir W. Lathlain  
Hon. W. J. Mann  
Hon. G. W. Miles  
Hon. J. Nicholson

Hon. G. Potter  
Hon. E. Ross  
Hon. H. A. Stephenson  
Hon. H. Stewart  
Hon. Sir E. Wittenoom  
Hon. V. Hamerley  
(Teller.)

## NOES.

Hon. J. E. Brown  
Hon. A. Burvill  
Hon. J. M. Drew  
Hon. J. W. Hickey

Hon. W. H. Kitson  
Hon. H. Seddon  
Hon. E. H. Gray  
(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clause 26—agreed to.

Clause 27—Proceedings to be heard and determined by police or resident magistrate, and limit of time:

Hon. H. STEWART: I move an amendment—

That in lines three and four "appointed as industrial magistrate for the purposes of the Industrial Arbitration Act, 1925," be struck out.

There is no reason for the appearance of "industrial magistrate" anywhere in the Bill. The police or resident magistrate who deals with any matter under the Bill may be an industrial magistrate, but that is no reason for his taking the case.

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

Postponed Clause 13: Notice of accident to be given:

The CHAIRMAN: When last the clause was before the Committee the position was that Mr. Nicholson had moved an amendment to add at the end of Subclause 1 the words "or accident causing serious bodily injury."

Hon. J. NICHOLSON: I thought the Honorary Minister was going to consider the amendment. It may be necessary to have a definition of "accident causing serious bodily injury." What was in my mind was the definition in the Inspection of Machinery Act, which means in effect an injury resulting in the injured person being disabled from following his ordinary occupation for two weeks or more.

Hon. E. H. Harris: But that applies only to machinery accidents. There are other accidents.

Hon. J. NICHOLSON: We could widen the definition to cover any injury sustained in the industry. Then, wherever an injury was suffered, the clause would apply.

Hon. E. H. HARRIS: I suggest to Mr. Nicholson that all that is necessary is to strike out the words "for more than 24 hours." That would bring the provision into line with other legislation. It would be much better if we put a full stop after "worker" and deleted the remaining words. In any case, of course, we shall require a definition of "serious bodily injury."

Hon. H. STEWART: I join with Mr. Harris in asking Mr. Nicholson to take that course. Then, when it comes to reporting these accidents, he can safeguard the position.

The CHAIRMAN: I remind Mr. Harris and Mr. Stewart that the Committee have already decided to strike out the words "or incapacitates any person from work for more than 24 hours."

Hon. E. H. Harris: Yes, but they could be reinstated.

The CHAIRMAN: Only on recommittal. For the present there is a blank.

Hon. J. NICHOLSON: I am seeking to fill up that blank with the words I have suggested. Mr. Harris and Mr. Stewart will realise that the insertion, even on recommittal, of the words they suggest would make the position very difficult for any mill manager; for the manager would be required to give notice in writing of an accident causing loss of life or incapacitating any person from work for even the shortest time.

Hon. E. H. Harris: I should say he was incapacitated from work if he lost any time and pay at all.

Hon. J. NICHOLSON: The reason why I cannot fall in with the suggestion is that if the simplest accident occurred, incapacitating a man from work for an hour, the consequences of the clause would ensue; for it is provided in Clause 15 that the place in which any accident has occurred shall not be interfered with until it has been officially examined. The more the industry is hampered the more impossible it will be to carry it on.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	8
Majority for	..	..	..	..	5

## AYES.

Hon. J. Ewing  
Hon. V. Hamersley  
Hon. J. J. Holmes  
Hon. G. A. Kempton  
Hon. Sir W. Lathlain  
Hon. A. Lovekin  
Hon. J. M. Macfarlane

Hon. W. J. Mann  
Hon. J. Nicholson  
Hon. G. Potter  
Hon. H. A. Stephenson  
Hon. Sir E. Wittenoom  
Hon. E. Rose  
(Teller.)

