Hon. G. Taylor: Then this would have the same effect as if an industrial union were before the court?

The MINISTER FOR WORKS: Yes.

Clause put and passed.

Clauses 14 to 16—agreed to.

Clause 17—Amendment of Section 83:

Mr. THOMSON: This clause will mean considerable trouble to those engaged in industry in country districts. A common rule applies very harshly in country districts. Take an illustration: There are awards dealing with certain building trades in the metropolitan area. The court decides that when an employee has to go out into the country he is entitled to an additional 6s. a day for the first week and subsequently to 5s. per day. That seems reasonable to apply to those living in the metropolitan area who may be sent hundreds of miles away from their homes. The application of the common rule principle must inflict hardship upon persons in country districts. The work that is provided in a town is generally scarce, and confined to the building of farmers' houses, stables, etc. In the city thousands of men can get employment at award rates, whereas in the country the men are to be paid an additional 5s. a day because of the application of the common rule.

The Minister for Works: This clause does not concern any common rule.

Mr. THOMSON: Yes, it does. A farm hand may have to be paid teamster's wages because he is driving horses in a plough, or a painter's wages because he is painting a door and so on. The job of vigilant officers of unions is to go round the country making trouble—I do not say that offensively—and to bring employers before the court for any breaches of awards. I know it is impossible to procure any amendment because of the numbers behind the Government, but I cannot allow the clause to pass without offering my strong objection to it.

Progress reported.

House adjourned at 10.35 p.m.

Legislative Council,

Wednesday, 27th November, 1929.

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

QUESTION—MINERS' SETTLEMENT, TAXATION.

Hon. J. CORNELL asked the Chief Secretary: 1, Are the Government aware that location holders in the Miners' Settlement Area, Southern Cross, are being served with—(a) land tax assessment notices (b) vermin tax assessment notices, and that they have been fined for failure to furnish land tax returns? 2, If so, do the Government consider that, in view of the settlers' failure so far to produce anything from their locations, the levying and demand of these taxes, especially the vermin tax, is in all the circumstances equitable; and do the Government consider it reasonable to fine such location holders for unwittingly committing a technical breach of the law by failure to furnish land tax returns?

The CHIEF SECRETARY replied: 1, No. 2, The matters are governed by respective Acts of Parliament, and no power exists to grant exemptions not provided therein.

BILL—SANDALWOOD.

Read a third time, and returned to the Assembly with an amendment.

BILL—APPROPRIATION.

Second Reading.

Order of the Day read for the resumption of the debate from the 20th November.

On motion by Hon. C. B. Williams, debate adjourned.

BILL—LAND TAX AND INCOME TAX.

Second Reading.

Debate resumed from the previous day.

HON A. LOVEKIN (Metropolitan) [4.38]: I propose, in a few words to point out that in view of what has recently occurred in the Federal arena it is all the more necessary to relieve taxation in this State, especially as regards primary producers. For some time there has been a clamour to reduce the land tax. I am to some extent responsible for the present level of that tax, because some years ago, at a conference, I was one of those who agreed, upon the Government taking off the super tax on incomes and allowing a further reduction of 15 per cent., to the then land tax. Since then the tax has, indirectly, gone up many-fold. There have been new assessments and new valuations; farms which stood at one when the rate of land tax was agreed to, now are represented by three and four. In other words, the tax has been trebled and quadrupled by reason of the inflated values of land. I do not say those values are unduly inflated, but still the inflation has created the burden upon primary producers. I am strongly in favour of getting a reduction of the land tax, if it is at all possible. I fully realise the Treasurer's need for money, and I appreciate that the Treasurer is able to take a wide enough view to realise that taxing beyond the taxpayer's strength to bear the burden is only killing the goose that lays the golden egg, and that all taxation, however widely the incidence begins, must eventually fall back upon the primary producer. We have recently witnessed attempts to relieve the revenue by a Hospital Fund Bill. That measure twice failed to pass, because this House was not prepared to find the money for private institutions, and to create goodwill for institutions which might arise, thus involving the community in compensation hereafter. Since then the hospitals have been languishing, have been making constant and pressing calls upon the Treasury for more money. Undoubtedly the community is responsible for its sick, and must provide the needs of the hospitals. The only question is, how best to do it. I have taken out the figures, and it seems to me that if the Government will adopt a different method, will not be pigheaded over the matter, if I may so put it, but will realise that this Chamber is composed of reasonable men who will help the Government, then I think it will be possible to satisfy the hospitals and also assist the man on the land. As I say, I have taken out the figures. I find that the Government, to begin with, estimate in the present Budget to receive land tax to the extent of £210,000. Out of that amount of £210,000 they will have to provide for the hospitals. If they do not earmark this particular source for that purpose, they will have to find the money from some other source—which comes to the some thing. The hospitals—without any additions, and some will have to be made next year—cost, on the Government's own figures, £145,146; and towards that amount the Government are able to place £36,690 which they received from the entertainments tax. Therefore, as matters stand, the Government have to find £108,456 for the hospitals.

Hon. J. Nicholson: You said £145,000.

Hon. A. LOVEKIN: £145,000 is what the Government have to find, but they are relaxed to the extent of £36,690, which is collected from the entertainments tax and distributed among the hospitals as part of the £145,000. But there is £108,456 to be found out of the £210,000 which the Government expect to receive from land tax this year. If we add to that amount £20,000 at least for additional moneys that the hospitals must have during the current year, we discount the Treasurer's net receipts from land tax by £128,456, which leaves very little for him to apply to other purposes. Under the Hospital Fund Bill which the Government introduced, the estimated receipts were £217,762 (more than the land tax), and obviously so because under the Hospital Fund Bill the whole of the community was going to pay instead of the few primary producers who are on the land struggling. Of the £217,762 which the Government estimated to receive from the Hospital Fund Bill the Minister expected that £9,000 would be required for collecting it. This left a balance of £208,762 to provide for the hospitals which, with the £20,000 added as I have suggested, would be only £128,456. So it would leave the Treasurer with a balance for other purposes (payments to patients at private hospitals, etc.), a balance greater than he would get for the hospitals from the £210,000 land tax. So as a business proposition from the Treasurer's viewpoint, it

will be better for him to halve the land tax and put the Hospital Fund Bill into force. From that he would get £217,762 and he would then wind up with £105,104 to the good to apply to other purposes, instead of having to find £105,000 plus the accretions which must come out of the £210,000. So in addition to providing himself with more money he would by halving the land tax relieve a class of people who must get some relief. I am putting that up to the Government as a business proposition and I suggest to them that they agree to halve the land tax, and that they agree to again bring down their Hospital Fund Bill. I may candidly say I have put up that Bill in this House merely to test the view of the House, and I do not intend to carry it beyond the second reading. It is not my province to send a Bill such as that to another place, nor even to pilot it through this House. It is or should be a Government measure, and the Government must do their duty. In view of what previously occurred, I can quite understand the Government desiring some assurance that the Bill will receive more favourable consideration now that the private hospitals have been wholly eliminated from it. I suggest that the Government, after the second reading of my Bill, bring forward their own measure; because it will serve the dual purpose of giving the Treasurer more money than he can have if he gets the whole of the £210,000 from land tax and out of it makes provision for the hospitals, while at the same time it will relieve the producers from the payment of £105,000.

Hon. J. Nicholson: He would not require to get a two penny land tax.

Hon. A. LOVEKIN: No, I suggest that he halve it and give the primary producers relief to that extent. He will be better off in the Treasury, and the primary producers will be better off and so better able to withstand the pressure that will be placed upon them through the incidence of the new Federal tariff that has been introduced.

Hon. J. Nicholson: So you support the proposal to cut down the land tax?

Hon. A. LOVEKIN: Yes. It will be for the primary producers in this House to take the initial movement. If they do so, they will have my support. We can request another place to halve the land tax. I suggest we have good grounds to ask them to do so, seeing that we can show them that if the Government again introduce the Hospital Fund Bill they can have more money in the Treasury and at the same time relieve the primary producers as they ought to be relieved. If a motion is put forward requesting another place to reduce the land tax by one-half, I will support it.

HON. E. ROSE (South-West) [4.50]: This is a very old friend of ours, cropping up every year.

Hon. C. F. Baxter: Not a friend.

Hon. E. ROSE: No, an enemy probably. For some time past we in this House have been endeavouring to secure a reduction of the land tax. The Government have long boasted about the assistance they are rendering to the agriculturists, but at the same time they are trying to get out of the agriculturists every penny they possibly can by way of taxation. Mr. Lovekin spoke of the increased taxation about to be levied upon us by the Commonwealth. Putting that aside, the taxation we have in Western Australia is more than sufficient for the agriculturists to bear. Since 1923-24 increased valuations on our country lands represent £6,667,000, and only in 48 road board districts out of 70 have the valuations been completed. Increased valuations to date on all lands, including city and suburban represent £13,440,674. It gives an idea of the huge sum that will be involved when all the valuations have been completed, and the consequent increase in taxation that will have to be paid. The Taxation Commissioner himself has said that the losses of previous years apply to every class of taxpayer carrying on business, but more particularly to pastoralists and farmers. He singles those out as more especially feeling the effects of the losses due to variations of seasons and fluctuations of prices. In 1925-26 and 1926-27 drought conditions prevailed in the North-West and pastoralists suffered heavily, and in 1927-28 and again this year the price of wool fell pretty well to zero. There was no profit whatever for the sheep owners. Therefore the Government should take into consideration the taxation we have to pay and the losses we have had through drought and low prices. That sum of £13,414,674 extra is a huge amount for the Government to collect land tax on. At 1d. in the pound it would return £56,000, which is a good deal more than was paid three or four years ago. So the Gov-

ernment can well afford to reduce the land tax by one penny. I am pleased to see on the Notice Paper a proposed amendment to reduce the tax by 50 per cent., and in this regard I hope my friend Mr. Yelland will have more success than I have had during the last few years in endeavouring to have the tax reduced. Not only has the land tax been doubled in recent years, but the exemption of £250 has been abolished. Then we have the vermin tax bringing in £50,000 per annum. The securing of all that extra revenue gives the Government an opportunity to reduce the land tax. Certainly the vermin tax is earmarked for the destruction of dingoes and foxes, but under it a great deal more is collected than is paid away by the Government. Then on top of all that, we have the road district taxes. The farmer has a lot to pay out, running into as much as 3d. or 4d. in the pound. He has also his road board and vermin rates to pay, and the multiplication of these rates and taxes is becoming more than the average farmer can bear. Then we have all these new group settlers, to be taxed in the same ratio as the ordinary farmers. So I fail to see where the Government can benefit by continuing this high taxation on the farmers; because, after all, the farmers are the backbone of the country and should have all the encouragement we can give them to develop their lands. I will support the second reading of the Bill, but in Committee I will certainly support Mr. Yelland's motion to reduce the land tax by one-half.

HON. E. H. H. HALL (Central) [4.56]: I regret that the Government have again seen fit to single out the men who are acknowledged by all, from the Premier down, to be the backbone of the country, the men who are out endeavouring to open up and develop the lands of the State. Yesterday Mr. Seddon came in for considerable criticism, and I must say that in one direction he deserved it. But, again, I think perhaps the thanks of the House are due to him, for at times some of us require something of the kind to stir us up. No doubt Mr. Seddon must have put in a good deal of time in collating the information he gave to us yesterday; and except for the fact that his views on the necessity for increasing taxation in order to relieve unemployment are not altogether sound, he is to be commended for the careful speech he made. In the course of that speech he stated that certain members of the community were evading taxation.

Hon. J. Nicholson: He did not say it that way; he said they were not paying taxation.

Hon. E. H. H. HALL: Mr. Nicholson is now contradicting my statement. I am not permitted to quote from "Hansard," but I have taken the trouble to turn up the "West Australian," wherein Mr. Seddon is reported to have said that certain members of the community were evading taxation. If Mr. Nicholson wants anything better than that, he had better go along and see the authorities at the "West Australian" office. Mr. Seddon is not one who would come here and make statements without having foundation for them. If the hon. member has any foundation for the statement he did make, why does he not tell us which section of the community it was to whom he referred? When the hon. member makes the statement that he is convinced that certain members of the community are evading taxation, it is only fair that he should tell us which section it is.

Hon. H. Seddon: I said 87 per cent.

Hon. E. H. H. HALL: I am not talking about the percentage. I may be wrong, but I take it the hon. member had in his mind a certain section and I am wondering which section it was.

Hon. H. A. Stephenson: All those outside the 11 per cent.

Hon. J. Nicholson: Members of Parliament perhaps.

Hon. E. H. H. HALL: When hon. members have ceased trying to explain which section it was Mr. Seddon had in mind, perhaps I will be allowed to continue. We had better leave it to Mr. Seddon to declare for himself just which section he had in mind. He also said that there should be a scheme to catch everybody.

Hon. H. A. Stephenson: So there is.

Hon. E. H. H. HALL: I agree with Mr. Seddon that there should be, and I am surprised to know there is not such a scheme. But as usual, the hon. member leaves us in the air. I do not know whether I am right in assuming that the hon. gentleman was once a member of the civil service—the Railway Department, I believe. I understand that in that department suggestions are invited from officers and a board exists to deal with those suggestions and if the suggestions are thought worth while the officer receives a reward of half a crown or perhaps five pounds, or whatever the

amount may be. In any case, the hon. member knows that before he can get recognition in this respect it is necessary for him to go a little further than he went yesterday afternoon. It has been frequently pointed out in this Chamber by those who have given the subject thought, that our present land tax is just the opposite of what it should be, and that makes us wonder whether Governments are increasing in wisdom as they grow older. Year in and year out we find that the man who is developing and improving his property is being penalised. That seems such a short-sighted policy that I fail to understand how any body of men could attempt to perpetrate it. It is an economic mistake. I did not think there would be the slightest necessity for this additional land tax. Taxation saps the life blood of the community. What I suggest is that some endeavour should be made to utilise the thousands of acres of idle lands throughout the State. One would not be far out if he referred to these vast unused areas as hundreds of thousands of acres, and many of them are close to existing railway lines.

Hon. H. A. Stephenson: Let us make a Christian endeavour.

Hon. E. H. H. HALL: I do not think this is an occasion for cheap humour; it is a matter that should receive earnest consideration, especially when we heard the statement made by Mr. Cornell yesterday that there were men who were carting 50 and 60 miles to a railway. Again, yesterday, Mr. Mann asked a question about a railway, the construction of which he said was authorised by Parliament in 1926. It is only right to assume that if that railway was authorised as far back as 1926, its construction must have been promised by a responsible Minister at some time or other. It is not desirable that we should have Ministers of the Crown going about the country promising railways and then failing to carry out those promises. Such promises only lead to people taking up areas far removed from existing facilities and struggling for years.

Hon. Sir Edward Wittenoom: Did they not borrow money for that railway and spend it on something else?

Hon. E. H. H. HALL: I do not know, and I am not imputing motives. The less of that kind of thing that is indulged in the better. Some endeavour should be made to utilise idle lands alongside railways. Shortly after I was elected to Parliament, I said that I was surprised, travelling up and down the Wongan line, to see such enormous areas of idle lands. There is still further evidence of the extent of unoccupied territory if one travels through the country in a motor car, say 15 or 20 miles away from a railway line, and it is not inferior land either; it is land that should be capable of giving good returns. When the Government of the day constructed the Wongan Hills line, in the teeth of considerable opposition—I believe it was the Labour Government that built it—it was said in London that the one object was to compete with the Midland railway.

The PRESIDENT: I remind the hon. member that the question we are discussing is whether or not the Land Tax and Income Tax Bill be read a second time.

Hon. E. H. H. HALL: I thank you, Mr. President; I realise that I was drifting away from the question and I apologise. When the money was spent on the construction of that railway line——

Hon. J. R. Brown: Back again.

Hon. E. H. H. HALL:——it was considered that there would not be any need for increased taxation. Thousands of acres of land were thrown open for selection, and before the Government allowed people to go to the four corners of the South-Western part of the State they should have said that there was no need for them to go to places 50 or 60 miles distant from a railway because there was any amount of good agricultural land served by that line, and intending farmers should select it there. If that course were followed even to-day, there would not be requests for railways here and railways there; in short, there would follow an ordered system of development. These are the areas on which the Government should concentrate their attention. Mr. Seddon also dealt with the question of unemployment, and I wondered at the scope of the debate when Mr. Lovekin touched on the Hospital Bill. I do not altogether agree with what Mr. Seddon said in regard to unemployment. In common with other parts of Australia and many parts of the world, including even America, we have had to face the unemployment problem. In America Mr. Seddon told us the problem was being tackled in a systematic manner, and here it is high time the Government showed that they recognised the seriousness and acuteness of the trouble, and he expressed the

opinion that taxation should be increased to relieve the difficulty.

