Legislative Council.

Tuesday, 22nd November, 1938.

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

QUESTION—GROUP SETTLEMENT.

Sale of Denmark Farms.

Hon. H. V. PIESSE asked the Chief Secretary: 1, How many group farms have been disposed of in the Denmark district over the past 12 months? 2, Does the Government intend to ensure that the group farms in the Denmark district are given further publicity with a view to sale?

The CHIEF SECRETARY replied: 1, Nine. 2, Yes. Commissioners of the Agricultural Bank have already taken action in this respect.

MOTION—NATIVE ADMINISTRATION ACT.

To Disallow Regulations.

HON. H. SEDDON (North-East) [4.34]: I move—

That regulations Nos. 6, 39, 85, 101, 103, 106, 112, 114, 115, 134, 135, 136, 137 138, 139A, 141, 142, 144, 149 and 151, made under the Native Administration Act, 1905-1936, as published in the "Government Gazette" on the 1st November, 1938, and laid on the Table of the House on the 1st November, 1938, be and are hereby disallowed.

Although I am moving for the disallowance of only certain of these regulations, I think, after having perused them, that all of them might well be revised. Regulations are devised as the machinery whereby an Act operates. Nearly two years have passed since the Native Administration Act was placed on the statute-book, and we have had an opportunity of observing how the Act has operated and what has been the effect of the administration. We can perceive, for example, what shortcomings have been revealed and, what is more important, the attitude of the department in the administration of the Act. An Act may contain grave defects of construction; yet those defects might be minimised by wise and tactful administration. On the other hand, an Act may be devised in accordance with certain ideals and objectives, and yet the administration and effects of the Act may be quite different from what Parliament intended. Although I am objecting to certain regulations, my remarks will be largely concerned with the actions of the department in certain instances, and will serve to indicate or interpret the attitude of the Commissioner with regard to the administration of the Act compared with the ideals embodied in the Act and indicated during its passage through Parliament.

Section 6 of the Act sets out the general lines on which the Act is to be administered. The ideal, briefly expressed, is that the Commissioner is in every sense of the word the friend and protector of the natives. The intention is that he shall protect them against oppression and guard them against exploitation. The general idea is that he should assist the natives to rise to the highest possible position in the community and encourage them to attain a standard of citizenship as nearly as possible equal to that enjoyed by white people. Unfortunately, there are many instances to indicate that instead of our having created a friend of the natives, we have created an autocrat. I will go further and say that if some of the actions of the department had been taken against white persons, very serious reflections would have been cast upon those guilty of such actions.

Section 2 of the Act has proved particularly disastrous. That section places every half-caste and every native under the control of the Commissioner. That might be all right if the Commissioner's objective was to encourage natives and half-castes coming near to the white standard to secure the benefits of white citizenship by taking action to liberate such persons from the Native Administration Act as he has power to do. Unfortunately the department's attitude seems to be that, quite regardless of education or ability, every native and every half-caste, and in many cases the quarter-caste, shall be regarded as being under departmental control. A further criticism I

have to offer is with regard to the Act itself. The Act applies throughout the State. In the Royal Commissioner's report great stress is laid upon the fact that conditions in the North-West applying to wild natives are entirely different from those applying to natives brought up in white surroundings. I contend that the sooner we amend the Act so as to provide definitely that conditions in the south of the State, say between certain lines of division, shall be quite different from those in the north, the sooner shall we overcome many of the objections which to-day are being raised to the Act.

Then there is the question of missions. I understand that there has been and is criticism of missions; but definitely the object of a mission is to uplift the native, and some mission activities are entirely commendable. Certain grounds may exist for criticism, and a certain need for regulation; but I think the department's general attitude should be, having in view the objectives of missions, one of entire co-operation and of encouragement of their activities as far as possible—particularly assisting them in their function of educating and training natives to become self-reliant and self-supporting. I propose to read certain correspondence which will show the department's attitude in regard to various missions, and the line it has taken with people endeavouring, from their own point of view, to uplift the native and help him along the lines I have suggested. I especially question the regulation which deals with the issue of permits to missionaries. While I acknowledge the desirableness of any person taking up mission work with the natives being registered with the department in order that the department may know he is engaged in that work, I fail to see the necessity for his obtaining a permit. After all, there is only one condition which should apply in the case of a man desirous of devoting his efforts to missionary work. That condition is the condition of character. Provided his character is above suspicion, any attempt to interfere with him on other grounds interferes with that liberty which we have always extended to every form of religion in the State to preach its tenets and endeavour to induce others to accept them.