## NOES.

Hon. A. Burvill  
Hon. J. M. Drew  
Hon. E. H. Gray  
Hon. E. H. Harris

Hon. J. W. Hickey  
Hon. W. H. Kitson  
Hon. H. Seddon  
Hon. J. R. Brown  
(Teller.)

Amendment thus passed.

Hon. J. NICHOLSON: I move an amendment—

That in paragraph (a) after "death" the words "or accident causing bodily injury" be inserted.

Amendment put and passed.

Hon. J. NICHOLSON: Paragraph (b) will not now be required. I move an amendment—

That paragraph (b) be struck out.

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

Postponed Clause 14—Examination and inquiry as to cause of accident:

The CHAIRMAN: The Honorary Minister promised to ascertain whether Subclause 5 was necessary.

The HONORARY MINISTER: My advice is that the subclause is necessary.

Clause put and passed.

Postponed Clause 15.—Place of accident not to be interfered with:

Hon. J. NICHOLSON: I move an amendment—

That after "any," in the first line, the following words be inserted:—"fatal accident or accident causing serious bodily injury" be inserted.

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

New clause:

Hon. Sir WILLIAM LATHLAIN: On behalf of Mr. Dodd I move—

That the following new clause, to stand as Clause 6, be added to the Bill:—(6) District inspectors shall be under the Public Service Act, 1904, but special and workmen's inspectors shall not, by reason of their appointment as such, be deemed to be subject to the provisions of the said Act.

Hon. A. LOVEKIN: The clause will read better with the excision of the words "by reason of their appointment as such." It

is not usual to provide reasons in Acts of Parliament. I move an amendment—

That in lines three and four of the proposed new clause, the words "by reason of their appointment as such be deemed to" be struck out.

The clause will then provide that district inspectors shall be under the Public Service Act, 1904, but special and workmen's inspectors shall not be subject to the provisions of that Act.

Hon. J. NICHOLSON: At an earlier stage we included references to an officer to be appointed by the Minister to control these activities. If it is intended to bring that nondescript officer under the Public Service Act as well, the new clause should be amended on recommitment.

Amendment put and passed.

The HONORARY MINISTER: The Bill was framed with the idea that the Minister would have the appointment of these officers, because it was considered that the work could be done more satisfactorily if those officers were not under the Public Service Act. It was not intended that any of the officers should be brought within the scope of that measure. The Minister concerned has strong reasons for his attitude.

Hon. J. Nicholson: Would it have a detrimental effect if the officers came under the provisions of the Public Service Act?

The HONORARY MINISTER: Perhaps not, but there are reasons why it is advisable that such officers should not be appointed in that way.

New clause, as amended, agreed to.

New clause:

Hon. J. NICHOLSON: I move an amendment—

That a new clause, to stand as Clause 3, be inserted as follows:—"3. The provisions of the Factories and Shops Act, 1920, and the Inspection of Machinery Act, 1921, and of all amendments or re-enactments thereof, in so far as same may apply to any sawmill, mill, timber holding, machinery, millgearing, mill landing, bush landing, or yard as herein defined, shall not apply to this Act, and no owner, manager, or agent, as herein defined shall be required to comply with said first-mentioned Acts in addition to this Act."

If the Bill is to be regarded as a consolidating measure that result can best be achieved by including references to the two Acts I have mentioned. The object is to embrace the classes of machinery and so forth, as set out in the interpretation clause.

Hon. A. Lovekin: How will that affect the Health Department? It would cut out that department.

Hon. J. NICHOLSON: No, it will not be affected.

Hon. A. Lovekin: I think the Acts you mention incorporate the provisions of the Health Act.

Hon. J. NICHOLSON: Not at all. I assume that it is not intended that those engaged in the timber industry shall continue sending out notices that are necessary under the provisions of the Inspection of Machinery Act and the Factories and Shops Act. The new clause will make the provision clear, and the owner, manager, or agent will have to comply with the provisions of the Bill and not with those of the two Acts I have mentioned.