Hon. W. T. Glasheen: Do you think that is economically sound?

Hon. E. H. H. HALL: I have always thought that the Government would be justified in adopting some scheme to relieve the position. The only systematised efforts made to assist those out of employment has been on the part of the Housewives' Association of this city. Those people afforded relief to the unemployed by providing them with food daily for a considerable period. Mr. Seddon would have the Government tax the people to provide relief for those out of work. At one time I thought that should be done, but I consider that there are other directions in which the Government could reasonably render assistance. Unlike Mr. Seddon, who leaves us in the air, I shall make a suggestion that I think, if adopted, might relieve the situation. I suppose I shall be told that we have heard times out of number what I am about to say, but the fact remains that it is true that we are losing a considerable sum of money in conducting State enterprises. My opinion is that if we scrapped those enterprises a considerable advantage would be gained, and we should be able to provide work for the unfortunates who are without it to-day. Surely the Government have had sufficient time to be convinced that they cannot carry on at a profit the enterprises in which they are engaged. Therefore, why not close them down and develop some scheme that will enable the unemployed to earn some money. I would not have the Government follow the example of the Mother Country; I know of nothing that would be more demoralising than having to follow that example. I consider the Home Government are bankrupt of ideas in continuing for such a long period the payment of the wretched dole. I would not like to see that sort of thing perpetuated in Western Australia. While Mr. Seddon was speaking, an hon. member interjected that to advocate increased taxation would be unpopular. I have referred to that phase of Parliamentary life before, and I again assert that we are not here to make ourselves popular, but to do our duty as we see it. That phase does not appeal to me. In the expenditure of money there is a chance of money being foolishly circulated. If we levy taxation it should also be our object to induce the people to circulate wisely the money they have.

Hon. A. Lovekin interjected.

Hon. E. H. H. HALL: I do not thank the hon. member for his rather silly interjection; he is old enough to know better. If we could induce our people to circulate their money by spending it on the development of land, we would do something of a lasting character, and would improve the assets of the State. On the other hand, if we are making it easy for the people to spend their money foolishly, it will not redound to the credit of the State. I am not speaking as a killjoy, because I like to have a little flutter at the races now and again.

Several members interjected.

The PRESIDENT: I wish hon. members would stop interjecting. It is impossible to hear their interjections, and consequently a good deal of the hon. member's speech is unintelligible, because he replies to statements that cannot be heard by the "Hansard" reporters or by myself.

Hon. E. H. H. HALL: I am amazed when I think of the vast amount of money that is spent on racing by the small handful of people we have in Western Australia. The W.A.T.C. conducts racing, as far as I can ascertain, in a very proper manner. We have the proprietary racing clubs conducting meetings practically every Saturday afternoon in the metropolitan area, and at night there are the trotting meetings. I have not attended any of the latter, because it is not my privilege to be in the city during the week-ends. I drove round the new trotting course at East Perth this morning, and I realised that many thousands of pounds have been spent on the provision of the new grounds. It may be said that money spent on the work has been put into circulation, but if that money had been spent with a view to producing commodities that could be exported overseas, and thus help to swell our finances, the expenditure of the money would have been of more account. I think the Government could well give some attention to such problems. They should not seek to improve the financial position by increasing land taxation. Recently a conference of automobile organisations was held in Perth, and it remained for one of the visitors from the Eastern States, the President of the Royal Automobile Club of Victoria, to sound a note of warning that might have been uttered by our politicians. He pointed out that the elaborate and expensive undertaking, known as the Federal Aid Roads

scheme, was too costly for the individual States. The Federal Government advanced an ambitious scheme for the provision of good roads. It is in that direction that a lot of our money is going. Instead of that money being spent on roads over which the primary producers could convey their produce to the railway sidings, we are being taxed to provide huge sums of money for the construction of main roads.

Hon. G. W. Miles: To enable competition with our railways.

Hon. E. H. H. HALL: Exactly. I have given this question some little thought, and I regard the scheme as suicidal. The Bruce-Page Government gave us the slogan "Good roads to-day." They said that for every pound they advanced, the State were to provide 15s. But where does the pound come from in the first place? I know I am not announcing a startling fact when I say that it comes from the people who have to find the 15s. as well. In my opinion, the State Government would be wise if they shut down on the scheme now, because, as Mr. Miles said, the time has come when this scheme should receive more consideration than it has had so far. In the country areas we can see loads of produce coming into the country towns that formerly would not be possible. Under existing conditions motor transport is able to compete against our railways. Where did the "good roads" slogan come from? If I am not mistaken, it came from America, where every magazine and newspaper has been full of the subject for a long time. In America they have every reason to spend vast sums of money in providing good roads.

Hon. W. T. Glasheen interjected.

Hon. E. H. H. HALL: In America the motor car industry has reached great proportions. Petrol supplies are available in that country, too. In such circumstances, the more money that is spent on good roads, the greater will be the number of cars purchased and the greater the quantity of petrol used. In Australia, however, of every pound that is spent on motor cars or petrol, I should say 15s. at least goes from the Commonwealth and is lost for ever. Just now Mr. Glasheen interjected and I cannot fail to take notice of what he said.

The PRESIDENT: Order! No one has heard Mr. Glasheen's interjection, and if the hon. member goes on to answer that interjection, his speech will be utterly unintelligible. Will the hon. member proceed?

Hon. E. H. H. HALL: You, Mr. President, tell me not to answer the interjection.

The PRESIDENT: Interjections are highly disorderly.

Hon. E. H. H. HALL: It is hard to refrain from replying to an interjection when I hear it. The interjection is noted, but I shall have no opportunity to reply to it. I do not regard it as altogether fair.

The PRESIDENT: Order! I wish to point out to the hon. member that interjections he has been replying to have not been heard. I have not heard them, and I know the "Hansard" reporters cannot have heard them. The hon. member's speech, consequently, will be unintelligible to people who have not heard the interjections.

Hon. E. H. H. HALL: That is where I am unfortunate, because I heard it, and am not allowed to reply to it. However, it is a matter of no moment. What I wish to make intelligible to you, Mr. President, is that it should not be necessary for the Government—I shall not use the hackneyed phrase: "during the present straitened condition of the finances" —at any time to ask Parliament to increase the land tax. It has been acknowledged by the Premier and many others that the primary producer is the backbone of the State. If we increase the land tax, how will the farmer be able to carry on? It must be patent to you, Mr. President, that unless the farmer can carry on at a profit, he will not carry on at all. I hope I have made that point clear so that "Hansard" will be able to record it, because the point should be stressed.

On motion by Hon. J. R. Brown, debate adjourned.

BILL—MENTAL DEFICIENCY.

In Committee.

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

The CHAIRMAN: Clause 57 was before hon. members when progress was reported.

Clause put and passed.

Clauses 58 to 63—agreed to.

Clause 64—Protection of defectives from acts of sexual immorality, procuration, etc.:

Hon. A. LOVEKIN: I move an amendment—

That all the words after "any person," in line 1, be struck out, and "who shall be adjudged guilty of any offence described in the Criminal Code or other Penal Statute against a person who has become subject to this Act shall be punishable in manner prescribed by such first-mentioned Statutes, and the provisions thereof shall apply *mutatis mutandis* to this Act" inserted in lieu.

The clause sets out a number of offences upon imbeciles and mentally deficient people and provides for imprisonment for a term not exceeding two years, which is much less, in some instances, than the punishment provided in the Criminal Code for offences against normal people. The punishment provided in the Criminal Code for offences that are outlined in paragraphs (a), (b), and (c) are the same as that provided in the Bill, while the term of imprisonment provided in the Code in respect of the offences mentioned in paragraph (d) is four years, whereas the Bill provides for imprisonment for two years. For the defilement of girls under 16 and of idiots, Section 188 of the Code provides a penalty of five years and a whipping; for rape, Section 326 provides for life imprisonment and a whipping; for attempted rape, Section 327 provides a penalty of 14 years and a whipping; for the crime of procuration Section 191 provides a penalty of two years imprisonment; for abduction of a girl under 18 with intent to have carnal knowledge, two years imprisonment and for abduction of a girl under 16, imprisonment for two years. The penalty provided in this clause does not seem to be sound. The amendment will simplify it by applying the Code or other penal statute to offences committed against defectives under this measure. I think the punishment should be much more severe for an offence against an imbecile or feeble-minded child than against a normal child, but I cannot go beyond the Code.

Progress reported.

BILL—ABORIGINES ACT AMENDMENT.

Second Reading.

Debate resumed from the 21st November.

HON V. HAMERSLEY (East) [5.35]: This measure contains a great many amendments to the original Act, some of them rather stringent in character. I regard it as a Bill that can be better considered in Committee than on the second reading. We ought to be extremely careful in passing legislation dealing with aborigines, because the greater the restrictions imposed upon the people who have to live in the areas where the aborigines are found, the harder it is to provide employment for them. I think the Minister, in moving the second reading, stressed the point that every year the difficulties of the department are increasing, and that the number of natives or half-castes for whom they have to provide constitutes an ever-growing burden. Consequently, when I find a measure of this kind following closely on the heels of a Bill that affects so many of us—the Land Tax and Income Tax Bill—I fear we are increasing the burden through our control of the natives by bringing them from the areas that have been their natural hunting grounds into centres where they have to be cared for and protected by officials paid out of the taxation provided by the people who have to extract what wealth they can from the land over which the natives previously roamed. In years gone by the settlers were able to utilise the services of the natives and keep them in control, and many years elapsed before any considerable governmental control was exercised by way of an independent department. Notwithstanding that all sorts and conditions of men were in charge of stations and of the natives, and notwithstanding that severe reports were occasionally received regarding the treatment meted out to some of the natives, on the whole the aboriginal population were treated extremely well.

Hon. C. F. Baxter: The same thing applies to-day.

Hon. V. HAMERSLEY: I agree. However, there have been many changes of station ownership and new settlers are not so inclined to use and care for the natives as were the older settlers. This I think, may be attributed to the fact that the restrictions have been increased and the department have exercised control that has not been always and altogether in the interests of the native people. The officials undoubtedly are working with the best of intentions, but at times they have got at cross-purposes with people who know the life-habits of the natives and understand much better how to deal with them, whereas the officials have led the native to understand that he is the master of the situation, and I am afraid he often

has ideas suggested to him that make him a less desirable station servant than he used to be. I can readily understand that the half-caste, increasing in numbers as he is, will be more difficult to deal with than is the full-blooded aboriginal. It has always been recognised that the half-caste gets to know rather too much. When he is taken away from a station to the larger centres of population, he becomes rather cunning, and on his return to the station he is not so eagerly embraced by new employers, unaccustomed as they are to deal with the natives as the early settlers were. This sort of thing must necessarily increase the difficulties of the department. I have heard of native children having been removed from various stations. It would have been far better had those children been left with their parents on the stations, because as they grow up in that environment, they learn all the intricacies of the life they will have to lead. They become acquainted with the native ideas of tracking, and learn the essential points about handling stock, which can be acquired only as children. As they grow up they learn about the changes of the seasons, the movements of stock and camps, and in other ways become expert in station work. The Bill proposes to alter the system of employment, in that the present age of 14 is to be increased, and I consider that the natives will be more under the control of the department than under the control of the stations providing employment for them. If we take the native youngsters from the stations and put them into institutions, we shall rob them of the opportunity to acquire a knowledge of station work, in which they are of the utmost service.

The Honorary Minister: The Bill does not provide that at all.

Hon. V. HAMERSLEY: I base that remark on the fact that children have been taken from stations to centres where, like so many of our own race, they get the idea of herding together in big communities. They lose the opportunity to gain the knowledge they would gain when young, and also lose the opportunity to be of service to the stations to which they may be drafted in after-years.

The Honorary Minister: There is no question of removing these children.

Hon. V. HAMERSLEY: They have been removed in the past.

Hon. G. W. Miles: The department already has sufficient power over the natives without giving them any more.

Hon. V. HAMERSLEY: I know of many children who have been taken from stations where they were perfectly happy. They have been sent to parts of the State where they are not in great demand, and where they lose the love of their parents. They have to undertake duties with which they are not familiar, and to live under conditions to which they have not been bred They lose their natural love for the bush, and when they return to their old haunts they are not as useful as they would be had they been left there from childhood.

The Honorary Minister: For what reason would they be removed?

Hon. V. HAMERSLEY: It used to be the custom to send to Rottnest natives who had committed some crime. After five years they were sent back to their old districts. Generally speaking, they became heroes and leaders, and went in for a greater amount of vagabondage than ever before. When native children are taken to large centres the same thing is likely to occur as has occurred with native prisoners. Aborigines should live the lives they are best suited for. I view with disfavour the idea of taking them more and more into institutional life. Various missions have for many years tried to Christianise the natives, but their efforts have not met with great success. It has been quite a good thing, no doubt, to go round with the hat and ask for alms in order that kindnesses may be shown to the natives, that they may be taught Christianity, and that they may be lifted out of the rut in which they live. Every year, however, fewer of the original natives are found on these mission stations, and those that are left do not seem to have gone very far. Generally speaking, the natives adhere to their old instincts, though they may become rather more cunning as a result of the teaching they get. Probably they are not of the same service to the country, nor are they as happy as when they are out in the wilds, or are employed on stations where they give good service and take a great deal of pleasure in it. They love being with animals and handling them. If they are taken away too early in life, and sent back when they are older, it is far more difficult to train them to station work. I realise that half-castes are becoming a greater problem, and that the department

must exercise more control over them than has been the case in the past. I view with horror, however, the idea of treating all half-castes as aborigines. It is rather a cruel thing to do. Many of the half-castes are excellent citizens, and the one thing they hate is to be classed as aborigines. To designate them all as natives is an extremely cruel thing to do. We know it is necessary to keep a strong hold over some of them and exercise greater control, but if we do that with the criminal classes amongst them, there is a danger also of bringing in those who no longer have wrong instincts of that kind, and who should not be considered as aborigines.

The Honorary Minister: They are not classed as aborigines under the Bill.

Hon. V. HAMERSLEY: That is how I understand the measure. Under one clause the Chief Inspector is empowered to appoint officers to administer the Act. That is a new departure, and there is a danger that he will override the Minister.

The Honorary Minister: To what officers are you referring? I do not know of any such reference in the Bill.

Hon. V. HAMERSLEY: I refer to Clause 15, which says, "or officer appointed by the Chief Protector." The Minister alone should make these appointments. There is a danger that the Minister will lose his power over the situation and may find that an officer has been appointed whom he cannot discharge. I often wish that the Chief Protector were a medical man. From time to time the police have to make visits to the districts where natives live, but none of them has any knowledge of medical treatment. The same can be said of the Chief Protector. Natives are employed on many stations but are seldom, if ever, seen by a medical officer. They may be spreading disease all the time. It would be a wise thing to have periodical visits to these places by a medical man. The fact that a native was spreading some form of disease might not be discovered until several people had been affected. It is necessary, therefore, that these inspections should be made at more frequent intervals.

The Honorary Minister: We have that done as far as possible already, and the Bill provides for an extension of the principle.

Hon. V. HAMERSLEY: I do not know that any money has yet been spent in that direction.

The Honorary Minister: Yes, it has.

Hon. V. HAMERSLEY: Station managers have told me that whilst they suspected disease here or there amongst the natives, they had not sufficient knowledge to be sure on the point, and I did not feel justified in incurring the expense of sending them to some centre for medical inspection. If a doctor were to travel around the districts where natives are, a much closer supervision could be exercised over the health of these people. A good deal is being done by the Government at Moore River Mission in the way of instruction to natives. Splendid work and service are being performed there, but I cannot help thinking it is a most unfortunate situation to choose for such an establishment. The very first time I saw the place, many years ago, I considered, and having quite recently seen it again I still consider, the country to be of a poverty-stricken nature. The Government would do well to look for some location on which the natively would be likely to become self-supporting. In my opinion, Moore River never can be self-supporting. Where so many natives are congregated they themselves would only be too delighted to do some gardening. They would be glad to plant seeds and watch them grow and thrive. They would like to see the plants coming to a quick and good growth. Thus the establishment might become self-supporting. There is no reason whatever why the aborigines should not grow all the vegetables they need, and provide their own supplies of milk and butter. Again, they ought to be able to grow sufficient sheep and cattle to furnish meat supplies for the institution. If additional natives came on the settlement, more development could be undertaken. My impression of the Moore River site is that it is miserably bleak in winter, and frightfully dry and hot in the summer—in fact, most unsuitable. I cannot conceive that on their present location the aborigines would be able to grow anything like the number of sheep and cattle required by them, or to produce their own needs in the way of vegetables. My view may be quite wrong. It may not be the department's wish that the natives should be self-supporting. But I consider that, reasonably taught and well directed, and placed on a better class of country, the natives would be enabled to earn their living away from the institution. As the result of inquiries I made during my recent visit. I do not believe that Moore River would even support

many rabbits. If the youngsters amongst the natives were put where rabbits multiply they might become expert trappers, and thus be enabled to make themselves useful in parts of Western Australia where vermin abound. We know that in various localities foxes as well as rabbits are on the increase, and the catching of these creatures is the very life of the native. In that direction the aborigines could become highly useful citizens. I do not believe that at Moore River the natives will have the opportunity of learning such things, the country being too poor to allow of even the propagation of pests. Natives are better taught on wayback stations where their abilities render them most useful, quite apart from the fact of the owners finding great difficulty in obtaining the services of men of our race. Moreover, white men lack that natural training for station life which is possessed by natives. Attention should be directed towards getting natives employed on large stations, rather than towards gathering them in centres. Restrictions are undesirable as having a tendency to scare station owners off employing natives. I feel quite sure that the reason why the new settler is reluctant to engage native labour as compared with the old settler, is that the latter was comparatively free from restrictions in that respect. I am glad to support the second reading of the Bill, hoping that various clauses will be dealt with in Committee.