In dealing with natives, naturally, one has to recognise that the social conditions of wild natives and their training and methods of living diverge widely from those of our own people. On the other hand, when one comes to deal with the native who has been brought into contact with white people, some of his experiences, as we all know, have been most unfortunate, and the only impression made on his mind must often have been the very worst that could be created, by reason of the conditions imposed on him by many white people. But we have to remember—and I think this is the basis on which the regulation should be framed—that the natives are human beings, and that although many of them have been brought up under different conditions from ours, others again have had the benefit of white education and white training. Any attempt to deal with these natives should pay due regard to the fact that those conditions are just as real and just as important to them as they are to our own people. Natives are capable of responding to treatment just as white people are. If they are given sympathy and understanding, they can and do respond. If they are subjected to misunderstanding, if attempts are made to treat them arbitrarily, they respond to those conditions just as many white boys and white girls in our community respond to misunderstanding and unwise control. Those white boys and girls become rebellious and develop anti-social ideas. The same thing, I am afraid, occurs with natives. The Rhodesian Government has laid down one condition which I think expresses very tersely the conditions which should operate in dealing with natives. The condition is that no disabilities or restrictions which do not apply equally to white persons of European descent shall, without the consent of the Commissioner, be imposed on natives, except as regards the supply of arms, ammunition or liquor, by any proclamation, regulation or other instrument.

Under the Act, as I have indicated, every native, every half-caste, and every quadroon under 21 years of age comes under the control of the department. The Act also provides that if a person of mixed blood lives after the habit of natives, he can be declared a native and be brought under the department's control. Here we have another defect. If the Act provided that a man who habitually lives after the manner of natives shall be declared a native, well and good; but unfortunately the Act has been interpreted, and has been applied, to prevent natives from obtaining exemption if they

associate with their own relatives. The natives are human beings with human affections. If a quarter-caste wants to help his native mother or his native sisters, if he wants to take his mother to live with him, if he wants to help to keep her, every recognition should be given to that idea. The native should be encouraged in such an attempt. However, there are cases where natives adopting that attitude have been threatened that they will be declared as natives if they adopt such a course of action.

Hon. E. H. H. Hall: There are opposite cases to that, too.

Hon. H. SEDDON: Yes. If we amended the Act to provide that every native, within the southern area at any rate, and every half-caste and quadroon shall be free from the operation of the Act unless he has been declared by a magistrate as being brought under it, that would be a far better position to create than the one we have created by the Act in its present form. I consider the department has adopted that line of attitude owing to a lack of sympathy, and in one or two instances it has resorted to arbitrary action that would never have been taken in dealing with a white person. Such action has resulted in a considerable amount of suffering. I propose to mention the circumstances associated with those cases. Before doing so, however, I wish to refer to an occurrence in this House.

Members may recollect having read a paragraph in the "West Australian" some time ago in which the Commissioner of Native Affairs, Mr. Neville, said that there appeared to be an impression abroad that the regulations, recently gazetted, relating to the establishment of missions had been withdrawn, and that such was not the case. I asked a question in this House, and only after following up my inquiry with supplementary questions did I obtain from the Minister a definite statement about those regulations. Whatever may be the view of the department regarding the Interpretation Act, there can be no misunderstanding of what the department meant by the paragraph. The intention was to convey to the general public that those regulations, which were time-expired, were still in operation; and consequently there was an attempt on the part of the department through the Commissioner to flout the authority given to Parliament under the Interpretation Act. That is the impression I formed, and the attitude of the Minister, when dealing with my question conveyed the idea that he was sticking to his officer, as of course he is entitled to do, despite the fact that the Interpretation Act is quite plain. As to the effect on the mind of the general public, a letter I have referring to the question shows that the Commissioner attained his objective of conveying that impression at any rate to certain people. When regulations do not comply with the Interpretation Act, they thereby become of no effect.