Hon. A. Lovekin: Look at Sections 13 and 14 of the Factories and Shops Act.

Hon. J. NICHOLSON: That Act deals with shops and factories whereas this Bill deals with the inspection and regulation of the timber industry. There are three classes of inspectors to be appointed under the measure. Under the Factories Act there is only one class of inspector. If an inspector under the Factories Act happens to possess the qualifications for an inspector under the Health Act, he may act under that statute also. Under Clause 8 of the Bill district or special inspectors are to have power to do all or any of the things therein specified. The inspectors are given the fullest powers possible, and the powers under the Factories Act are really more limited than are these. It would be unjust to make the owner of a sawmill subject to the provisions of other Acts as well as of this measure.

Hon. A. LOVEKIN: I do not approve of this class of legislation. Amendments inserted in this way are apt to confuse the people who will have to comply with the measure. We are asked to include a drag-net clause providing that any other legislation we have passed, whether it applies to a timber mill or anything else, shall have no effect and that that this measure alone shall prevail. We should not legislate in that way.

The HONORARY MINISTER: It was not intended that all the other Acts should operate, but I am advised that the new clause may not attain the object the hon. member has in view. Feeling that there should be no confusion, I do not care to oppose the new clause at this stage, but it may be necessary

after further consideration, to recommit the clause for further consideration.

Hon. A. LOVEKIN: I urge the Minister to look into the matter before the Bill is finally passed. From a cursory glance I see several beneficent provisions that ought to apply to this industry as well as to other factories, and they are being cut out.

Hon. Sir WILLIAM LATHLAIN: I do not think Mr. Lovekin is right in his conception of the new clause. It will not interfere with the operation of the Health Act.

Hon. A. Lovekin: It is part of the Factories Act.

Hon. Sir WILLIAM LATHLAIN: The Health Act is entirely different and is administered by local governing bodies. On the second reading I stressed the point that practically every clause was part of a section in one or other of the six Acts already operating. Special provision has been made under the regulations to give the district inspectors to be appointed all the powers of health inspectors.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

#### *Recommittal.*

On motion by the Honorary Minister Bill recommitted to further consider Clause 2. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 2—Interpretation :

The HONORARY MINISTER: I move an amendment—

That the following be inserted after the interpretation of "agent":—"The words 'accredited representative' in this section and in other sections of this Act in which the words are used mean the president, vice-president or secretary of the industrial union or any member thereof acting with the authority in writing of the secretary."

Hon. E. H. HARRIS: I oppose the wording of the interpretation. What prompted me to move for the insertion of "accredited representative" in the clause was the proviso in the Coal Mines Regulation Bill in which the term was introduced by the Honorary Minister. If he would agree to delete the reference to the president, vice-president or secretary, I might be inclined to support the amendment. The organisation should be able to decide who is to be its accredited representative.

The HONORARY MINISTER: The officials of an organisation are usually selected for these positions, but to guard against any "blow-in" it is necessary to specify from whom the representatives may be selected.

Hon. Sir WILLIAM LATHLAIN: I am in accord with Mr. Harris's views. His suggestion leaves it open to any organisation to decide who the accredited representative shall be. If we accept the Honorary Minister's amendment we shall be taking to ourselves the right of saying who shall be the accredited representative.

The CHAIRMAN: The proposed interpretation appears to be incomplete. It says, "Acting with the authority in writing of the secretary." What secretary?

The Honorary Minister: The secretary of the industrial union.

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

Bill again reported with an amendment.

#### *Further Recommittal.*

Hon. E. H. HARRIS: I move—

That the Bill be recommitted for the purpose of further considering Clause 2.

The Committee was under a misapprehension when it passed the Honorary Minister's amendment to Clause 2.

Hon. J. CORNELL: I submit that the Bill cannot be recommitted at this stage.

Hon. A. Lovekin: Why not?

Hon. J. CORNELL: The clause was recommitted and amended. The purpose of recommitting the Bill now is to defeat the amendment that was made. Circumstances arose the other day to show that a Bill cannot be recommitted before the same Committee, and nothing done by the Committee can be undone by the same Committee.