HON. C. H. WITTENOOM (South-East) [6.6]: Having perused the Aborigines Act of 1905, and this Bill, together with amendments proposed, I fail to see that half-caste and native children will derive much more benefit from the passing of the Bill than they are receiving now. The giving of wide powers to the Chief Protector of Aborigines will operate largely against north-western employers. Under the Bill, the Chief Protector is empowered to take over children up to the age of 21, instead of, as at present, only up to the ages of 14 and 16.

The Honorary Minister: Nothing of the sort.

Hon. C. H. WITTENOOM: I shall deal with that aspect later. Hon. members will, I trust, give the Bill that consideration its importance merits. Personally I shall vote against the second reading, because I do not regard the measure as calculated to further the interests of either aboriginal or half-caste children or of north-western station owners. Having no property in the North-West, no personal interest of mine is involved, but I have lived in the North long enough to know that the Bill, if in its entirety it becomes law, will work great hardship to pastoralists there. At a later stage I shall deal with the treatment natives receive in the North; at this point I will merely state that the treatment by pastoralists is very good indeed and that a lot is done for their comfort and advancement. It is generally known that the price of wool of late has fallen considerably; it is now about half the figure at which the article stood some time ago, and it may not be known to all that the price of sheep has also dropped materially. Only the other day I read that in one market sheep were sold at 2s. 6d. per head. Two days ago I read that sheep and lambs were being sold for 5s. each. There we have a factor operating strongly against North-Western pastoralists. I mention these things to show that it will be hard for northern employers to sell their surplus sheep. They can sell fat sheep and wethers, but surplus sheep such as culled ewes, etc., are all but unsaleable. So the pastoralist is hit in two ways: the difficulty in selling surplus sheep, and the low price of wool. In spite of those facts, the Government propose to grant the Chief Protector of Aborigines such powers as will cause considerable financial inconvenience to pastoralists who are struggling to make their stations pay in spite of what I hope is only a temporary financial depression.

The Honorary Minister: In what way will the measure do that?

Hon. C. H. WITTENOOM: In the North, stations and industries maintain a large white population—blacksmiths, well-sinkers, cooks and so forth. In view of the large area and low carrying capacity of northern stations, in view also of the hot and somewhat trying climate, it is essential that considerable numbers of aborigines and half-castes, if they can be found, shall be made use of up there. They are accustomed to the climate, are brought up in the local conditions, and thus are eminently useful in station work. They are certainly less costly in respect of wages, which means that the northern pastoralists can employ far more of them. At the same time, aborigines and half-castes are of very little use except under the supervision of

white overseers. If the services of aborigines and half-castes are dispensed with, and over-expensive labour is employed, cattle-raising and wool-growing will cease to attract people with means, such people as are prepared to spend their own money in developing outback areas. The Bill contains no fewer than four clauses relating to the ages of natives and half-castes. I do not know that that is a highly important fact, since we may take it that the Chief Protector of Aborigines will continue to give permits as formerly. If he does not, native and half-caste boys and girls will have to be brought up in institutions where they will not have to work very much, where most of their time will be wasted in comparative idleness. Instead of spending six years, or even four years, on institutional training, a couple of years should suffice amply. The most strenuous objection is raised to proposed Section 33a, which for my part I regard as absolutely wrong and quite unnecessary. It proposes to empower the Chief Protector to run the employer into almost any cost, in spite of the Protector's not living among the natives but spending most of his time in his office in Perth—at least, I presume so. The Chief Protector of Aborigines is not a medical man, and it is contended by many pastoralists that he should be a physician, so that when he visits the blacks' camps, where diseased natives are found, he would be able to furnish a much better report on the condition of their health. Even if the Chief Protector were a doctor, however, upon the occurrence of a serious accident to an aborigine or half-caste, the humane pastoralist would not wait to communicate with the Chief Protector to be informed what to do. I am quite sure that he would do what he always has done hitherto—put his injured employee into a motor car and take him to the nearest hospital.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. WITTENOOM: Before tea I was endeavouring to point out that if a serious accident, or indeed an accident of any kind, occurs to an employee, almost invariably the employer will put the injured man into his car and take him to the nearest doctor or hospital, or if that is impracticable, will endeavour to give him the necessary treatment; and with infrequent exceptions, the employer pays the cost himself. The Minister in his opening remarks referred to two natives who were injured in a motor car accident, and declared that the employer absolutely refused to pay the costs. Of course there are exceptions to every rule, and evidently this was one of them. But, generally speaking, not only does the employer pay the costs of any accident to one of his own employees, but he will also bear the cost of injuries or illness amongst the other natives living in the creek beds near the homestead. But the pastoralists are not prepared to leave the assessment of those costs to the Chief Protector of Aborigines; for they consider that, like all matters put into the hands of Government officials, it would mean twice the cost and perhaps half the efficiency. Should the Bill reach the Committee stage—which I hope it will not—it could be so amended as to make it compulsory for the employers to provide treatment and, where necessary and practicable, medical attention; and in the case of an accident resulting in death, it could be made compulsory for the employer to pay the cost of interment. Western Australia has always looked after its natives well. Recently statistics have been given to us showing that the cost of the Aborigines Department in Western Australia is rather less than the cost of similar departments in other States; but no evidence has been submitted to show that the treatment we mete out to our natives is any worse than it is in the other States. If the Bill be passed it will probably mean that the cost of the Aborigines Department will be considerably increased. I have spent a considerable time up North. One has but to visit a station to find that the natives camped in the creek beds near the homestead, consisting of children, old women and the friends and relatives of the employees, all get assistance and help from the homestead. Of course the natives get blankets and some sustenance from the department, but these are always supplemented by the pastoralists, to whose interest it is to look after those young boys and girls in order that, later, they may take their part in the work of the stations. The natives are given holidays and, when starting on "pink-eyes," tobacco, food, sugar, tea and clothing. Generally, after two or three days, as they are found in some distant part of the station or perhaps on some other station, having a thoroughly good picnic, and probably living pretty much in the way they would have lived if the white men had never come to Aus-

tralia. As a rule they return to their work. Some visit the towns, and others reach the creeks where the pearling boats come in for water, and there, unfortunately, they contract certain diseases. This is another very strong argument why the Chief Protector should be a medical man so that he might diagnose those cases and talk about them a little in his reports. After having read the clauses of the Bill, I have not been able to make up my mind as to whether the aborigines and half-castes really come under the Workers' Compensation Act. The question was put to the Minister, and he was not able to be very definite in his reply.

The Honorary Minister: Oh yes I was. I said they did come under the Workers' Compensation Act.

Hon. G. W. Miles: Well they were never intended to come under that Act.

Hon. C. H. WITTENOOM: I am sorry that I should have misunderstood the Minister. If the natives do come under the Workers' Compensation Act, it is absolutely wrong, and I hope it can be altered.

Hon. J. Nicholson: It can be altered only by an amendment of the Workers' Compensation Act.

Hon. C. H. WITTENOOM: Large sums of money coming into the hands of the natives are of no use whatever to them. Of course they would accept money.

Hon. J. Nicholson: They could have a great corroboree with it.

Hon. C. H. WITTENOOM: Young natives, according to their tribal customs, are put to a considerable degree of torture during the progressive stages of adolescence. Members who have lived up North know of some of the cruelties inflicted upon the natives when they are approaching manhood. We can be sure that those natives, having survived those tortures, would think very little of losing a finger or a toe in exchange for a large sum of money.

Hon. J. Nicholson: We have had experience of that amongst white workers in the South-West.

Hon. C. H. WITTENOOM: Down the South-West the natives are within a stone's throw of police stations, and so they can be looked after. I think that up North also they ought to be left to the care of the station owners and the police. Under Clause 20 natives are not to marry without the consent of the Chief Protector.

Hon. J. J. Holmes: How do you like that?

Hon. C. H. WITTENOOM: It is absolutely wrong. Marriage amongst the natives and the half-castes ought to be encouraged. There should be no need to obtain the permission of the Chief Protector. If we are going to stop them from marrying, there will be intercourse without marriage.

The Honorary Minister: How can that be prevented?

Hon. C. H. WITTENOOM: What on earth is the use of seeking the permission of the Chief Protector? In Clause 21 we have a paragraph referring to a man travelling with a black woman. That requires explanation, for Mr. Baxter, referring to the droving parties, told us that those parties are pretty large and have to travel hundreds of miles, and are led by three or four white men, and that a large number of the bucks in the party insist upon taking their gins along. However, I am inclined to think Mr. Baxter put up a somewhat exaggerated case.

Hon. C. F. Baxter: I did not make that statement at all.

Hon. J. J. Holmes: No, I did.

Hon. C. H. WITTENOOM: I suppose the Minister, when replying, will explain whether the provision means that those droving parties can no longer go out, or whether it means only that a man travelling alone must not have a black woman with him. I hope the second reading will not be agreed to, for the existing Act serves all purposes.

HON. W. T. GLASHEEN (South-East) [7.42]: On first hearing Mr. Witrenoom, I made up my mind that I would vote against the second reading. I confess I am not overburdened with knowledge of the aborigines question. I have not studied the parent Act, nor have I minutely examined the Bill before us. But during the tea adjournment the Honorary Minister was kind enough to explain to me the intentions of the measure, and I am sure that when he replies to the debate, he will be able to show that instead of the pastoral industry being prejudiced by the Bill, that industry will be benefited, and that in addition the aborigines and the State also will benefit.

Hon. J. J. Holmes: Evidently the pastoralists do not know their business, while the Minister does.

Hon. W. T. GLASHEEN: All I can do is to express a few generalities regarding legislation, as it has been attempted in the

past and as it is being attempted now, to better the conditions of the aborigines and prolong their existence. I think that the day we started to be benevolent and sentimental towards the natives of the State, with a desire to perpetuate the race, that was the time when we began the work of their extermination.

Hon. G. W. Miles: We shall continue it now under this Bill.

Hon. W. T. GLASHEEN: We started to house them and we started to educate them, and it is certain that those with any knowledge at all of the question will agree that when we gave them houses to live in, the natives began to contract diseases from which we know they are now suffering, diseases that they were free from previously, and which permeated our own race. There is one aspect of the question that requires to be carefully watched and it is that of venereal disease, and the black people as a means of spreading it. Only last week I read a book entitled "Racial Decay," by an eminent medical scientist whose contention from the first leaf to the end of the book was that the disease known as syphilis had been spread more effectively by aboriginal women afflicted with it than by any other source. This author attributed to that disease the filling of our asylums to the extent of 75 per cent. He declared that of the mental diseases 75 per cent. emanated from syphilis in the blood. If it is so, that these unfortunate aboriginal women are running about the bush, and white people of a certain type cohabit with them and contract the disease, then if legislation of this kind will tighten up the position, we should assist to pass it, since it will be very much better for us all. There is a lot of mistaken benevolence associated with mission stations. It seems to me that the chief desire in regard to aborigines is Christian teaching. My opinion is that the poor native in his crude mind is not capable of assimilating the ideals, or appreciating, or even understanding in the slightest degree the ideals of Christianity as it is understood by higher mentalities.

Hon. H. Seddon: You do not apply that to every man?

Hon. W. T. GLASHEEN: I just think that the poor native, with his crude brain, is far better and happier with his own devil or "Jinky Jinky," or his own little god, whatever it may be, that has been created in his own imagination; and when we attempt to make him appreciate the higher ideals of Christianity, we are attempting to do that which will make him unhappier than he was. Glancing through the proposed amendments contained in the Bill, I notice that the first definition relates to "aboriginal." It should not be hard to give that definition. It seems to me that almost anybody can recognise a full-blooded aboriginal, and yet in another way, by actual experience, I think it is rather hard to define a full-blooded aboriginal, or a half-caste, or a three-quarter-blood. I might be permitted to mention a particular case in my own district, where a white man is married to as black an aboriginal woman as one could ever expect to see. They have 10 kiddies and I will defy anybody to tell me in that family which is a full-blooded aboriginal, which is a half-caste, or which is a three-quarter-blood. One of the kiddies is as black and as aboriginal as it is possible to look at; two or three are half-caste, and the remainder are almost as white as the father. There you have half-castes by breeding and you can examine them for the purpose of the definition and I will defy the Chief Protector, or anyone else, to say which is the aboriginal, which the half-caste and which the three-quarter-blood. That appears to me the very great difficulty in regard to the definition. If I thought for a moment that the contention of Mr. Wittenoom, that the pastoral industry would be affected because of the present-day price of wool and the price of sheep, to the extent of preventing capital being invested in station property, I would approach the question with great diffidence indeed. But I am not going to attempt to undermine the reply of the Minister, which I am sure will be very effective, and for the time being I am content to leave the matter in his hands, but I will say again that I think the attempt to Christianise the natives, and give them better conditions of living, is not conducive to the results that were anticipated by those people whose desire was to improve the lives and conditions of the natives. I have been told that at the mission stations, where the good people who conduct them are kind enough in their hearts and intentions to provide habitations for the natives and their offspring, when an attempt is made to get the natives to take possession of them, the natives will not remain in them more than a day or two. The natives prefer to be, and are happier, under their few sticks and boughs. House

them and clothe them and you reduce them to a condition that they never before experienced. Another point that strikes me is this: I believe it has happened in outback places, where Southern Europeans or other foreigners, or Afghan camel drivers, for sexual reasons or for a temporary convenience, have married aboriginal women. It is only a temporary convenience so far as the males are concerned, and having married and lived with the women for a number of years, a number of little kiddies are brought into existence, three, four or half-a-dozen, and then, when the sexual desires of these men have been satisfied, and possibly they have amassed a bit of money, they have left their temporary wives, and the offspring have been thrust upon the State. If there is anything in the Bill that will prevent that kind of thing happening, I shall doubly welcome it. I believe that is happening and I am sure it is the desire of all that such things should not be permitted to exist. I intend to support the second reading of the Bill.

HON. G. W. MILES (North) [7.52]: In my opinion the Act as it stands is all that is required. I endorse what my colleague, Mr. Holmes, said as to the way in which the natives have been treated in this State from the earliest days—they have been killed with kindness. The Bill gives to the Chief Protector too much power altogether, and as for the Minister's statement that the aborigines now come under the Workers' Compensation Act, I say that neither this House nor another place ever intended that the aborigines should come under that legislation. If the Government were fair, as the Government were when the question of indentured labour in the North came under their notice, they would proceed straight away to amend the Workers' Compensation Act so that the natives should not come under it. The Government have not been fair; they have never given us an opportunity to discuss that Act in regard to the question of the natives coming under it or even to discuss it in respect of other amendments that should be made. Personally I think that if the Bill now before us becomes an Act, the position will be serious. On the figures quoted by the Minister, Western Australia has double the number of aborigines to be found in any other State of the Commonwealth, and they are costing us, if I remember rightly, £25,000 a year for relief. It is our duty to see that they are provided for, but in the other States we find that with half the number that we have, considerably more is spent on them. The Queensland expenditure amounts to £50,000 annually, which is double the sum we are spending in looking after the natives. The effect of the Bill will be that the pastoralists will not employ the natives if the proposed restrictions are to be insisted upon.

The Honorary Minister: There are no restrictions or liabilities in the Bill.