I have already said there have been cases where the activities of the department have operated very adversely to the native. I wish to cite the case of a mother whose children were taken from her. Judging by the conditions associated with her and judging by white standards, one might say that the department had a considerable amount of reason for its action. Here again is a case where sympathy and understanding might have averted the very serious trouble that overtook this woman. Her two children were taken from her and, as a result, the woman lost her reason. She was confined to the asylum, and the report from that institution is that she is in a very depressed state. I ask the House again to judge that case from the standpoint of a white woman. If a white woman were deprived of her children she would fall into a very depressed state of mind and would suffer considerably. Although power is given under the Child Welfare Act to take children from undesirable parents, such parents are given every opportunity to appreciate the possibilities of the law and to mend their ways. When dealing with a native, a person whose grasp of our white laws is only more or less that of a child, I say there should be sympathy, there should be understanding, above all there should be help extended to the native before such a drastic step is taken as to deprive a mother of her children.

Some little while ago a woman who afterwards went to a mission received permission to be visited by her son. Her son went up and stayed with her. In the words of the person in charge of the mission, the change was most marked. The woman responded wonderfully, and mother and son both benefited as a result of being brought together. That boy is a quarter-caste, but if he associated with his mother or took his mother to live with him, he could be declared

a native, and the action of the department——

The Honorary Minister: That is a gross exaggeration.

Hon. H. SEDDON: The Honorary Minister will have an opportunity to reply to my statement. I was about to say that the action of the department would lead us to believe that that course would be adopted. That is a case in which I say there is need for amending the Act so that it will not be within the power of the department to declare such a person a native.

The Chief Secretary: You cannot quote one case where that has happened.

Hon. H. SEDDON: I am quoting one now. Such action should not be permitted without the consent of a magistrate.

The Honorary Minister: Your statement is not fair either to the woman or to the child. The whole story should be told.

Hon. H. SEDDON: The Honorary Minister will have an opportunity to tell the whole story if he considers that I am not giving a fair statement of the case.

The Honorary Minister: You are not fair to the woman.

The PRESIDENT: Order! The Honorary Minister will have an opportunity later to explain the position fully.

Hon. H. SEDDON: I consider this House is quite capable of forming a judgment upon any statements made here. No name has been mentioned, but any statement made representing the point of view of the department will be considered by members just as much as my statement will be. I wish to give the department every opportunity to explain its viewpoint, and then I hope members will judge, on the facts presented to the House, whether my statement does not approach nearer to the ideals of the Act, whether it does not demand an amendment of the Act, and whether the attitude of the department, in view of Section 6 of the Native Administration Act, has been fair.

In the report of the Commissioner, reference is made to education. Particulars are given of the number of native children in the South-West Division and the number of native children who are receiving education throughout the State. It is interesting to draw a comparison between the total number of native children and half-castes being educated, the number being educated by missions, the number receiving education in State schools, and the number being educated by the department. The figures themselves are a sufficient explanation of the position that obtains to-day. The department does not shine numerically.

Another point on which I wish to speak is the system adopted by the department when sending half-caste girls out to work. Under those conditions, the girl is often isolated from her friends and relatives. She is dependent upon the general community for any social intercourse she gets, and unfortunately the sort of social intercourse available to a girl of mixed blood is not always of the best. Such a girl is regarded as being entirely a servant, and the only social intercourse she can get is by means of the contacts she makes outside her work. Frequently she responds to friendship that in some instances has been prompted by anything but the best motives. This is an instance where a little sympathy might be shown and a little help extended to these girls. I shall be interested to hear from the Minister just what action the department has taken in that direction. White girls when put into situations have the benefit of church associations, the Girls' Friendly Society or institutions to which they can turn for help and social intercourse, and I should like to know the attitude of the department to the half-caste girls sent out to service.

The Chief Secretary: What is your criticism?

Hon. H. SEDDON: That the conditions under which the girls are taken into service are such that we cannot wonder some make undesirable associations, and engage in sexual intercourse with people who take advantage of their lonely state.

The Honorary Minister: There is not a great percentage of such instances.

Hon. H. SEDDON: The fact remains that there are some.

The Honorary Minister: Not more than with respect to white girls.

Hon. H. SEDDON: White girls have opportunities to meet people who extend to them social intercourse and sympathy. The conditions under which half-caste girls are sent out, so far as I know, are such that they have no opportunity for social intercourse except that which they make for themselves.