Hon. A. Lovekin: This is quite right.

Hon. E. H. Harris: The Standing Orders are suspended. Surely we can deal with the matter.

The PRESIDENT: There is no difficulty. The hon. member can move that the Bill be recommitted.

Question put and passed.

Bill recommitted.

#### *In Committee.*

Clause 2—Interpretation:

Hon. E. H. HARRIS: I was anxious to divide the Committee on the Honorary

Minister's amendment to define "accredited agent." I hope it will now be struck out. When the Bill was framed it was not desired that the officials in question should have any voice in the matter. I move an amendment—

That Subclause 3 be struck out.

The HONORARY MINISTER: It would be more satisfactory to mill owners to know who the accredited representatives were to be. There may be several organisations concerned.

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

Bill again reported with a further amendment.

### **BILL—SHEARER'S ACCOMMODATION ACT AMENDMENT.**

#### *Assembly's Message.*

Message from the Assembly, notifying that it had agreed to amendments Nos. 4, 8 and 12 and made by the Council, giving reasons for disagreeing to amendments Nos. 1, 2, 3, 5, 6, 9, 10, and further amending amendments Nos. 7 and 11 made by the Council, now considered.

#### *In Committee.*

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

No. 1—Clause 2, delete all words after "by," in line 2, and insert the following:—"the deletion of all words following the words 'number of,' and the substitution of the words 'sheep, shorn or to be shorn during the current or approaching shearing season, does not exceed six thousand':"

The CHAIRMAN: The Assembly's reason is that the number of shearers is thought a better basis than the number of sheep.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. G. W. MILES: I hope the Committee will insist on its amendment. The question has already been fully debated.

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

Ayes	..	..	..	6
Noes	..	..	..	17
				—
Majority against	..	..	..	11
				—

## AYES.

Hon. J. R. Brown  
Hon. J. M. Drew  
Hon. J. W. Hickey  
Hon. W. H. Kitson

Hon. A. Lovekin  
Hon. E. H. Gray  
(Teller.)

## NOES.

Hon. A. Burvill  
Hon. J. Ewing  
Hon. V. Hamersley  
Hon. E. H. Harris  
Hon. J. J. Holmes  
Hon. G. A. Kempton  
Hon. Sir W. Lathlain  
Hon. J. M. Macfarlane  
Hon. W. J. Mann

Hon. G. W. Miles  
Hon. J. Nicholson  
Hon. G. Potter  
Hon. E. Rose  
Hon. H. Seddon  
Hon. H. A. Stephenson  
Hon. Sir E. Wittenoom  
Hon. H. Stewart  
(Teller.)

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

No. 2—Clause 3, insert after "overseer," in line 4, the following words:—"and by the insertion of the words 'at which the number of sheep, shorn or to be shorn during the current or approaching season, is more than six thousand' after the word 'shearing-shed' where it first occurs":

The CHAIRMAN: The Assembly's reason again is that the number of shearers is thought a better basis than the number of sheep.

The CHIEF SECRETARY: This is a consequential amendment. I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 3—Clause 4, delete Subclause 2:

The CHAIRMAN: The Assembly's reason is that the clause is not retrospective, and the space fixed is the same as in the other States.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	5
Noes	..	..	..	17
—				
Majority against	..	..	..	12

## AYES.

Hon. J. R. Brown  
Hon. J. M. Drew  
Hon. E. H. Gray

Hon. J. W. Hickey  
Hon. W. H. Kitson  
(Teller.)

## NOES.

Hon. A. Burvill  
Hon. V. Hamersley  
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. G. Potter  
Hon. E. Rose  
Hon. H. A. Stephenson  
Hon. H. Stewart  
Hon. Sir E. Wittenoom  
Hon. J. Ewing  
(Teller.)