Hon. G. W. MILES: Excuse me, there are, and I will point them out. The position will be that another tax will be imposed to provide money to keep the natives, who, to-day can be profitably employed if they are not interfered with by the Aborigines Department. I have heard of cases, and I believe they are authentic, where half-caste children have been practically torn from their mothers and taken to the missions around Perth. That is a most inhumane way to handle the natives. The black mother has just as much feeling for her child as has the white mother. That is what happens under the existing system. The children, too, feel the separation from the parents on being taken to the Moore River station. The native races are being absolutely ruined by the manner in which they are handled by the Aborigines Department, and also in a great many instances by the missions in this country. On my last tour of the North, I visited a mission and I do not think, with all the knowledge our Chief Protector claims to have, he has ever seen this particular mission. I saw the natives. In a compound, there were pigs, goats, fowls and cancerous natives. Instead of being allowed to go out into their own country and work for their living, as they should do, these natives become indolent and useless when they leave the station. It is said of one native who left a mission station, that when asked if he had been at the mission, replied, "Yes. I been there." He was asked why he did not stop there and whether he liked it. The native answered, "No, I did not like it; too much corroboree Jesus Christ, no flour."

The Honorary Minister: Do you blame the department for that?

Hon. G. W. MILES: I blame the department for the way the natives of this country are treated. The Honorary Minister, who

has been in his position for five minutes or so, claims to know more about the question than he really does. The Minister is being led by the officers of his department. I will give him credit for having gone round the country to see what he could for himself. The Honorary Minister must know that he cannot go into the whole native question by spending a little time in travelling through the country. We have a man in control of this department and we are asked to give him more power. The Protector of Aborigines wants more power than a white father has over his own children. That is what we are asked to agree to in the Bill. It is a most difficult thing to get a man suitable for the position of Chief Protector. For such a position, a man does not require to be trained as a clerk, to live all his life in the city, never having anything to do with the natives, and ignorant of native customs. Yet the Government ask Parliament to grant greater powers to a man of that description!

Hon. J. Cornell: Why cannot we do as New Zealand does and give our natives representation in Parliament?

Hon. G. W. MILES: Unfortunately our natives have not the brain capacity of the Maoris; otherwise they would not tolerate the treatment meted out to them by the department.

Hon. J. Cornell: I know a half-caste who has as much intelligence as any hon. member here.

Hon. G. W. MILES: I know there are exceptions, and under the Bill we are asked to bring half-castes under the same conditions as apply to aborigines. That may be all right up to a certain point, but it is not right in all instances. The Government ask us to agree that no aboriginal or half-caste shall marry without the permission of the Chief Protector. A white father has no power over his child once he or she reaches the age of 21 years. The father cannot say whether or not his son or daughter shall marry after arriving at that age. Yet we, as a body of sane Parliamentarians, are asked to give that power to the Chief Protector! It is absurd! It is unreasonable to ask an intelligent body of men to give any such power to one individual. Clause 2 sets out that "aboriginal" means any person being either a full-blood or not less than three-quarters blood of the aboriginal race of Australia. It also goes on to set out that the term shall include a male half-caste whose age exceeds 21 years, and who, in the opinion of the Chief Protector, is incapable of managing his own affairs and is declared by the Chief Protector to be subject to this legislation. This Chief Protector must be a superman! Perhaps he can answer the question put by Mr. Glasheen as to whether a person is half-bred or three-quarter-bred. Bless my soul, how could the Chief Protector decide such a question? I interjected to that effect when the Honorary Minister was speaking. In my opinion a good deal of money could be saved if the protectors of aborigines had a medical training. They could then look after the sick and indigent natives when going round the country, and could prescribe for their ailments. In the Northern Territory the Chief Protector is a medical man, but our Chief Protector could not lower his dignity to the extent of calling upon him! Our Chief Protector could have gained some information from that gentleman as to the methods adopted in handling the natives in the Northern Territory. That is the type of man who is controlling the department!

Hon. J. Cornell: Brass hats!

Hon. G. W. MILES: Yes. Here is another instance. I regard it as authentic, otherwise I would not refer to it. The Protector has gone along to natives who have been employed by someone. Instead of urging the natives to be loyal to their employer, he has said, "If Mr. So-and-So does not treat you right, let me know; I will see that you are fixed up." That is a nice way to educate the natives!

The Honorary Minister: Have you any justification for making that statement?

Hon. G. W. MILES: Yes, I think I have. From his own experience, the Honorary Minister knows the way the department is being handled. Regarding the clause I have referred to, we should not give the Protector power to say whether a man is half-caste or three-quarter-caste. If the Bill passes the second reading stage—I hope it will not—we should certainly deal with that clause in Committee. Paragraph (b) of Clause 2 seeks to alter the present magisterial districts to areas to be declared by proclamation as districts for the purposes of this legislation. There may be some good reason for effecting that alteration, but I do not know of it. When hon. members have referred to Clause 9, I do not think the Honorary Minister intentionally misled the House, but he interjected that it did not

mean that natives could not be employed. He told hon. members that was not the intention. Mr. Glasheen, apparently, has had a discussion with the Minister, and he tells us that the Minister will be able to convince hon. members on that point.

The Honorary Minister: I will be able to convince any reasonable member of the House.

Hon. G. W. MILES: The Honorary Minister may think so. Section 17 of the principal Act reads—

> It shall not be lawful to employ any aboriginal or a male half-caste under the age of 14 years or a female half-caste except under permit or permit and agreement.

The Honorary Minister interjected that that could not be done to-day. Is there any other section in the Act that gives the director power to say whether a native 21 years of age or 30 years of age has to get a permit before he can be employed?

The Honorary Minister: It is not a question of the aboriginal getting a permit at all.

Hon. G. W. MILES: Well, the employer, then.

The Honorary Minister: The hon. member does not understand the Act.

Hon. G. W. MILES: Will the Honorary Minister quote any such section?

The Honorary Minister: I will reply to the hon. member later on. Does the hon. member understand the terms under which aborigines are employed?

Hon. G. W. MILES: Yes, under permit.

Hon. J. J. Holmes: You cannot employ any aboriginal without a permit or a half-caste under the age of 14 years. The Bill seeks to increase that age to 21 years.

Hon. G. W. MILES: And under the Bill a half-caste will be included as an aboriginal.

The Honorary Minister: Up to the age of 21, so far as employment is concerned. That clause will not prohibit their employment. If the hon. member desires to be fair, he will admit that.

Hon. J. J. Holmes: Where is the nigger in the woodpile?

The Honorary Minister: There is none. I am surprised that hon. members who have been associated with natives for so many years do not understand the Act.

The PRESIDENT: Order! I would remind hon. members that the Honorary Minister is not under cross-examination. The proper time to ask questions will be during the Committee stage.

Hon. G. W. MILES: And this matter should receive attention at that stage. Clause 17 has been referred to. I would like to know if it is in order. The Honorary Minister says he will prove that the pastoralists will be better off under the Bill than they are under the Act as it stands. Can Parliament, by inserting a section in the Aborigines Act, evade the provisions of the Workers' Compensation Act? I do not think we can. It is all very well for the Honorary Minister to say that it will place the pastoralists in a better position; in my opinion it will do nothing of the sort. The only way we can place pastoralists in a better position with regard to the natives is to amend the Workers' Compensation Act. The Honorary Minister has been drawing a red herring across the trail. Clause 18 provides another amendment of the Act and sets out that no man shall be taken to be the father of a child upon the evidence of the mother, unless her evidence is corroborated in some material particular. How does the Honorary Minister define "some material particular?" Is it the Chief Protector who will decide the question by means of the eyes of the child and the colour of its hair, as to whether some particular man is its father?

Hon. W. T. Glasheen: The mother is the only one who knows.

Hon. G. W. MILES: It is absurd to insert such a clause in the Bill.

Hon. W. T. Glasheen: You must take the mother's word.

Hon. J. Cornell: That could apply to a white child, too.

Hon. W. T. Glasheen: It is a wise child that knows its own father!

Hon. G. W. MILES: Mr. Baxter has dealt effectively with Clause 20 which seeks to amend Section 42 of the Act. The section reads—

> No marriage of a female aboriginal with any person other than an aboriginal shall be celebrated without the permission, in writing, of the Chief Protector

The clause proposes to insert the words "or half-caste" and omit the words "other than an aboriginal." That is a nice power to give the Chief Protector. The clause would give him more power than a mother or father can exercise over a child.

Hon. J. Cornell: As much power as Mussolini has.

Hon. G. W. MILES: Yes. I need not say much more about the Bill. I have pointed out that the Chief Protector already

has more power than he knows how to use, and I suggest the best thing the House can do is to throw out the Bill on the second reading.

HON. H. STEWART (South-East) [8.16]: I do not claim to possess any extensive knowledge of the aboriginal question in Western Australia, but I have come into contact with natives to a certain extent and have seen them in contact with other people in this State. I have also seen native people in other countries where the blacks were largely predominant. I have had to do with them in British dependencies—in self-governing dominions and in places where there has been Crown colony government. In every British community steps are taken to safeguard the well-being of the native people. It is a recognised obligation of the British race to look after subordinate people. In countries where native people have come under my jurisdiction, I have had to observe the legislative requirements, especially the labour conditions. With only a sprinkling of white men to supervise the blacks, we lived in safety with our wives and children. The whites, simply by their racial characteristics and their exercise of fair and equitable treatment to the blacks, were able to ensure the safety of the womenfolk in most instances. When native people are removed from the influence of their own particular culture and moral code, their sense of responsibility is weakened, especially when it is sought to impose upon them a higher code of moral ethics that they are unable to appreciate.

Member: Their moral code is the higher of the two.

Hon. H. STEWART: It is a strict code, and when the natives are left to themselves, it is rigidly enforced. Apart from employing large numbers of natives under the supervision of a Government labour department, I have been in British Crown colonies for months at a stretch with no companions but natives, passing through the country of various tribes who had seldom seen white people. One might be quite unable to speak the language of such people, apart from the little picked up as one goes along, but it is simply by good treatment that he is able to command the loyal service necessary to achieve the purpose in view. I have no specific information regarding the aborigines of this State, but I am satisfied that, as in Africa, where the natives are protected by Government officers, and efficient service is obtained, it is obtained by men who know the natives, speak their language and understand their culture. Such men are able to hold the balance not only between the employer and the native worker, but between the proselytiser and the native—the person that seeks to educate the native and modify his culture. Our Act is based on the legislation of Victoria and Queensland. I assume, perhaps without justification, that the Honorary Minister's experience of aborigines has been acquired largely since he has controlled the department, and is based largely on information supplied by his officers.

The Honorary Minister: I have devoted attention to them for many years.

Hon. H. STEWART: I said I was merely assuming, but the Minister might tell us, when replying, something of his experience of handling, employing and working natives in this State. Adequate protection for the natives is essential to ensure that just treatment is meted out to them, but we need to be careful that such protection is based on right lines. I am wondering what can be the need for introducing the Bill at this stage. The Governor's Speech informed us that we would be asked to give consideration to the establishment of a rural bank—that has not yet come before us—a Health Act Amendment Bill, Main Roads Act Amendment Bill, Legislative Council Redistribution of Seats Bill, Mines Regulation Act Amendment Bill, Industrial Arbitration Act Amendment Bill and other matters. That was a small programme of legislation and some of the Bills have not yet reached us. Yet we have on the file 51 Bills which have been presented to us this session, 21 of which are still on the Notice Paper. If an amendment of the Aborigines Act be necessary, there would be no harm in postponing consideration of the measure till a later date. It would not be amiss to consult the legislation of South Africa, and of Kenya Colony, to ascertain whether our statute could not be framed on comprehensive lines. But for the stress occasioned by the many matters occupying our attention, one might have looked up the legislation of other countries to ascertain whether it would be applicable here. I know of no immediate need to amend the Act in the manner suggested. I feel sure that the Minister and his officers are actuated by the highest motives, from

their point of view, but the question arises whether, by a little consideration of what other countries are doing, we could not obtain better results for the protection of the aborigines of this State.

HON. H. SEDDON (North-East) [8.28]: While I do not pretend to know very much about the aborigines of Western Australia, I feel that I cannot remain silent while a Bill of this description is before us. While the Protector endeavours to see that the natives are adequately safeguarded and most pastoralists do treat their natives well the fact remains that the department have experienced the utmost difficulty in attempting to provide adequately and fairly for the protection of the aborigines. It was my privilege a little while ago to be present when the Minister visited certain portions of the State to settle a dispute that had arisen between pastoralists and the head of a certain mission station, and in the course of the discussion that took place, we could not fail to be impressed by the fact that there was a great deal of cross working that would not have occurred had the Minister been possessed of certain powers to enable him to adjudicate and take the necessary action. The pastoralists have stressed strongly the necessity for providing the natives with adequate reservations where they can be segregrated and live as nearly as possible according to their natural habits. That is one of the objects set out in the Bill. Reference has been made to the fact that pastoralists in many cases have not at all times secured the medical attention necessary for their native employees. An instance was quoted by the Honorary Minister showing that a very callous attitude had been adopted by one man towards his natives.

The Honoray Minister: There are many such cases.

Hon. H. SEDDON: No doubt. That was an example of the way in which the unfortunate people, who are at the mercy of some employers, are treated by them. No doubt those who are administering the Aborigines Act will have full regard for all these difficulties. We have every reason to feel confident in the Minister and the officers, and to believe that they will do away with as many difficulties as possible and administer the Act wisely and well. I see great necessity to increase the powers of the Protector. He should be given every opportunity to see that these unfortunate people are given protection and safeguarded in every way. They should be safeguarded because they were the original possessors of this country. The half-caste problem is a difficult one. There are very intelligent people amongst half-castes, and I have heard of cases, as Mr. Cornell pointed out, showing that they are quite up to the standard of intelligence of many white people and are quite as capable of taking care of themselves as are white people. There are other half-castes who cannot be classed on such a high scale. The Chief Protector must have power to deal with such people and see that they are not exploited. In the circumstances, I am certain the House will do well to pass the Bill.

HON. H. J. YELLAND (East) [8.33]: I do not propose to go as closely into details as other speakers have done. The Bill is essentially one for Committee where members may more particularly voice their views on the various clauses. The question was raised of the amount of money that has been spent in other States on the protection of aborigines, compared with that which has been spent in this State. Whilst a lesser amount may have been granted in Western Australia towards this object, we must not forget that the natives have a greater area to roam in here. The lesser amount may be accounted for by the fact that in this larger area the natives have a greater opportunity to live their own lives under natural conditions, than is the case in other States. In Victoria and New South Wales, for instance, practically all the land has been alienated, and there is no room for the natives to use the unalienated land so that they may live according to their natural standards. In this State they have opportunities which they cannot get in those other States, consequently the cost per head in this State is not nearly as great as it is there. From the trend of the debate it appears that we have two distinct classes of natives requiring attention. There are those in the South-West who are living under one set of conditions, and those in the North-West who are living under another set. Those in the South-West have been associated with the white population much longer than has been the case with those in the North. The result is that in the South-West we have a greater proportion of half-castes, who are giving the department a great deal of trouble because of their mode of life. The intention of the

Bill is to tighten up the definition of "aboriginal" and "half-caste" because of these difficulties. One can see good reason for this. Whilst we are trying to overcome one difficulty and to deal with those aborigines who are not living in accordance with the standard we believe to be in their best interests, there are others who will be materially injured if these amendments are made law. We shall have to deal cautiously and carefully with those clauses, which may injure a set of people who are endeavouring to live as Europeans. I met a teacher of the Education Department who had both half-caste and Australian children in the one school. Knowing this, I became interested in the work that was being done. He assured me it was possible to get just as much efficiency out of half-caste children as out of Australians. He expressed the opinion that whilst he did not like having them together, and thought they ought to be segregated, as a teacher he believed he could get results just as good from the half-caste as from the general run of young Australians.

Hon. E. H. H. Hall: Only up to a certain age.

Hon. H. J. YELLAND: I believe as they get older they have not the same inspiration to reach higher things, and to fit themselves for the future. They do not seem to have the same idea of providing for themselves that the Anglo-Saxon has. Their education does not hold to them as well as it does in the other case. We must not overlook the fact, however, that there are great possibilities for these people. It is the duty of the State to see that whatever good there is in a half-caste or an aboriginal, is brought out, and that he is given every opportunity to develop his best characteristics. This, however, does not apply to the same extent in the North-West, where the conditions are quite different, and where the natives have a greater space in which to roam and live a natural life. For that reason it seems there is a great deal to be said in favour of the Bill. Certain clauses, however, will require to be amended in Committee. The accident clause is one that should receive consideration. I should like the Honorary Minister to tell us how many applications have been made by the department for compensation under the Workers' Compensation Act on behalf of injured aborigines. Clause 9 increases the age when aborigines may be employed from 14 to 21, between which ages they cannot be employed without a permit from the Chief Protector. This clause also demands careful consideration. Clause 21 amends Section 42. Mr. Miles has already drawn attention to this. It does seem to me that it is unduly harsh. It says that no marriage of a female aboriginal with any person other than an aboriginal shall be celebrated without the permission in writing of the Chief Protector. The Act says that a female aboriginal may contract a marriage with an aboriginal without such permission. The proposed amendment, however, is unjust.

Hon. H. Stewart: It does away with their tribal laws.