The Honorary Minister: Some responsibility devolves upon the mistress of the house to look after them.

Hon. H. SEDDON: I said I would quote certain instances to show the attitude of the department towards people of coloured blood. I have a case here that was ventilated on the 26th June last relating to two young people, the man being a quadroon and the girl a half-caste.

The Honorary Minister: In what paper did that appear?

Hon. H. SEDDON: In the "Sunday Times." The parties were both 22 years of age, and the name is Prosser. The article begins by referring to the action of Parliament in passing the Native Administration Act, the restrictions imposed under that legislation, and the regulations dealing with half-castes who are not allowed to visit Perth without a permit, not allowed to work for a white man without a permit, and not allowed to marry without the consent of the Commissioner.

The Chief Secretary: You know it is not correct to say they cannot work for white people without a permit?

Hon. H. SEDDON: The only exception is in the case of casual work.

The Chief Secretary: Then why not put it in the right way? Anyone would think from your remarks that the native must have a permit.

Hon. H. SEDDON: The argument of the Chief Secretary is that no person is allowed to employ a native without a permit. That works out in the way I have read, namely, that a native cannot work for a white man without infringing the law, which requires that a permit should be issued.

The Honorary Minister: For the protection of the native.

Hon. H. SEDDON: A native may not give his children in marriage without the consent of the Commissioner. The article goes on to say—

Because Parliament provided no such line of demarcation, the Native Department "faced with the law" followed none, and palpably growing vendetta marks the relations of the better type of "natives" and the department, which, friends of the native race insist, can only be eliminated by a remodelling of native administration, giving the better-educated natives direct representation on an administrative board, with special representation of women to protect and encourage native and half-caste women in their struggle for upliftment and their mothering rights over their children.

So meet Arthur and Gladys Prosser, man and wife, each of 22 years of age, and dreamers of a dream. They dream that the native race of Australia, whose blood courses in their veins (Arthur is a quadroon and Gladys a half-caste) will one day have a heritage of freedom and independence as complete as that of the white man.

Products of the Australian primary school system of education (Arthur reached the eighth standard at the Bunbury public school and Gladys passed through the East Perth Girls' School) they are indistinguishable from a young white couple in speech, manners and deportment. Arthur is the champion goal-kicker of the Railways (Bunbury) football team, and has done every kind of work, including shovelling, axework, milking, stock driving, mustering and tallying and wheat harvesting. He can run like a hare, and jump like a kangaroo, and has all but "cleaned up" many a country sports meeting.

A fortnight ago he decided to try for work in Perth for a spell, to allow his young wife to receive medical attention for kidney trouble. He had only been in Perth a day or two when an officer of the Native Department called upon his European host and asked Arthur to come to the department.

He went, and was asked to take out a permit, giving him liberty to stay in Perth. He refused to take out a permit. It was an insult to his manhood and dignity. On the streets later, a policeman hailed him and his wife and asked them to accompany him to the police station. They went. The policeman rang up the Native Department, and after a telephone conversation with the department, told the young couple that they would have to get out of Perth immediately. Arthur Prosser refused. If the dignity of an education designed to promote self-respect meant, instead, gaol, then to gaol he would go.

With a double claim of blood running in their veins—the blood of the original owners of the soil of Australia and the blood of the adopted race—the Prossers were not free to walk the streets of the capital city of Western Australia, and were not free, without a permit, to remain in Perth so that Gladys Prosser might receive medical attention and Arthur Prosser earn the wherewithal to pay for it!

Gladys Prosser (nee Gilligan) was born of a white father and a coloured mother at Hall's Creek. Educated in the south, she spent many years of her life in the Moore River Settlement, and this is how she describes the life that she says, in her cultured, good English tongue, "is too unconstructive and too little calculated to bring out the best in the unfortunate natives, who are just as capable of evolution as the white people, only the white people do not understand."