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

No. 5—Clause 4, Subclause (4), delete the words "including artificial illumination":

The CHAIRMAN: The reason given by the Assembly is that the provision is considered reasonable.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	5
Noes	..	..	..	17
—				
Majority against	..	..	..	12

## AYES.

Hon. J. R. Brown  
Hon. J. M. Drew  
Hon. J. W. Hickey

Hon. W. H. Kitson  
Hon. E. H. Gray  
(Teller.)

## NOES.

Hon. A. Burvill  
Hon. J. Ewing  
Hon. V. Hamersley  
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. G. Potter  
Hon. E. Rose  
Hon. H. A. Stephenson  
Hon. Sir E. Wittenoom  
Hon. H. Stewart  
(Teller.)

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

No. 6—Clause 4, Subclause (4), Delete all words after "ventilation" in line 6 down to the end of the subclause.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 9—Clause 7, Delete.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	5
Noes	..	..	..	17
—				
Majority against	..	..	..	12

## AYES.

Hon. J. M. Drew  
Hon. E. H. Gray  
Hon. J. W. Hickey

Hon. W. H. Kitson  
Hon. J. R. Brown  
(Teller.)

## NOES.

Hon. A. Burvill  
Hon. V. Hamersley  
Hon. E. H. Harris  
Hon. J. J. Holmes  
Hon. G. A. Kempton  
Hon. Sir W. Lathlain  
Hon. A. Lovekin  
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Hon. W. J. Mann

Hon. G. W. Miles  
Hon. J. Nicholson  
Hon. G. Potter  
Hon. E. Rose  
Hon. H. A. Stephenson  
Hon. H. Stewart  
Hon. Sir E. Wittenoom  
Hon. J. Ewing  
(Teller.)

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



No. 10. Clause 8—Delete all words after “hereby” in first line down to the end of the clause, and insert the words “amended by the deletion of the words ‘two justices’ and the insertion in lieu thereof of the words ‘police or resident magistrate.’”

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council’s amendment insisted on.

No. 7. Clause 4, Subclause (6)—Delete all words after “kitchen” in line 4 down to and inclusive of the word “inspector” in line 6.

Assembly’s amendment on the Council’s amendment—Amendment amended by striking out “kitchen” and inserting “dining-room” in lieu thereof.

The CHIEF SECRETARY: I move—

That the amendment made by the Assembly on the Council’s amendment be agreed to.

Hon. J. J. HOLMES: The Bill as it came to us provided for a fly-proof safe both in the kitchen and in the dining-room. We thought one sufficient, and agreed that it should be in the kitchen. The Assembly now agrees that one is sufficient, but demands that it shall be in the dining-room, and so amends our amendment. Let me tell the Committee that the safe will be put exactly where the cook wants it, no matter what we may do.

Hon. E. H. GRAY: Notwithstanding what Mr. Holmes has said, we must have some regard for the reputation of this House. We should take the common-sense view and agree to the Assembly’s amendment.

Hon. J. J. Holmes: Probably the safe will be hung under a tree.

Hon. Sir EDWARD WITTENOOM: After a great deal of experience, it seems to me paltry to prescribe in a statute where a meat safe shall be put. The cook will put the safe in the best available position; if he does not look after the safe and its contents his meat will be fly-blown in about ten minutes. It is absolutely childish to prescribe in a statute where a meat safe is to be put.

Question put and passed; the Assembly’s amendment agreed to.

No. 11. Clause 9—Delete.

Assembly’s amendment on the Council’s amendment—Amendment amended by sub-

stituting “amend” for “delete” and adding the words “by striking out ‘fifty’ in the second line and inserting ‘twenty-five’ in lieu thereof.”

The CHIEF SECRETARY: I move—

That the Assembly’s amendment on the Council’s amendment be agreed to.

Hon. G. W. MILES: I hope the Committee will not agree to the Assembly’s amendment. In the Bill a fine of £50 is provided for, and the Assembly propose to reduce it to £25.