Hon. H. J. YELLAND: The Chief Protector would be entitled to interfere if the marriage meant bringing into the world more of these unfortunate half-castes. If anyone is not conversant with the lot of these half-castes, I would advise him to visit the Moore River settlement and see the young people who are segregated there. He would then realise what the intermixing of blood means. It is a pitiful sight. These half-castes are not wanted by the aborigines, and are not wanted by the whites. They are outcasts.

Hon. C. F. Baxter: That is so in every country.

Hon. H. J. YELLAND: It is unjust that we should allow this sort of thing to continue. Everything possible should be done to prevent it. I believe the Bill will assist materially to overcome some of the difficulties. The clause providing for increased penalties for co-habitation with natives will, I am sure, be welcomed by the general public, and if the natives themselves understood it, I believe they too would appreciate it. It is very difficult to prevent these things, but it is necessary to make the penalty as heavy as possible in order to act as a deterrent against that sort of thing. We have only to consider Mendel's law of reproduction to realise what effect is brought about by the admixture of blood. For that reason I am going to support the Minister in connection with that clause. The whole Bill requires close attention in Committee, and I shall reserve any further criticism until we reach that stage.

On motion by the Honorary Minister, debate adjourned.

BILL—COMPANIES ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILLS (2)—FIRST READING.

1, Interpretation Act Amendment.
2, State Savings Bank Act Amendment
Received from the Assembly.

BILL—MINER'S PHTHISIS ACT AMENDMENT.

Second Reading.

Debate resumed from the 20th November.

HON. J. CORNELL (South) [8.49]: I hope that the remarks I have to make on this measure will be taken in the spirit in which they are offered. No observation of mine should be construed as a reflection on the present Government, who have been responsible for the administration of the principal Act since its proclamation. On the contrary, I desire to extend commendation to those who have administered the measure. I desire now to deal with certain provisions of the parent Act in respect of which I consider this amending Bill does not go far enough. Miner's phthisis, as we know it today, is dealt with under two statutes—the Miner's Phthisis Act and the Workers' Compensation Act. The term "miner's phthisis" occurs in both statutes. The parent Act, in essence, refers only to tuberculosis, and does not in any way embrace the predisposing causes of miner's phthisis, such as silicosis, which are, in fact, covered by the Workers' Compensation Act. In a sense this Bill amends both the Miner's Phthisis Act and the Workers' Compensation Act. It will be remembered that when this House included miner's phthisis in the Workers' Compensation Act, I protested, saying that that disease should find no place in a statute designed essentially for compensating in respect of accidents, whereas miner's phthisis is not an accident but a condition. I also referred to the attempt to deal with the subject of miner's phthisis not in the direction of compensation but in that of removing victims from the atmosphere causing the condition, so soon as the condition is ascertainable. That attempt has not yet proved successful; the end is not yet achieved. At present, a miner discovered to be suffering from tuberculosis or silicosis, plus tuberculosis, is removed from the industry. On the other hand, if he is diagnosed as having silicosis only, he remains in the industry; and he remains there subject to the Workers' Compensation Act until such time as, owing to the progress of the disease, he can work no longer. It means that he has to be carried off the job before he becomes entitled to any compensation whatever. That miner should be taken out of the industry, and compensated, as soon as the condition is detected. In that event he might, and probably would, remain a useful member of society for years. Now I wish to offer a few brief comments on the anomalies existing in the compensation of miners suffering from practically identical diseases. Under the Miner's Phthisis Act pure tuberculosis entitles to compensation. If the miner has silicosis plus tuberculosis, he is also compensated under the Miner's Phthisis Act. But he must have pure silicosis only to become entitled to compensation under the Workers' Compensation Act. What does the compensation amount to, and how many men have been withdrawn from the mining industry by reason of silicosis as opposed to silicosis plus tuberculosis? The answer to the second question is, an infinitesimally small number. And, according to figures furnished by the Honorary Minister, only about 37 cases have been compensated under the Workers' Compensation Act for pure silicosis. I contend that as we have tackled the subject, we should overhaul it thoroughly in the light of the experience that has been gained. The man who can work no more in the mining industry by reason of a condition of pure silicosis has as much right to compensation, and the same amount of compensation, as the miner who is excluded for either pure tuberculosis or silicosis plus tuberculosis. I have worked out, rather hurriedly, a table showing the basis of compensation, which I think will convince this branch of the Legislature that a complete overhaul of the position is needed. Let us compare the amounts of compensation awarded under the two Acts. Let us take the basic wage at £4 5s., and assume the miner to be dealt with under the Workers' Compensation Act. If excluded for pure silicosis, the single man draws £2 2s. 6d. weekly; the married man with two children

draws 15s. per week additional for the two children, but nothing for his wife. The weekly total in his case is £2 17s. 6d. The man excluded for pure tuberculosis, or for tuberculosis plus silicosis, on the same basic wage, draws £2 2s. 6d. weekly for himself, £1 weekly for his wife, and 17s. weekly for two children. In respect of the children, the Miner's Phthisis Act grants 1s. per week for each child more than does the Workers' Compensation Act. The weekly total of that man's drawings is £3 19s. 6d. Yet those two men, one of them drawing £2 17s. 6d. weekly while the other's weekly allowance is £3 19s. 6d., are men who can no longer work in the mining industry for practically the same reason. Now take the miner who is under the Workers' Compensation Act and drawing £2 17s. 6d. weekly for himself, wife, and two children. Over a period of a year he draws a total of £149 10s. The miner who under the Miner's Phthisis Act draws £3 19s. 6d. weekly, over a year receives £206 15s.. Spread over five years, the married miner under the Workers' Compensation Act, with two children draws £745 10s. The maximum he can draw under the Act is £750. In five years, if he lives so long while suffering from pure silicosis, he draws the whole of his compensation less £4 10s. Multiplying by 3-2/3 years, the annual compensation drawn by the miner under the Miner's Phthisis Act, we find that in that number of years he draws £758, or £13 more than the other miner draws in five years and £8 more than the maximum a man can draw under the Workers' Compensation Act. He has to live five years to draw it, and after his death his dependants will get the balance what he has not drawn.

Hon. C. B. Williams: No, they will not. The maximum is then reduced to £620.

Hon. J. CORNELL: I thought they could but I stand corrected. However, there is no limit to the amount that can be drawn under the Miner's Phthisis Act. Take a further comparison: Here we have a man and his wife, but with no children. Under the Workers' Compensation Act he would draw £2 2s. 6d. per week, getting nothing for his wife. In the course of five years he would draw £552 10s., whereas in the same period a man under the Miner's Phthisis Act with a wife would draw £812, and in ten years —if he and his wife lived ten years—he would draw under the workers' Compensation Act £1,105, whereas under the Miner's Phthisis Act he would draw £1,625. The widow of a recipient under the Miner's Phthisis Act can draw in ten years £1,040, or in 20 years £2,080. But I have pointed out that the widow of a miner with two children compensated for five years under the Third Schedule of the Workers' Compensation Act, will find that the whole of her compensation is exhausted, as Mr. Williams has pointed out, and the total amount of compensation perhaps reduced by over £100. These two illustrations serve to show an anomaly that exists to-day under the Miner's Phthisis Act and the Workers' Compensation Act in the measure of compensating for practically what is miner's disease. Now one or two more references, and I shall conclude. Take the case of a man working in a mine office and who is found to be tubercular. Any man working in the office of Boan Bros. is just as liable to contract tuberculosis as is a man in a mine office. Neither has ever worked underground, but the man in the mine office gets all the benefit of the Miner's Phthisis Act and can draw on the scale I have mentioned, without any limitation whatever. But a man working 15 years in a mine and broken down, unable to work any longer, can draw only £750. The present Government are to be commended for having endeavoured to meet the situation that presented itself by carrying through the State Insurance Department with its accident risks under the Third Schedule. When the Minister replies to the debate, I should like him to give an indication of the total amount that has been paid to the State Insurance Department to cover miners under the Third Schedule. I expect it is a fairly considerable amount, and that if placed in a fund would compensate silicotic men on a much more reasonable basis than they are compensated to-day. Eventually it would result in greater good than is achieved by endeavouring to ensure compensation under the Third Schedule of the Miner's Phthisis Act. Mr. Williams will bear me out in this, that the actual working of the Third Schedule under the Workers' Compensation Act in reference to miner's phthisis is that the afflicted man has to be carried by his mates until he is practically carried out of the mine before he can get his measure of compensation under this schedule. That is a situation that should not be tolerated, and I hope some genuine effort will be made to

amend it. When the parent Act was introduced, it was said that the country and Parliament would not stand for the cost entailed in the administration of the compensation under that Act. Experience has given the lie direct to those imputations; because, since the passing of the Act not a word of protest has been uttered in either branch of the Legislature, nor has any word of public protest been heard against the compensation paid under the Miner's Phthisis Act. I am satisfied that if that is extended, this country will cheerfully find the money for silicotic men, as it has found it for tubercular men, and there will not be any protest. I hope that something in that direction will be done. In South Africa I was told by the Secretary of the Chamber of Mines, by the Under Secretary for Mines, and by representatives of the South African Mine Workers Union that miners' diseases should not find a place in the Workers' Compensation Act. They said that if we tried it here we would find what they had found, namely, that it was not capable of sympathetic treatment and justice to those who claimed under it. They pointed out that whereas an accident was compensated and done with, this insidious disease goes on and on, and up to a certain point does not prevent a man from working, but that it does impair his health and eventually it settles him. In the interests of the men concerned and of the principle involved, I hope I shall get not only support but the information that my colleague, Mr. Williams, possesses on this very important point. If we do not think alike on any other question, at all events we do think alike on this. In the debate on the Bill I hope to be of some assistance to the Honorary Minister by endeavouring to clarify an atmosphere that in a sense may be obscured, and by endeavouring to point out to the House what the present Government or the Minister is attempting to do. In a nutshell, he is attempting to correct anomalies and inequalities existing in the Miner's Phthisis Act. I hope that spirit will lead him later to endeavour to put right injustices in the Workers' Compensation Act. The original Act was intended as a survey only; that is to say, an inspection was to be made and examinations were to take place to show how far and to what extent tuberculosis was prevalent amongst the men in our metalliferous mines. That was the full purpose of the original Act. At that time members here said, "Cornell, in any amendment you desire to move we will support you to a man, if it is going to improve the conditions of the miner, make his lot better and his future a little brighter." When I told the then Minister for Mines, Mr. Scaddan, that I was going to move amendments, he said, "It is only a survey, and if you go too hot and strong the Government will have to drop the Bill." Consequently I did not go beyond what was entirely reasonable. The original Act expressly provided that a measure of compensation should be paid only to any miner found on examination to have tuberculosis, and who was employed in a mine at the commencement of the Act. It did not apply to any miner employed in a mine prior to or after the commencement of the Act. That was the original Act. The present Government amended the Act to make it applicable to any miner, whether temporarily or permanently employed in a mine three months prior to the commencement of the Act. As the Act stands now, compensation can only be lawfully paid to any excluded miner under the Miner's Phthisis Act who was employed between the 7th June, 1925, and the 7th September, 1925. Obviously that is unfair, for it not only means that we will leave what men were employed before the 7th June, but it means that any man who came along afterwards, got his clean bill of health, went to work underground and was subsequently excluded, cannot claim under the Act. If that position is to be allowed to continue, it would be better to repeal the Act. Having put our hand to the plough we have to continue and make the Miner's Phthisis Act worth while. If I interpret the Honorary Minister aright, he says the Bill provides for the payment of compensation to any man employed in a mine after the 7th September, 1925, but not employed prior to the 7th June, 1925; that is one category; and to any man employed in a mine prior to the 7th June, 1925, and who has subsequently been re-employed after the 7th September, 1925; that is the other category; provided either or both of them are found by examination within the period of 12 months to be suffering from tuberculosis and are prohibited from further work in a mine. That is fair and reasonable, as I think every member will agree, but let us hope that the drafting will prove correct on this occasion and

that the Auditor General or the Crown Law Department will not step in and say that we have done something illegal.

Hon. C. B. Williams: No one has been refused compensation.

Hon. J. CORNELL: No; but some of the men have been compensated illegally. I should like to know from the Honorary Minister whether, if the Bill be passed, it will have retrospective effect.

Hon. C. B. Williams: There can be no need for that.

Hon. J. CORNELL: Would it not be better to give it retrospective effect so that it would apply to any miner entitled to compensation under this measure? If any miner has been denied compensation under the existing law and he can be brought under the amending measure, it is only fair and reasonable that the Bill should expressly make the necessary provision.

The Honorary Minister: We are providing for all you are asking by the amendment.

Hon. J. CORNELL: If members read the South African Miner's Phthisis Act, one of the best-drafted Acts in the world, they will find that it makes provision both ways. The past cannot be used against a man; his case is clearly provided for. If any miner has been excluded from compensation under the existing law, and he comes within the amending Bill, he should not be overlooked. Now I wish to make one or two comparisons between the Miner's Phthisis Act and the Workers' Compensation Act. I must confess that Clause 3 of the Bill leaves the position still ambiguous. When the present Government amended the Miner's Phthisis Act and brought in the measure that this Bill seeks to amend, it was thought the position had been made clear that compensation could not be drawn under the Miner's Phthisis Act if drawn under the Workers' Compensation Act. The Bill seeks further to amend those provisions. Why? Has compensation been drawn by any miner under both Acts?

Hon. C. B. Williams: I have not heard of it.

Hon. J. CORNELL: Has it been drawn under one Act when it should have been drawn under the other?

Hon. C. B. Williams: That has occurred.

Hon. J. CORNELL: We ought to ensure that every man receives his just dues and no more. The man entitled to compensation under the Miner's Phthisis Act should get what is due to him under that Act, and the man entitled to compensation under the Workers' Compensation Act should get what is due to him under that Act. Personally I do not like the proposed amendments. Mr. Williams, by his interjections, has enlightened me somewhat by stating that compensation has been drawn under one Act when it should have been drawn under the other. I am inclined to think that that might occur again. The simpler method would have been to amend the Workers' Compensation Act. The Miner's Phthisis Act is absolutely definite, and there should be no reference in it to the Workers' Compensation Act. There is no need for it. The Miner's Phthisis Act provides that any miner who on examination is found to be suffering from tuberculosis, whether he has silicosis or not, shall be excluded from further underground work and shall be paid the scale of compensation under that Act. The Workers' Compensation Act provides that a man who cannot work any longer owing to silicosis—no reference is made to tuberculosis—may claim compensation under the Third Schedule. It would clarify the position and remove all doubt if we amended the Workers' Compensation Act to provide that no man eligible for compensation under the Miner's Phthisis Act shall be eligible for compensation under the Workers' Compensation Act. A short amendment to that effect is all that is needed. Then if a man was entitled to compensation under the Miner's Phthisis Act, he could not be compensated under the Workers' Compensation Act. I wish to say a word or two on the question of including inspectors of mines in the scope of this measure. The suggestion may be belated, but I maintain that they should have been included from the outset. Though I am loth to say it, I think it is a sad commentary on the administration that their exclusion has continued for so long. Every miner must have a clean bill of health. He has to be examined at least every 12 months, and if he is found to be suffering from tuberculosis, he is precluded from working in a mine. Since the inception of that provision we have allowed mining inspectors to enter the mines, though they might not have a clean bill of health. We have never asked them to undergo medical examination; we have not the slightest knowledge whether they are suffering from tuberculosis, and yet they are going down

into the mines amongst men who are supposed to be free from tuberculosis. I understand that one mining inspector has passed away, and that without a shadow of doubt his death was due to causes directly connected with his mining work. I do not believe he was provided for under either the Workers' Compensation Act or the Miner's Phthisis Act. If he has left no dependants, I should say let it go, but if he has left dependants, I say without hesitation that they should not be handicapped through the ignorance of the legislature and its administrators.

Hon. E. H. Harris: As a Government employee would not he be insured under the Workers' Compensation Act?

Hon. J. CORNELL: If the death certificate reveals that he died from tuberculosis, it would be only just to include his widow in the category of widows of miners who have fallen by the way. It is our fault and not his fault that he was not included in the scope of the Act, and we should do the right thing by rectifying the omission. No member would object to that course being adopted. There is one last point with which I wish to deal. I have no fault to find with the scale of compensation paid under the Miner's Phthisis Act. In some respects it compares favourably with the scale paid under the South African Act, but in others it does not. The limit that can be drawn under our Act is the basic wage, whereas under the South African Act compensation is based on the miner's monthly earnings over a given period. If he was earning £40 a month, he is compensated accordingly; if he was earning £60 a month, the compensation would be proportionately higher. Under our Act if a miner was earning £7 or £8 a week, his compensation would be calculated on the basic wage. However, I believe the men themselves are satisfied. There is this difference between the South African law and ours that here the taxpayers of the State carry the burden of compensation, whereas in South Africa the mining companies bear the load. I hope the present Government will agree to an amendment to make the scale of compensation statutory. There has not been a tittle of suspicion or criticism levelled against the scale by any member of Parliament or by any individual in the community, and I ask the Honorary Minister to accept an amendment providing that the scale of compensation shall be fixed by regulation. If the present scale were embodied in a regulation it would be safe for all time, regardless of which party might be in office. I am positive that if such a regulation were tabled, no attempt would be made to disallow it, and once it had remained on the Table without being objected to, it would have the full effect of law. If any member then attempted to secure an alteration, Parliament itself would be able to take action. If there should be a change of Government in March next——

Hon. C. B. Williams: That is not likely.