"There are now eight two-roomed cottages in the settlement for married couples, but the married couples are only permitted to occupy these cottages on the condition that they forego their children." "How do you mean 'forego their children'?" Mrs. Prosser was asked. "Just what I say. The mother is not permitted to retain her own children. They must remain and be brought up in the compound. Thus the mother is denied the evolution that

follows with the rearing of her own children, that God himself designed, and that man is permitted to frustrate." "Are the cottages occupied in those circumstances?" I asked. "Not by parents who love their children sufficiently that they must have them with them. The majority of the couples lived on in the promiscuous compound rather than part with their children." "Cannot the children go to school in the compound and live at home with their parents in the cottages? Is that separation a matter of education, for the children's good?" "No; in many parts of the south, native children, within reach of schools, are getting no education at all; they are not allowed to attend the schools."

"In many things the white people mean well," added Mrs. Prosser, "but they have so little understanding. My experience has convinced me that, psychologically, the Native Department is working on wrong lines. Fundamentally, the coloured people are not different from the white people, and are just as capable of being taught trades and farming as the white. There should be no restriction of liberty of any kind upon natives who have passed an approved standard of education, and are entitled to vote, and in no circumstances should the separation of mothers and children be permitted except in circumstances where it is proved that the children are neglected. The same law that applies to the white race should apply to the native races in that particular."

This is an illustration of the attitude of the department when dealing with persons who should be quite outside its control, and its attitude in respect of natives who desire to keep their children. The article continues—

"I think that is most essential," replied Mrs. Prosser, "Our native mothers have all the natural feelings of mothers the world over, and to many of them the administration of the Native Department, by men only, is stark tragedy."

Early in the week Mrs. Prosser prevailed upon the stubborn Arthur to return to Bunbury. She had the fear, shared by most native women, of the department, and she would not have her husband fight and go to prison. She would take her ailment back with her to Bunbury, she said, and "God would provide."

Extending her hand in a farewell gesture, and with a grace and dignity beyond her years, young Mrs. Prosser said, "Please God, you will help open the hearts and understanding of your people."

Acting on an inspiration, "The Sunday Times" representative asked the young woman, "When did you last see your mother?" "Seventeen years ago," she replied. "She was coloured?" "Yes, and (with a swift trembling lip and a rush of moisture to the eyes) she is such a dear soul!"

I also have here another case bearing on the attitude of the department.

The Chief Secretary: You are certain that everything stated in that article is correct?

Hon. H. SEDDON: I have read what is printed in a public newspaper. What is said there is sufficient indication of the attitude of the department to these young people to lead us seriously to doubt its sympathy towards natives and half-castes generally. The other case is reported in another Perth newspaper, but occurred before the Prosser case. This deals with quadroons. The police magistrate, Mr. H. D. Moseley, at the Perth Police Court charged the Department of Native Affairs with having adopted irritating tactics against a quadroon woman. Mr. Moseley was the Royal Commissioner who investigated native affairs a few years ago. As a result of that inquiry we all recognise that he is well qualified to judge and speak of the conditions associated with the treatment of any person of coloured blood. According to this newspaper, Mr. Moseley said—

There is no evidence that this woman ever needed looking after. There is evidence that she has been subjected to irritating tactics. I think the department might well concentrate on people more needing of help.

The Press report stated—

It was stated that the woman, 38-year-old Dolly Waters, housekeeper to Mrs. William Padbury, of Guildford, had fought for years to win recognition as a white woman.

After hearing the whole of her life history outlined Mr. Moseley to-day refused to class her as a native.

The hearing arose out of a charge in which Leonard Butters was charged with having allowed natives, including Dolly Waters, to be on his premises without a permit.

Mr. K. E. Drake-Brockman contended that Waters was not a native within the meaning of the Native Administration Act, while Mr. C. F. Taylor, Inspector of the Department for Native Affairs, contended that the woman was a native.

At the conclusion of the case, Mr. Moseley said: "I feel that these people should be given the opportunity of lifting themselves up from the lives their forebears led. They should not be made to feel that because their grandmother lived a native life in the bush that that is the best they can have. They do not want to feel that they should have their life governed by some Government department. They should be allowed some feeling of independence. Because, according to departmental records, a person is considered a native there is no reason to classify that person, who has lived among white people, as a native. That is very harsh treatment. In my humble opinion if they want to lift themselves up they should be given every encouragement. There is no evidence that this woman ever needed looking after. There is evidence that she has been subjected

to irritating tactics. I think the department might well concentrate on people more needing of help.''