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

*Ayes	..	..	..	..	5
Noes	..	..	..	..	16
					—
Majority against					11
					—

#### AYES.

Hon. J. B. Brown  
Hon. J. M. Drew  
Hon. J. W. Hickey

Hon. W. H. Kitchin  
Hon. E. H. Gray  
(Teller.)

#### NOES.

Hon. A. Burvill  
Hon. J. Ewing  
Hon. V. Hamersley  
Hon. J. J. Holmes  
Hon. G. A. Kempton  
Hon. Sir W. Lathlain  
Hon. A. Lovekin  
Hon. W. J. Mann

Hon. G. W. Miles  
Hon. J. Nicholson  
Hon. G. Potter  
Hon. E. Rose  
Hon. H. A. Stephenson  
Hon. H. Stewart  
Hon. Sir E. Wittenoom  
Hon. J. M. Macfarlane  
(Teller.)

Question thus negatived; the Assembly’s amendment on the Council’s amendment not agreed to.

Resolution reported and the report adopted.

A committee consisting of the Hon. G. W. Miles, the Hon. J. Nicholson and the Chief Secretary was appointed to draw up reasons for disagreeing with the Assembly’s amendment No. 11 on the Council’s amendment.

Reasons adopted and a Message accordingly returned to the Assembly.

### BILL—LAND ACT AMENDMENT.

Received from the Assembly, and read a first time.

Hon. Sir EDWARD WITTENOOM: I do not know whether I am out of order or not, but I think it is time a protest was made against the introduction of fresh Bills. We are absolutely sick of amending legislation. I do not know that there ever has been a session of this Council with so much amending legislation. We are abso-

lutely sick of it, and I can only express the hope that if any more Bills are introduced they will be negatived.

The PRESIDENT: I must remind the hon. member that there is nothing before the Chair at present.

### BILL—APPROPRIATION.

Received from the Assembly, and read a first time.

*House adjourned at 11.12 p.m.*

## Legislative Assembly,

*Wednesday, 8th December, 1926.*

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

### QUESTION—WOOL PACKS, UNDER WEIGHT.

Mr. A. WANSBROUGH asked the Minister for Agriculture: 1, Has his attention been drawn to the fact that agents are supplying wool packs to woolgrowers 2lb. under standard weight? 2, Is he also aware that wool brokers are deducting the standard weight on wool packs when weighing in wool?

The MINISTER FOR AGRICULTURE replied: 1 and 2, No.

### QUESTION—RAILWAY PROJECT, DWARDA-ARMADALE.

Mr. E. B. JOHNSTON asked the Premier: 1, Is it the intention of the Government before the close of this session to introduce a Bill for the extension of the Narrogin-Dwarda railway to Armadale, in accordance with the original recommendation of the Railway Advisory Board? 2, Are the Government aware that this extension, according to the Railway Advisory Board's report, will reduce the distance by rail between Narrogin and Fremantle from 174 miles *via* Spencer's Brook, to 117 miles *via* Dwarda and Armadale, or a total saving of 57 miles freight on all goods and produce transported between Narrogin and Fremantle?

The PREMIER replied: 1, No. 2, The Government are aware of all factors of this nature.

### ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Justices Act Amendment Bill.

### POLICE BENEFIT FUND AND SUPER-ANNUATION SCHEME SELECT COMMITTEE.

*To adopt report.*

Debate resumed from the 3rd November on the following motion by Mr. Hughes:—

That in the opinion of this House it is desirable that legislation be introduced this session to convert the Police Benefit Fund into a superannuation fund, in accordance with the recommendations of the select committee.

MR. NORTH (Claremont) [4.33]: As one of the members of the Select Committee, I have much pleasure in supporting the recommendations made to the Government. It is quite idle to waste words in stressing the importance of the proposals at this stage, or to urge the Government to bring in legislation to give effect to them so late in the session. I realise that it is quite easy for a committee to take evidence and frame recommendations, and then to throw them at the Government with a request that they be given effect to. I am sure that if it is possible for the Government to carry out the recommendations, they will do so. I trust that at an early date the necessary