Hon. J. CORNELL: Mr. Bruce did not think it would be likely, either.

Hon. C. B. Williams: A lot of people insured their lives in anticipation of it.

Hon. J. CORNELL: If there was a change of Government and the scale had been embodied in a regulation, it could not be altered without the consent of Parliament, but under existing conditions the scale could be altered without Parliament being consulted. In the light of experience and in view of the absence of criticism, that course should be adopted. All said and done, what valid objection is there to that being done? The Workers' Compensation Act sets out what rate of pay shall be paid to the silicotic miner. If that law says that of one sort of miner, the Miner's Phthisis Act ought to say that of another sort. There should be no loophole for any impecunious Treasurer to cancel the arrangement. I commend the Bill to members. It rectifies anomalies, and extends justice where justice is needed. The only regret I have is that it does not go further, and place silicotic men on the same basis as those suffering from tuberculosis.

HON. C. B. WILLIAMS (South) [9.31]: I welcome this amending Bill. Although the Government have not rejected the claims of any man who has been turned down with a combination of miner's phthisis and tuberculosis, I do think there has been some delay in settling claims because the Act does not specifically mention such cases. There have been men who have suffered from complaints and have first been brought under the Workers' Compensation Act. The rate under that Act was ridiculous, but later on justice was meted out under the Miner's Phthisis Act. I agree with most of the remarks of Mr. Cornell, especially when he referred to the difference in payments to men suffering from miner's complaint and those suffering from tubercu-

losis. The man who is working underground in a mine must be practically at death's door before those responsible for removing him from that occupation actually do so. If he contracts tuberculosis he goes out after the next examination. That is why I say the State is not getting a fair deal under the present method. As Mr. Cornell suggested, the whole concern should be amalgamated and everyone suffering from these complaints should be treated on the same basis. The money that would be saved could go to the general fund and be devoted to those men who were taken out of the mines. That would be much cheaper in the long run. The man who is suffering from miner's complaint has to continue at work, notwithstanding that there is an Act which would allow him compensation. The doctors have to state that he is 100 per cent. suffering from dust and is incapable of continuing his occupation as a miner.

Hon. J. Cornell: As any worker.

Hon. C. B. WILLIAMS: They may declare that he is a 20 per cent. or a 50 per cent. man. The result is the worker goes along until the next annual examination, by which time he is found to be suffering from tuberculosis. The Government then have to foot the bill, which may run into thousands of pounds per case. They are entitled to every credit for having given these men such a fair deal. I expect Parliament as a whole will endorse their action. Clause 4 deals with inspectors and workmen's inspectors. I intend to move an amendment to enlarge its scope. There is a class of man employed by the Government that does not come under the Act. Any employee working in State batteries or associated with the Mines Department is not recognised. Some of these men are employed in the same capacity as inspectors. Many of them have worked for the Government for 20 years. Surely they are entitled to come in for the benefits of the Act, just as are men working for private companies. The Government find the money for those employed by private companies but do not bring their own servants under the Act.

Hon. J. Cornell: They are as much entitled to compensation as men working on the batteries of private companies.

Hon. C. B. WILLIAMS: Yes. I intend to move an amendment to bring those employees of the Government into line with others.

Hon. J. R. Brown: Perhaps it is thought there is no dust in a Government battery.

Hon. C. B. WILLIAMS: Men who are employed in a battery are just as likely to contract tuberculosis as are those employed underground. Many of those turned out of the industry were surface men. Mr. Cornell referred to the difference in the payments allotted in the schedule. For single men the payments are the same. Single men coming under the Third Schedule can get a lump settlement whereas the other men cannot get more than £2 3s. a week so long as they live. If a man lives long enough of course, he is in a better position than the other fellow. No fault has been found with the payment. When the Act was brought into force the Government advised certain men to leave the industry. Hundreds took that advice and either went to work at Esperance or took up land at Southern Cross. After 12 months some of those men returned to the industry. They had to undergo examination, when they were found to be suffering from T.B. Very generously, however, the Government brought them under the Act. Afterwards still more men came back and were found to be suffering from T.B. A line had to be drawn somewhere to mark the liability of the Government. A bargain was struck with the union that was looking after these cases to make the Act retrospective for 15 months, on the assurance of the union that this would cover most of the men who had been advised to retire from the mining industry. I believe that only one man did not receive the benefit of that concession, because he came back 17 months afterwards. The others, however, received the relief promised. I agree with Mr. Cornell that it would be better if the Government brought down some regulations to make these payments statutory. When the Act was mentioned in another place and I was in Kalgoorlie, I received a deputation from these men, who were very worried about what the Government intended to do They thought the payments might be reduced for them and their families. I assured them that nothing of the kind was intended, and that it was only designed to remedy certain defects under the Act. This satisfied the men. It would, however, be more satisfactory for them to know that the payments were being regulated by law, and could not afterwards be altered except by vote of Parliament. I do not think any Govern-

ment would attempt to lower the scale of compensation paid to these unfortunate men who have given their lives to the industry, and who were guaranteed when they were turned down that they would receive certain financial aid.

Hon. J. Cornell: It is necessary to remove the element of uncertainty.

Hon. C. B. WILLIAMS: Probably out of the 130 who were recently turned down, not one of them will live for more than three years. The men would be more content if they knew that their wives and families would be provided for when they had gone. They would know then that their allowances were not at the mercy of any body of politicians who might choose to alter the position if they had the necessary majority to do it. I congratulate the Government upon th attention they have given to T.B. men in the mines.

HON. E. H. HARRIS (North-East) [9.40]: We have been assured by the Honorary Minister that this Bill has been brought down because of the defects in the Act of 1925. The parent Act was brought down by Mr. Scaddan in 1923 to lay the foundation of a scheme whereby greater benefits might accrue to those men who were working underground. It provided for medical examination according to most modern methods, to determine the physical condition of the men employed and ascertain those who were suffering from T.B.

Hon. C. B. Williams: They were not examined under Mr. Scaddan's Bill.

Hon. E. H. HARRIS: It was brought down for that purpose. The Act could not be proclaimed until the Commonwealth laboratory had been built. It did not, therefore come into force until the 7th September, 1925. Whether it be workers' compensation, compensation under the Miner's Phthisis Act, or payment from the Mine Workers' Relief Fund, it is of extreme importance to those afflicted with the dread disease of miner's complaint, and indeed to all those engaged in the industry, and associated with the risks attendant upon that occupation, to know where they stand. I have closely followed the speeches of the Minister for Mines and the Honorary Minister. Those who are not acquainted with the terms of the Miner's Phthisis Act and the Workers' Compensation Act may look upon the situation as somewhat complicated. Any contribution I may make to the debate will have the first object of acquainting members who may not understand the position with certain facts appertaining to it, and the second object of examining the statements of the Minister for Mines and of the Honorary Minister as to the interpretation to be placed on sections that we are asked to repeal and as to the meaning of the clauses from the practical point of view. It may be of advantage if I deal with the matter in two parts. The parent Act refers to "any person employed in or about a mine at the commencement of this Act." This was proclaimed on the 7th September, 1925. The amending Act of 1925 made it retrospective for three months. It would appear that the Auditor General drew attention to this matter and was supported by the Crown Solicitor in his contention that the payments were not in order. This meant that no person could legally be compensated after the 7th June, 1925.

Hon. J. Cornell: Before the 7th June.

Hon. E. H. HARRIS: No, after that date. The matter referred to by the hon. member as occurring prior to that date was rectified by the amendment of 1925.

Hon. J. Cornell: That brought them back to the 7th June.

Hon. E. H. HARRIS: The absence of a measure to validate those illegal payments is not due, I suppose, to the fact of the State Insurance Office having been illegally constituted.

Hon. H. Stewart: It is an unregistered institution.

Hon. E. H. HARRIS: Is that the reason why we have not a Bill to validate the illegal payments totalling £104,000 mentioned by the Auditor General? The present Bill is put up as a rectification of the flaw detected in the parent Act and in the 1925 amendment Act.

Hon. J. Cornell: There is no flaw in either Act.

Hon. E. H. HARRIS: The Auditor General said the payments were not legal.

Hon. J. Cornell: There were misreadings of the Acts.

Hon. E. H. HARRIS: The Auditor General's reading has been endorsed as correct by the Solicitor General. If the hon. member desires to argue that that view is not correct, there will be an opportunity in Committee. The Workers' Compensation Act Amendment Act of 1924 provided for compensating under the Third Schedule employees afflicted with industrial diseases,

which included miner's complaint. A more appropriate title for the Miner's Phthisis Act, since we have provided for compensating those men, would be the "Miner's Tuberculosis Act." The Workers' Compensation Act, since the proclamation of the Third Schedule, has provided for the men in question to be compensated under that Act. I may mention that compensation under the Workers' Compensation Act was paid to men on the goldfields at the office of the Department of Mines. In order that those men, some of whom have difficulty in getting to the office once a fortnight to receive their pay —incidentally they have to struggle up a staircase comprising 40 steps—may be convenienced, I would point out that the local representative of the State Insurance Department has an office in the same building as the Mine Workers' Relief Fund. If the Government can arrange for payments now made by the Mines Department to be made henceforth at the office of the Mine Workers' Relief Fund, which is also the office of the State Insurance Department, it will be highly appreciated by the men who unfortunately have to collect those payments.

The Honorary Minister: Why associate the State Insurance Office with the payment of compensation under this Act?

Hon. E. H. HARRIS: Why do the Government have the State Insurance Office administering, through the Mine Workers' Relief Fund, the Miner's Phthisis Act?

Hon J. Cornell: The best way would be to pay those men through the State Savings Bank.

Hon. E. H. HARRIS: There may be a better way, but I am suggesting that the Government could assist the afflicted men by making payments at a more convenient place.

The Honorary Minister: I am not objecting to that at all, but I am objecting to your reference to the State Insurance Office in this connection.

Hon. E. H. HARRIS: The officer in question keeps the register from which the Miner's Phthisis Act is administered. Everyone who applies for compensation under the Workers' Compensation Act is referred to him. That is why I say his office would be a suitable place for making the payments.

The Honorary Minister: I do not object to that, but I disagree with that part of your statement which is to the effect that the State Insurance Office pays the compensation under this Act.

Hon. E. H. HARRIS: I shall presently show that under the Workers' Compensation Act the State Insurance Office has paid 27 men, and under the Miner's Phthisis Act 336 men. Mr. Scaddan's parent Act provided that a man who was turned out should be compensated until the Government had found suitable employment for him. As we progressed, it was discovered that an injustice was being done to these men, because once the Government found them what was considered by the medical men to be suitable work, their responsibility in that respect ceased, even if a man was subsequently found to be physically incapable of doing the work which the Government had provided for him. The substitution of "unless" for "until" was understood to mean that the man was protected unless the Government found suitable employment for him from time to time. Realising the injustice, Parliament passed the amendment Act of 1925 with the necessary provisions. In reply to Mr. Williams's interjection, the amendment Act further provided that when a man was alleged to be unable to work in any suitable employment, he being permanently incapacitated, his compensation should be on a scale not less than that under the Mine Workers' Relief Fund.

Hon. C. B. Williams: That is not in the Scaddan Act.

Hon. E. H. HARRIS: No.

Hon. C. B. Williams: But that is what you are trying to infer.

Hon. E. H. HARRIS: I do not know that it is necessary to relate the history of the section mentioned by Mr. Cornell, because Mr. Williams took an active part when we contrived to obtain a higher scale. Mr. Cornell pointed out the anomalies which exist, and which I believe were not realised at the time. Taking the case of the man afflicted and coming under the Workers' Compensation Act, and likewise the case of a man afflicted and coming under the Miner's Phthisis Act, one readily perceives anomalies existing in the payments made. District and workmen's inspectors work for the Government, and will be entitled to the benefits of the Workers' Compensation Act, as Government employees. I intimated by interjection that they were thus protected. However, I do not see why they should not come under the Miner's Phthisis Act if suf-

fering from industrial disease. Section 9, Subsection 2, of the Miner's Phthisis Act provides—

> Any person whose employment is prohibited as aforesaid, and whose name is registered with the Mine Workers' Relief Fund, Incorporated, shall have the right to receive from the Department of Mines compensation, equal to the ruling rate of pay in the district in which he was employed at the time of such prohibition, and for the class of work he was engaged in . . . . .

I quote that because I want to know whether the workmen's inspector, who receives one rate of pay, and the district inspector, who is a Government official and receives another rate of pay, on being rejected under the Miner's Phthisis Act would receive rates of pay equivalent to the scale provided by the Court of Arbitration or receive some other ruling rate of pay in the district for that class of work.

Hon. C. B. Williams: A maximum is fixed.

Hon. E. H. HARRIS: I want to know from the Minister, when replying, whether those Government officials are entitled to some payment under a superannuation fund; I understand they are. So long as this Bill does not interfere with payments they can legitimately claim in that respect, I think it only right and just that they should have the same privileges extended to them. I fully endorse the principle of the amendments up to that stage. As regards the remaining part, which refers to what we are asked to repeal, we are assured by paragraphs (c) and (d) of Section 2 of the Troy amendment Act of 1925 that the Governor can overcome the Auditor General's objection. The Auditor General's report, on page 45, says amongst other things—

> Sections 4 (c) and (d) of the amending Act of 1925 provide that any person whose name is registered, or his dependants in the case of his death, shall not have any right to compensation under the Act if he becomes entitled to receive compensation under Section 7 of the Workers' Compensation Act.

Following on that report, the question was submitted to the Crown Law Department, who support the interpretation of the Auditor General. Let me briefly say that compensation of persons afflicted with tuberculosis only, or with phthisis plus tuberculosis, was paid under the Miner's Phthisis Act. Persons afflicted with early phthisis were advised in writing by the Minister that in their own interest they should leave the industry. Furthermore, when a man acted on the advice given and went out of the industry for 12 months he lost his right to compensation. If a man who is afflicted remains in the industry—and he must do so if he wants to retain his right to compensation—he must hang on until he is in a worse state than when he was advised to leave the industry. He is practically exhausted then, and falls down on the job, whereupon he can claim compensation under the Workers' Compensation Act or the Miner's Phthisis Act. Those afflicted with advanced phthisis have practically to wait until they break down, when they can make their application. As regards active work they are out of the question. Mr. Troy, when Minister for Mines, introduced his 1925 Bill by saying—

> If tuberculosis supervenes on any miner's disease, then the worker will have a claim under the Workers' Compensation Act. In the Bill it is provided that if that person comes within the scope of the Workers' Compensation Act, and is entitled to compensation because of tuberculosis supervening upon miner's phthisis, he will not come within the scope of the Miner's Phthisis Act as well as of the Workers' Compensation Act.

He made it clear that, in his opinon, the man could not claim under the two Acts. He further said—

> If he comes under the Workers' Compensation Act, he will be exempt from the operations of the Miner's Phthisis Act. As it is possible a number of men will come under the Workers' Compensation Act, because tuberculosis has supervened on miner's complaint, we do not think such cases should be provided for in both measures.

My reason for quoting Mr. Troy's statement is that when the Bill was before another place, a question was asked as to whether an afflicted person could claim under both Acts. According to a report that appeared in the Press, the Minister for Mines said that men could not come under both Acts, and they would have to accept one or the other. From that remark of the present Minister, I should say he intended it to be optional whether a man came under the Miner's Phthisis Act or under the Workers' Compensation Act. Personally I do not think it is optional, judging from the wording of the measure, but I would like to know from the Minister how he views that point. The Minister subsequently stated that a man could not draw compensation under both Acts, but when the question was put to him

that he had said that a man could have his choice, the Minister replied in the negative and indicated that the man could not have that choice. I do not know whether that was a misprint in the paper or whether that is what the Minister actually said. We must have a definite assurance as to which Act will apply, if only one, and also as to whether an afflicted person will be entitled to compensation under both Acts. We must have that information in unmistakable language, and thus get a clear indication of the Act under which a man may claim compensation. I am prompted to ask that because, during last week, I asked the Chief Secretary certain questions and hon. members will find my questions and the replies furnished by the Honorary Minister, in the minutes of the proceedings of this House on Wednesday, the 13th November, to which I shall refer to presently. In the Miner's Phthisis Act Amendment Act of 1925, paragraph (4c) of Subsection 2 of Section 2—I want hon. members and the Honorary Minister in particular to make a note of this point—reads—

> A person whose name is registered shall not have any right to compensation under this section, if such person is or becomes entitled to receive compensation under Section 7 of the Workers' Compensation Act, 1912-1924.