Mr. Drake-Brockman said that Waters was housekeeper to Mrs. Padbury, of Guildford, and for many years had been holding important positions. For two years she had been persecuted by the Department of Native Affairs, he said.

Whenever she got a job a policeman would arrive and ask her employers if they had a permit to employ a native, counsel said. She is practically a white woman in colour. She has always lived as a white woman and has never shown any inclination to live as a native, witness said.

The Honorary Minister: Why could she not claim her rights under the Act?

Hon. J. Cornell: Why can you not exercise a little more commonsense?

Hon. H. SEDDON: The House does not require any further proof of the truth of these statements than the interjection of the Honorary Minister. He assumes that these unfortunate people have all the advantages of education to be able to understand the laws of the country and the attitude of the department. Instead of the department acting as a protector we find it acting as a determined persecutor; instead of the department advising this woman of the rights and benefits to which she is entitled under the Act, the statement I have read shows that the department only persisted in its persecution. No better evidence could be furnished of the lack of sympathy and the persecuting actions of the department than the interjection of the Honorary Minister.

The Chief Secretary: Surely that is beside the question.

Hon. H. SEDDON: I wish also to refer to the case of a half-caste child named Lorna. I was written to by a missionary regarding this girl.

The Honorary Minister: Who was the missionary?

Hon. H. SEDDON: Mr. Schenk.

The Honorary Minister: He is not very reliable.

Hon. J. Cornell: He is as reliable as is the Honorary Minister.

Hon. H. SEDDON: The opinion I have formed of Mr. Schenk and of Mr. Neville is that both are determined and strong-willed men. There has been a certain amount of ill-feeling between them. When it comes to practical work, to sympathy for and understanding of the natives, the giving up of his life for the benefit of the natives, I take off my hat to Mr. Schenk.

Hon. E. H. H. Hall: You have seen his work, have you?

Hon. H. SEDDON: I have seen for myself what he is doing. A man who is carrying out the work that he is doing for the protection of the natives is deserving of the highest commendation from the people of the State and the strongest possible support from the department. Mr. Schenk wrote to me regarding this case. I took no action then because I was under the impression that the regulations were to be tabled, and I would then have an opportunity to discuss the matter. I have a series of extracts relating to correspondence that passed between Mr. Schenk and Mr. Neville concerning the treatment of girls at the mission. The correspondence covers an extended period. On the 1st March, 1928, Mr. Schenk wrote to Mr. Neville—

> We are trusting to you to give us an opportunity to educate the half-castes as well as the full bloods. After we have the school established, we shall proceed with the dormitories as the Lord sends us the money to purchase material, which we feel sure He will do.

On the 13th August, 1937, Mr. Schenk, in writing to Mr. Neville, said—

> In response to your wire received to-day, we beg to state that the average number of children in our school is 44—26 half-castes and 18 full bloods.

Again, on the 12th June, 1937, Mr. Schenk wrote to Mr. Neville—

> Topsy's child. Of course, their first question was, ''Would she be sent down south?'' If you would grant us permission to take this child, we would get them to bring her up.

As members will see, there had been some question between Mr. Schenk and Mr. Neville regarding the position of the child of Topsy, and the thought in the minds of the natives was: Will she be sent south? On the 3rd April, 1937, Mr. Schenk had written to Mr. F. I. Bray—

> We now wish to ascertain from you whether we shall be able to retain other half-castes if they be brought in to us by the mothers.

Writing to the Chief Secretary on the 12th April of the same year, Mr. Schenk said—

> I now wish to know the decision regarding the future of the other half-castes in this district.

The Minister's reply to Mr. Schenk, dated the 26th April, was—

When the Commissioner returns, I shall ask him to determine whether the half-caste children referred to in your letter under reply may be taken from their mothers, and whether they may be received into your home.

On the 19th January, 1938, Mr. Schenk wrote to Mr. Neville—

Some time ago I wrote you concerning the half-caste girl at Linden to say that the people who have her hidden are willing to give her into our keeping provided the child was not sent south. As you did not give me any reply, I did not make any promise to these folk, so they did not bring the child in. Is the position as regards this child the same?