We are asked to repeal that provision and to substitute the following:—

> (4c.) Any compensation payable to any person under this section shall cease to be payable if such person is in receipt of compensation under Section 7 of the Workers' Compensation Act, 1912-1924.

When we boil down these two paragraphs to ascertain the difference between what was inserted in 1925, which we are now asked to repeal, and what we are asked to insert in lieu, we arrive at this point: The Troy amending Act means, "if a man is in receipt or becomes entitled to," whereas the amendment we are asked to substitute for that refers to "a person in receipt of." I submit there is a vast difference in the language and meaning of the paragraph we are asked to delete and that which we are to insert. If a man had received compensation under the Workers' Compensation Act, or has received payments in part, he may have received some payments and may then ask for a lump sum settlement. He could not then, in the terms of the paragraph I have quoted, be said to be in receipt of payments. Obviously he would have "received," and would not be then "in receipt of," such payments. That leads to the point which involves an interpretation upon the terms "becomes entitled to" and "is in receipt of" certain payments. I submit that the difference is that under one section a person can receive payments or a lump sum under the Workers' Compensation Act and as he was not then "entitled to receive," seeing that he had already been paid, he could claim under the Workers' Compensation Act.

Hon. C. B. Williams: No.

Hon. E. H. HARRIS: Well, I want an assurance that the interpretation the hon. member places on it is correct. My reason for requiring that assurance is that I asked a question to find out how many men had been excluded from the mining industry under Section 8, Subsection 1, of the Miner's Phthisis Act 1922, (a) prior to the 31st December, 1925—the answer to that was: Nil—and (b) since the 1st January, 1926—the answer to that was: 339. That means to say that 339 men have been compensated under the Miner's Phthisis Act. Then I asked how many of those excluded men had received compensation under the Miner's Phthisis Act, 1922-25, and the reply I received was that 336 men had received that compensation. I also asked how many of those excluded men had received compensation under the Workers' Compensation Act, and I was told that only three had received such compensation. Then I asked a further question, as follows:—

> How many persons have been, or are receiving compensation under Subsections (4c) and (4d) of Section 9 of the Miner's Phthisis Act, 1925?

The reply I received to that question was that 195 men had received that compensation. I would point out that that is the subsection we are asked to repeal. My fifth question was asked as follows—

> How many persons have received compensation under Section 7 of the Workers' Compensation Act,

To that I received the reply: 37, for miner's phthisis. The Third Schedule of the Workers' Compensation Act came into compulsory operation on the 15th February, 1926, and, in accordance with the answers given to my questions, we find that only 37 men who had been ordered out of the mining industry, had come under the provisions of that Act. If

we are to understand that men cannot claim compensation under the Miner's Phthisis Act unless they are afflicted with tuberculosis, then the figures do not seem to fit. I cannot reconcile the figures I have quoted with the provisions of the Act as it stands, and as we are asked to amend it. I would again draw hon. members' attention to the wording of paragraph (4c) of Section 2 of the Miner's Phthisis Act Amendment Act, of 1925.

Hon. C. B. Williams: That is not very logical, when you read it.

Hon. E. H. HARRIS: No, but I want to know why the Minister in another place made the remarks I have indicated. The Minister did not explain where the paragraph was defective or why it should be repealed.

Hon. C. B. Williams: Immediately the man gets tuberculosis, he is out and goes to hospital.

Hon. E. H. HARRIS: At any rate, I want some explanation. It appears to me from the Auditor General's report that he showed the major part of the compensation was being paid under the Miner's Phthisis Act and not, as we legislated for in 1925, under the Workers' Compensation Act. Is that the reason why we are asked to repeal what was put up? Are we asked to repeal that because it provided that they should come under the Workers' Compensation Act, whereas they have been paid under the Miner's Phthisis Act?

Hon. C. B. Williams: They could not come under the Workers' Compensation Act very well.

Hon. E. H. HARRIS: I am beginning to wonder under which Act they do come, after the answers given to me and after reading the Auditor General's report.

Hon. C. B. Williams interjected.

Hon. E. H. HARRIS: There is nothing in either Act that says anything about a man's age. Whatever age he may be, if rejected he is taken out and entitled to compensation under the Miner's Phthisis Act.

Hon. C. B. Williams: That Act takes precedence over the Workers' Compensation Act.

Hon. E. H. HARRIS: If the Minister can give us a satisfactory explanation it will be all right, but it is very difficult to reconcile these figures. I want the Minister to tell us whether the Auditor General was not satisfied with the payments being made in accordance with the section we are asked to delete. Will he tell us whether the Auditor General is satisfied that the proposed legislation is going to make the position any clearer than it was before he lodged his objection? That, in my opinion, is a matter that should be clarified, and particularly before we reach the Committee stage. The Minister, when replying can tell us that, and give us an indication as to what the nature of the clause really is. When this scale was fixed by the Government at the request of the A.W.U., it was not confirmed by an Act of Parliament, it was simply an administrative act. Since the day that came into operation, goldfields representatives from time to time have drawn attention to the fact that the men receiving these payments, which are very necessary, are receiving them at the will of the Treasurer. We are desirous that the Government should provide by Act of Parliament that the rates now being paid shall continue. That is what prompted me to ask the question the other day, getting the full details of the scale. I should like the Minister, when replying to the debate, to give us an assurance that he will submit an amendment to the Bill before us, which will provide that the existing scale of payments under the Miner's Phthisis Act shall be fixed by regulation. The sufferers would then have some guarantee of continuity of payment, an assurance that it could not be taken from them unless a Bill for the purpose were introduced into Parliament. Because if the scale of payments to the sufferers were put up in the form of a regulation and laid on the Table of the House, those sufferers would have some guarantee of continuity of payment, and so there would be a greater degree of satisfaction amongst the recipients. I will support the second reading.

HON. H. STEWART (South-East) [10.15]: The House is very much indebted to the various speakers who have elucidated this complex question. On previous occasions it has devolved upon the Council to try to clarify the position set up by the payment of compensation to those suffering as the result of following the vocation of mining. At the same time, it is for Parliament to see that compensation is awarded as intended by Parliament, that no opportunity exists for awarding compensation to cases that really have not arisen as the result of the avocation of mining. If we take into account some of the illustrations given,

we see that the disease might be contracted by somebody clerically employed in a mine office, somebody who has never been underground, and who is never working in more dust than is to be found in shops or hotels in a mining town. If such a person contracts tuberculosis, it is not contracted by reason of the avocation of the victim. In those cases the Act does not provide full protection to the general taxpayer. That is one of the things that support the contention of Mr. Cornell that we made a start with this legislation in a way that did not adequately deal with the position, and that the paying of compensation under the Workers' Compensation Act and under the Miner's Phthisis Act calls for a review of the position in respect of silicosis and tuberculosis resulting from the following of mining as an avocation. The original Miner's Phthisis Act sought to deal with people engaged in the industry at that time and suffering from tuberculosis, and to prevent other people, not having a clean bill of health, from working in the mines. Examinations were to be made regularly, and miners found to be suffering from tuberculosis were to receive compensation. Subsequently an amendment was brought forward altering the position and including those people who had been in the industry within three months of the date of the commencement of the Act. Now this Bill seeks to extend that position to a degree which I very much question is fair to the general taxpayer. It is proposed to add these words—

> . . . . engaged in mining operations within the meaning of those words in Section 8 of the principal Act,, if he was so engaged at any time within 12 months next preceding his examination on which the report to the Minister under that section is or may have been based.

Hon. E. H. Harris: The whole thing would break down.

Hon H. STEWART: Does the hon. member mean that the desire of the Govern ment through the Bill to validate the payments that have been made will break down?

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

Hon. C. B. Williams: It is mandatory only after the 6th September, 1925.

Hon. E. H. Harris: Nobody coming into the industry from now on would be able to get anything if that were put in.

Hon. H. STEWART: The import of the clause should be clearly understood.

Hon. J. Cornell: A man who started work on the 7th September would not be able to get compensation.

Hon. H. STEWART: Mr. Harris referred to page 45 of the Auditor General's report. I wish to quote some remarks from page 44, as follows:—

> A recent test of the files in respect to compensation paid and certified as coming under Section 9 (2) of the Miner's Phthisis Act discloses that the department has taken the Act to apply not only to persons employed on in or about a mine at the commencement of the Act or within three months prior thereto, who were at the time of examination employed on, in or about a mine, but also to persons (1) who entered the industry after the commencement of the Act; (2) who were not employed on, in or about a mine when examined; and (3) who re-entered the industry after the commencement of the Act, and who were not engaged on, in or about a mine at the commencement of the Act or three months prior thereto. Those coming under (2) were persons who had been previously engaged on a mine, and had been absent from the industry generally for periods not exceeding 12 months.

A man should be clean when he goes into a mine. If he contracts the disease he should be compensated, provided the disease is contracted in the course of his employment. This would mean that the man was living under hygienic conditions and not picking up the disease through living with other people suffering from it. Otherwise the industry would be unfairly penalised.

Hon. E. H. Harris: Do not forget that we have to provide for the men going into the industry.

Hon. H. STEWART: If the men referred to by the Auditor General under No. 3 were suffering from tuberculosis or silicosis to the extent of being entitled to compensation, they should not have been allowed to return to the mines.

Hon. C. B. Williams: They have to pass an A1 examination before they can return to the mines.

Hon H. STEWART: There is another point regarding Clause 3 (2). The mere fact of the Government having brought down the amending Bill is proof that something more definite is necessary than the Troy amendment. Subsections (4c) and (4d) are being deleted, but it seems to me that something more is required than the subsections proposed to be substituted. The proposed new Subsection (4c) reads—

> Any compensation payable to any person under this section shall cease to be payable

if such person is in receipt of compensation under Section 7 of the Workers' Compensation Act, 1912-1924.

I want a very good reason why it should not read, "if such person is or has been in receipt of compensation under Section 7 of the Workers' Compensation Act." Similarly, with the proposed new subsection (4d), because, looking at it from the point of view of the general taxpayer, or whoever is going to foot the bill, it seems hardly a fair proposition to permit a person to receive compensation in a lump sum under the Workers' Compensation Act and, at a subsequent period, to return to the mines and obtain compensation under the Miner's Phthisis Act.

Hon. C. B. Williams: Such a man could never get back into the mines again.

Hon. H. STEWART: We ought to be satisfied on that point. That is an additional reason for my supporting the view expressed by Mr. Cornell—a view that I believe is held by other members—that the time is overdue for bringing together in one Act the relief and compensation provided for miners. Silicosis should be removed from Section 7 of the Workers' Compensation Act and everything in the way of compensation to miners brought under the Miner's Phthisis Act, whether it be compensation for silicosis or tuberculosis, or a combination of both.

On motion by Hon. H. Seddon, debate adjourned.

BILL — ROMAN CATHOLIC NEW NORCIA CHURCH PROPERTY.

Received from the Assembly and read a first time.

BILL—FORESTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [10.28] in moving the second reading said: A Bill similar to this was introduced last year. The results in connection with the regeneration of sandalwood on reserved areas in the Eastern Goldfields do not warrant any immediate increase in the limited programme of sowing and protection wrok which has been maintained for the past few years. The position with regard to expenditure under the Sandalwood Trust Fund created by the previous Act, of which this Bill is an annual continuation, is shown in the following statement:—

Revenue and Expenditure for period 1st July, 1924-30th June, 1929.

Year.	Revenue. £	Expenditure. £
1924-25 ..	5,000	1,648
1925-26 ..	5,000	3,269
1926-27 ..	5,000	3,353
1927-28 ..	5,000	4,613
1928-29 ..	5,000	2,826
	£25,000	£15,709
Excess of revenue over expenditure		9,291
Miscellaneous refunds ..		16
Balance of fund at 30-6-29		£9,307
Estimated expenditure for current year ..		£3,500
Estimated revenue from sandalwood for current year		£40,400

From this members will be able to note that the balance in the fund at the 30th June last was £9,307, while the estimated expenditure for the current year is £3,500. In view of the balance already existing in the sandalwood reforestation fund, the Government have omitted from the Bill before the House the clause which in previous years has provided that £5,000, or one-tenth of the revenue from sandalwood, should be placed to the credit of the fund. I move—

That the Bill be now read a second time.

On motion by Hon. H. Stewart, debate adjourned.

BILL—RESERVES (No. 2).

Second Reading.

THE HONORARY MINISTER (Hon W. H. Kitson—West) [10.33] in moving the second reading said: This Bill deals with one or two proposals requiring Parliamentary approval for the excise of small portions from certain reserves. The first proposal deals with the elimination of small areas from the King's Park and Observatory Reserves, which are both Class "A," with the object of providing for the circus at the entrance of the King's Park and the widen

ing of King's Park-road from the entrance to Thomas-street. Members will be aware of the fact that much work has already been done in connection with these ideas. The different interested parties, such as the Council, the King's Park Board and the departments concerned, have all agreed. Action was taken under the Permanent Reserves Act, which it was considered gave the necessary power to amend Class "A" reserves for the purpose of providing roads, so long as not more than one-twentieth of the area of any such reserve was taken for the purpose. There seems to be an element of doubt as to whether the Permanent Reserves Act gives the necessary power, and in order to remove the doubt, the matter is now included in this Bill. The second proposal in the Bill is a small matter of the Quairading Road Board being granted the power to sell the land on which the present hall is erected, in order that they may apply the proceeds to the construction of other buildings on a more suitable site. There is no objection to this. The final clause of the Bill deals with land at Geraldton held by the Druids. Portion of the land contains two cottages, and the society is anxious to sell these cottages and devote the proceeds to the improvement and enlargement of the hall on the remaining portion of the land. When the land is surrendered to the Crown, it will be sold under the ordinary provisions of the Land Act, subject to the value of the improvements, and the value of the improvements only will be handed over to the society. Members will thus see that the Crown is not giving the Druids the privilege of handling the value of the land which was a gift from the Crown, and which on that account the society should not have the right of selling. There is no departmental objection, and I am advised that the local council have also approved. The plans which I laid on the Table will explain in detail the proposals. I move—

That the Bill be now read a second time

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—ALSATIAN DOG.

Second Reading.

HON. V. HAMERSLEY (East) [10.44] in moving the second reading said: In a sense I regret that I have to bring this Bill before the House, for I had hoped it would have been a Government measure. The importance of this legislation has been recognised by all agriculturists and pastoralists not only in this State but throughout the Commonwealth. They have been very concerned about the introduction of Alsatians into Australia and have already had experience of them. They are of opinion that it is not desirable to continue the breed or to encourage it. Various appeals have therefore been made to different Governments, and to the Federal Governments. Practically all the Australian Governments have been appealed to for legislation to deal with the Alsatian dog. In addition, specially strong appeals have been addressed to the Federal Government, with the result that the Commonwealth Parliament did pass a measure forbidding importation of Alsatians for five years. The Pastoralists Association of Australia, the Graziers' Association, and federated bodies representing rural interests have protested strongly to the Federal Government that a five years' ban does not afford sufficient protection to Australian flocks and herds. An undertaking has been given by the Ministers of Agriculture of the various States to introduce legislation on similar lines, and also to support any action of the Federal Government towards absolutely prohibiting the further introduction of Alsatians and, in addition, to compel the sterilisation of Alsatians already in Australia. It is with that object the Bill is brought forward. Though the measure may strike some hon. members as rather drastic, it merely meets requirements. I sincerely hope the Chamber will pass the Bill. The contention has been advanced that there is a strong wolf strain in Alsatians.

Hon. E. H. Gray: That has not been proved, though.

Hon. C. F. Baxter: It has been proved absolutely, over and over again, by leading authorities.

Hon. V. HAMERSLEY: It may not have been proved to Mr. Gray's satisfaction, but a select committee appointed by another place received a fair amount of evidence on that aspect. Reading that evidence, which

is before hon. members, even the most prejudiced person must be convinced that a good case was made out. At all events, the evidence converted a good many people who previously had strongly favoured the reproduction of Alsatians in Australia.

Hon. J. Cornell: The members of the select committee were unconsciously biassed against Alsatians.

Hon. V. HAMERSLEY: I cannot agree with that. It must be admitted that a hearing ought to be given the people directly concerned with the flocks and herds of this country. Those people have been looking into the question of the Alsatian dog for a considerable period. Moreover, they are paying heavy taxation for the destruction of various forms of vermin. They appeal to the whole Australian community not to force upon them another pest, one which they fear will prove more serious than any of which we have had experience hitherto. All the evidence goes to show that the Alsatian is essentially of the wolf type. If it follows in the footsteps of its progenitors, it will become a terrible menace to our flocks and herds, and even to our people. It will be far worse than anything we have now in the shape of the dingo. The dingo always hunts singly, whereas the wolf and the wolf-dog hunt in packs. The evidence submitted to the select committee goes to show that even within the last few years wolf strains have been introduced into the Alsatian breed. I do not care to thrust authorities on the House by reading extracts from their works. In view of the lateness of the hour, and from a wish not to detain hon. members further, I refrain from making quotations. We all realise the menace represented by the dingo, which has already cost Australia many millions of pounds. We know that those engaged here in the agricultural and pastoral industries are voluntarily taxing themselves to deal with the dingo menace. Again, the fox, which was introduced for the sake of sport, represents a severe burden now. Only last week on a property with which I am associated 14 foxes were killed. That is just one personal experience. In the case of the Alsatian dog——

Hon. E. H. Gray: An Alsatian dog would kill a thousand foxes for you.

Hon. V. HAMERSLEY: The Alsatian can become a much more serious menace than either the fox or the dingo. In my province there are several people who state that Alsatian dogs have already gone wild in their locality. The whole district is much concerned about these animals.

Hon. C. F. Baxter: What about the cross between the Alsatian and the dingo?

Hon. V. HAMERSLEY: In Perth I have seen a cross between an Alsatian and a staghound, and in my opinion such animals constitute a most serious menace.

Hon. J. Cornell: Why not blame the staghound instead of the Alsatian?

Hon. V. HAMERSLEY: Because we know the Alsatian is apt to go wild. Perhaps I had better read an extract with a view to assuring Mr. Gray that there is any amount of proof as to the breeding of the Alsatian.

Hon. E. H. Gray: You cannot quote to me—

The PRESIDENT: Order! The hon. member will have an opportunity at a later stage of replying to the speech which is being made.

Hon. V. HAMERSLEY: Rather than delay the House by quoting extracts which are contained in the select committee's report, I will refer Mr. Gray to Lieutenant-Colonel E. H. Richardson, a recognised authority who has published several books on dogs. During the war he was employed by the British Government to train war dogs. He is recognised as one of the highest authorities we can get on this question.

Hon. E. H. Gray: He breeds other dogs; that is the trouble.

Hon. V. HAMERSLEY: That has nothing to do with the question before the House.

Hon. E H Gray: But it interferes with business.

Hon. V. HAMERSLEY: This authority gives information tracing the history of the dog from the German breeders. I am satisfied that if Mr. Gray will read the report, it will save the time of the House; otherwise I shall be required to read extracts at length. I know there are many people who advocate the claims of the Alsatian dog. Many like to have one of the beautiful animals as a pet dog. I realise it is a graceful animal and a wonderful pet.

Hon. C. F. Baxter: The Alsatian a wonderful pet!

Hon V. HAMERSLEY: Yes, when a pup. As the animal grows older, it becomes a serious menace not only to animals but to human beings.

Hon. E .H. Gray: That is why there are 30,000 of them in England.

Hon. V. HAMERSLEY: The dogs have proved a serious menace even to their owners. A perusal of the evidence available and voluminous extracts from newspapers will convince anyone that the dog is likely to become a serious menace to the flocks of Western Australia, if it is allowed to breed here. We should not encourage the breeding of such an animal. I regret that the Bill has not been introduced as a Government measure, particularly in view of the fact that it has been sought by so many associations directly concerned with the welfare of Australia and the developmetn of its primary industries.

Hon. W. T. Glasheen: Many members of the Government supported the Bill in another place.

Hon. V. HAMERSLEY: That is so. If the Alsatian were to take to the bush, it would revert to its natural instincts, those of the wolf. It would breed and hunt in packs. The Alsatians would have a wonderful opportunity to spread in Western Australia, and we should not encourage that. The consensus of opinion will be in favour of action along the lines desired by the institutions I have referred to. They have protested in every State of Australia against the introduction of the Alsatian, and we should have regard for their feelings by passing the Bill. I move—

That the Bill be now read a second time.

HON. H. A. STEPHENSON (Metropolitan-Suburban) [10.55]: I have much pleasure in supporting the second reading of the Bill. I am surprised that it should meet with any opposition whatever. It has been proved beyond all doubt that the Alsatian wolf hound is likely to become a great menace to the farmers and sheep breeders of Western Australia. I can understand hon. members who have lived in the city all their lives and have had no experience of the damage dogs can do in the country areas, adopting such an attitude. I know that they like to have pet dogs. It is not known to them that many farmers in the wheat belt and in the sheep-breeding districts lose hundreds of sheep every year through the depradations of dogs. The farmers and pastoralists have taxed themselves heavily in an endeavour to eradicate the dingoes, and during the last 25 years many thousands of pounds have been spent on that work. The dingoes are still plentiful within a hundred miles of Perth, and in the wheat areas and round the loop line they are a great menace. If the Alsatian wolf hound were allowed to breed here, and those animals took to the bush, they would prove to be a greater menace than the dingo, and I hope the Bill will be passed if for that reason alone. We have a number of instances in which these dogs have been known to attack children.

Hon. E. H. Gray: Is the Alsatian the only type of dog that will attack children?

Hon. H. A. STEPHENSON: Mr. Lovekin can tell hon. members of one instance in which a neighbour's Alsatian dog attacked a child and bit a piece out of the calf of its leg.

Hon. G. Fraser: Would not a fox terrier or any other type of dog do that?

Hon. H. A. STEPHENSON: The hon. member has never known of a fox terrier biting a piece out of the calf of a child's leg!

Hon. E. H. Gray: But that was not correct.

Hon. H. A. STEPHENSON: I have it on the best authority that it was correct. I can understand Mr. Gray, who has lived in the town and has no idea of what the farmers have to put up with from dogs, adopting the attitude he has taken up.

Hon. G. Fraser: Then why are the farmers buying Alsatians?

Hon. H. A. STEPHENSON: It is all very well to ask a question like that. Perhaps the hon. member does not realise that the Alsatian is of the wolf strain, and once such dogs get loose in the country areas, they will revert to their natural instinct, which is to kill.

Hon. E. H. Gray: You cannot prove that statement.

The PRESIDENT: Order! The hon. member will have an opportunity to speak.

Hon. H. A STEPHENSON: I cannot understand hon. members objecting to the Bill, when they realise what it means to the farmers and the sheep breeders of the State, to keep these dogs out. I do not object to people having pet dogs so long as the animals are not likely to be dangerous to others. I hope hon. members will realise the true position and the damage the Alsatian is likely to do if he gets out of control. It is necessary that the dogs shall be controlled in the way indicated in the Bill, which I hope will be agreed to.

HON. J. NICHOLSON (Metropolitan) [11.0]: I do not pretend to have any knowledge of Alsatian dogs, but I am rising to fulfil what I recognise as a duty because I have been asked to convey the information contained in this letter to the members of this House. The letter is written by Mr. W. E. Snowden, who is the president of the W.A. Alsatian Club, and who gave evidence, and whose brother also gave evidence before the select committee of another place. Members will find his evidence on pages 5 and 8, and his brother's evidence on page 26 of the report of the select committee. Mr. Snowden writes as follows:—

Dear Sir,—I am directed by the W.A. Alsatian Club, together with the W.A. Kennel Club, to respectfully ask that you would help us to secure fair and equitable consideration on the Alsation Bill now being considered by the Legislative Council We desire to point out, Sir, that at the commencement of inquiries by the select committee, the chairman informed us that the evidence which would count most would be that of W.A. farmers who were actually using Alsatians for sheep work. We asked that we be given permission to call several such farmers, to which the Commission agreed. The Commission stated that they would get in touch with the farmers, that we should not write, but should leave it to them, but no effort was made to secure evidence from the farmers the Commission asked us to name. We also specially asked that the Commission should take into consideration the report of Dr. Robinson, Chief Commonwealth Veterinary Officer, who was instructed by the Federal Government to investigate the question. We asked that this be considered on the grounds that it was a public document on a public question. Dr. Robinson reported that he was unable to recommend the banning of Alsatians because in his opinion they were a valuable asset to the State as thoroughbred sheep dogs—a purpose for which they had been specially bred down the last 400 years—but this document was not considered. Since we placed before the committee no less than 155 exhibits, including many from farmers, in absolute refutation of the allegations made, we now respectfully ask, Sir, that the whole of the evidence should be considered by members of the Upper House before passing the Bill, and that the proposed amendment of the Minister for Works regarding the metropolitan area—supported by the Hon. the Premier—should also receive the fair consideration of the Legislative Council. All we ask for, Sir, is British justice, which both the Alsatian Club and the W.A. Kennel Club claim they have not received, and we respectfully rely on your honourable self to at least ask the Upper House to investigate the points raised before passing the Bill. Since the Assembly closed its debate on this question, a number of further letters over and above those produced before the committee have come in, and each and every one supports the contentions raised by the defence during the committee's investigation

I have read that letter so that members may know exactly what its contents are. Mr. Snowden asks that members should read the evidence given before the select committee. I am absolutely ignorant of the proclivities of these dogs, and in those circumstances one must be guided by the evidence submitted in regard to experiences one way and the other. The question for members to consider is whether that evidence supports the introduction of this measure.

HON. W. T. GLASHEEN (South-East) [11.5]: I listened with interest to the letter read by Mr. Nicholson. It comes as news to me that the Alsatian is a sheep dog. I think I know more about it than does Mr. Gray, if only from the fact that I am engaged in the production of sheep and wool. There are at least a dozen different breeds of sheep dogs, all excellent dogs and capable of reproducing their kind in thousands if necessary. So even if the Alsatian dog is a moderately good sheep dog when properly trained, I say without hesitation that argument is no justification, because already we have any number of good breeds of sheep dogs known to be safe and known to be faithful.

Hon. E. H. Gray interjected.

Hon. W. T. GLASHEEN: I have heard Mr. Gray say in this House that a dog is man's most faithful animal friend. Generally speaking, a dog is that faithful friend, but I should hesitate to say that a dog like the Alsatian is the faithful animal friend to a man engaged in sheep production, especially if that dog had been crossed with the dingo, for he will then become a worse menace to sheep than is the dingo himself. But there is something unjust in the proposals regarding the Alsatian dog, and that is in the question of compensation. I have been told, and I have read in the Press, that there are in this State Alsatian dogs that have cost something like £100. I think the owner of an Alsatian dog who has paid £100, or any considerable portion of it, for his dog is fully entitled to compensation when legislation is brought in that will have the effect of annihilating the breed. As pastoralists and farmers, we have been paying into a vermin tax which has accumulated to such an extent that lately the powers-that-be have seen fit to reduce the tax

by one-half. Those who have been paying the tax, pastoralists and farmers, to eradicate the dingo, I am told are quite content even anxious, that a portion of that accumulated money should be given as compensation for those whose Alsatian dogs will be affected under the Bill; but I understand there is some hesitation on the part of the Government, because such proposal, if put into effect, would reopen the contentious vermin legislation. Because of that, the proposal has not been generally agreed to. However, that question of compensation does present an unjust aspect. I know if I had an animal that had cost me €100, I would feel I was not getting a fair deal if suddenly legislation was brought into being threatening to annul the animal's value. In spite of what Mr. Nicholson has told us of the evidence given by farmers, there is almost unanimity in the antagonism of farmers and pastoralists towards these dogs. In isolated instances there may be people interested to the extent of wishing to keep the breed of dogs in the State, but I can say without exaggeration that 95 per cent. of the pastoralists and farmers are in favour of exterminating a breed that is such a menace to sheep. When 95 per cent. of the people commonly spoken of as being the backbone of the country desire legislation of this kind, it is I think justification for going on with it. I hope the sanction of this House will be given to the provisions contained in the Bill.

HON. C. H. WITTENOOM (South-East) [11.10]: As a representative of one of the chief sheep and lamb-producing provinces, I have much pleasure in supporting the Bill. After due consideration I am satisfied the time has arrived when Alsatian dogs should be either sterilised or destroyed. I am glad it is not necessary to destroy them as both the males and females can be rendered sterile. The Federal Government are to be commended on having barred the importation of such dogs for the next five years, but it would be quite a farce if we did not take the further step of preventing the breeding of Alsatians already in the State. I have owned a good many dogs at different times and, though I have never had an Alsatian, I can quite appreciate the feelings of people who do own Alsatians and will now lose them as breeders. I support the remark of Mr. Glasheen that it is rather a pity some provision is not made in the Bill for the compensation of owners. However, it is too late to consider that point now, but I think it would be a good thing if, from the fund Mr. Glasheen has mentioned, some provision for compensation to breeders could be made. At all events, the breeding of the dogs within the State must be stopped. I daresay members have noticed advertisements in the Press during the last few days offering Alsatian shepherd dogs and pedigree pups for sale, which would indicate that a lot of those dogs must have been bred and sold in the State. Whether the proof is conclusive that Alsatians are sheep killers, there is no reason why the State and the Commonwealth should be exposed to this danger. Why should pastoralists and farmers be exposed to such a risk? Parliament is quite right in insisting upon the sterilisation of Alsatians. Members who oppose the Bill argue that dogs of this breed are largely used in Scotland, England, Germany, France and similar countries, but the conditions prevailing there are not quite the same as those in Western Australia. Scotland and England are much more thickly populated than is Western Australia, and consequently the dogs could be much more effectively controlled.

Hon. W. T. Glasheen: Anyhow, those countries have not dingoes with which the dogs might cross.

Hon. E. H. Gray: What about Russia?

Hon. C. H. WITTENOOM: We are told that in Russia Alsatian dogs have been crossed with wolves. In Germany Alsatians are used as shepherd dogs and we have had an opportunity to read a good deal of evidence to the effect that the dogs have been crossed with wolves to make them ferocious, in order that they will kill wolves that are liable to attack sheep. If that is so, we are quite right in refusing to have the dogs in Australia.

Hon. W. T. Glasheen: If they could be crossed with the dingo in order to kill the dingo, something might be said in their favour.

Hon. C. H. WITTENOOM: If Alsatians were the best breed of sheep dog ever introduced into Australia, some consideration might be extended to them, but it has yet to be shown that there are not plenty of other breeds that make better sheep dogs. Kelpies, Collies and the cross probably make far better sheep dogs; at least they are as good sheep dogs as Alsatians, and there is

no reason why we should incur the risk involved in having Alsatians in the country.

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

House adjourned at 11.15 p.m.

Legislative Assembly,

Wednesday, 27th November, 1929.

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

QUESTION—PERTH-FREMANTLE ROAD, DEVIATION.

Mr. MALEY asked the Minister for Works: 1, What is the total cost to date of the road improvement work at, or near, what is known as the ropeworks bend on the main Perth-Fremantle Road, including the proportionate cost of administration charges, and removal and re-erection of telephone and electric light cables, etc.? 2, How much more is it estimated this work will cost to complete?

The MINISTER FOR WORKS replied: 1, £4,551. 2, £2,726.

QUESTION—UNEMPLOYMENT, SOUTH-WEST.

Mr. J. H. SMITH asked the Minister for Works: 1, Is he aware that grave unemployment exists in the South-West? 2, Does he know that over 100 men are awaiting employment at Pemberton? 2, Will he state how many men will be engaged on the Pemberton railway and roads in the Nelson electorate during the next three months?

The MINISTER FOR WORKS replies: 1 and 2, Answers to these questions were given to the hon. member on 6th August. 3, I am unable to say at present.

QUESTION—WHITE CITY, LEASE.

Mr. CORBOY asked the Premier: 1, Have the grounds, known as "White City," been leased? 2, If so, to whom, at what rental, and for how long? 3, Is it his intention during this session to lay on the Table of the House a copy of the lease, if any?

The PREMIER replied: 1, Yes. 2 and 3, A copy of the lease, which will afford complete information, is being typed and will be laid upon the Table of the House to-morrow.

BILL—STATE SAVINGS BANK ACT AMENDMENT.

Recommittal.

On motion by the Premier, Bill recommitted for the purpose of further considering Clause 4.

In Committee.

Mr. Stubbs in the Chair; the Premier in charge of the Bill.

Clause 4—Board of Directors:

The PREMIER: The clause deals with the appointment of the board of directors, and last evening Subclause 1 was amended by making provision for the board to hold office for one year. I then intimated that a further amendment would probably be necessary as no provision was made for the appointment of the board after the expiration of a year. In order that that omission may be rectified and provision made for a board to continue in charge of the operations of the bank, I move an amendment—

That after "year" the words "and who shall be eligible for "reappointment" be inserted.

Subclause 1 will then provide that the bank shall be administered and managed by a board of directors, composed of the Under Treasurer and two other members to be ap-