Writing to Mr. Schenk on the 13th January, 1938, Mr. F. I. Bray said—

I understand you have a half-caste child named Lorna with you. Her mother is a woman named Dinah, and she is now at Karonie where she has another half-caste child with her. Dinah has a failing for white men and we have been investigating her case for some time in the hope of securing convictions against certain men, but so far we have not been successful. As Lorna is the offspring of a white parent, I shall be pleased if you will continue for the present to detain her at the mission until a decision is reached as to her future welfare. She may be allowed to remain at the mission, but at the moment I can give you no promise.

Mr. Schenk, on the 21st January, 1938, wrote to Mr. Neville—

Yours of the 13th—477/35—to hand and I beg to state that Lorna is not here at our mission, nor has she ever been in our charge. In a letter dated the 12th June, 1937, I wrote you about Myrtle asking if she could be left here, but I received no answer, so I concluded the same position would apply to Lorna. These children are kept away from us somewhere between here and Karonie, and those who have charge of them asked for a promise that they would not be sent south. This we cannot give without your authority and we hope you will understand. The poor natives have suffered so much by the white man's deception and during the years we have been here we have gained their absolute trust of our word. This trust we would not lose for anything. It is part of our teaching and for their sake and the Lord's sake we would not enter into anything that would deceive them or break their hearts over their lost children whom they love so dearly.

On the 28th February, 1938, Mr. Neville wrote to Mr. Schenk—

Referring to your letter of the 24th November last, and in particular reference to your second paragraph, portion of which reads as follows:—

We have endeavoured by several letters to obtain some understanding on this matter but cannot, and it seems unfair to us for you to ask "on what authority" when we acted in the past with your knowledge and no instructions to the contrary.

I shall be glad if you will kindly refer me to the letters you speak of.

Reverting to your first paragraph, you say that the department sent you 11 children and this made it necessary for you to build dormitories. Aren't you putting the cart before the horse? You wanted to build dormitories and you wanted us to send you children. We sent you a few over a long period of time but you have taken in numbers of others we did not send you, and I don't know that you ever asked that you might take them in, nor was I aware that you were taking them in in such quantities. However, as to that, if you choose to accept children whose parents are alive and able to support them, then presumably you are prepared to support them. I am always willing to listen to any special circumstances regarding any particular cases. As far as I can see, a large number of the children referred to on your list do not require to be supported by this department at all, and it is my intention to indicate in the very near future which of these children must cease to be rationed at our expense.

The foregoing will indicate to you the reason for these inquiries as you signified your desire to know in the final paragraph of your letter. I would also refer you to my letter of the 18th August last indicating to you just which natives the department is prepared to ration through you. It seems to me that in the matter of these children you have exceeded your authority and the matter requires adjustment.

Writing to Mr. Neville on the 7th March, 1938, Mr. Schenk said—

Yours of the 28th ult. to hand, and in regard to our seeking understanding on this question, we may say that none of these letters is from us to you dated the 24th March, 1937; 4/4/37 asking Mr. Kitson who referred us back to you and who, we found out, passed our letter on to you; 12/6/37; 4/10/37; 19/1/38.

It is months since we asked about the half-caste children at Linden and we had no alternative but to think that you would rather them kept in immoral surroundings than allow us to have them for permanent training. The relatives in each case demand to know if they will be sent south or left here, and as we never break faith with the natives we have sought your definite decision, which you have not given yet.

As members will see, the correspondence covers several years and affords an indication of the attitude of the department, at any rate towards this particular missionary. It shows the departmental attitude regarding his desire to take control of, and look after, children who obviously were living in undesirable conditions. Members will be in-

terested to hear, in the course of the Minister's reply, an explanation as to why permission was not accorded the missionary to deal with the half-caste girls, as indicated in the correspondence I have read.

I wish next to deal with the position of the Warburton Mission, which was established by missionaries who came out under conditions similar to those operating with Mr. Schenk and others. These people felt the need for ministering to the natives roaming the Warburton Ranges, which are some 300 miles from Laverton. When the missionaries first went out, they used camels, but later on they secured a truck. A mission was established and buildings were erected consisting of material largely obtained on the spot. They took very little building material with them. When they sought to establish that mission, they naturally got into communication with Mr. Neville. On this point I have received the following information:—

About the time we wished to start this work, Mr. Neville told us that a mission of the right kind would always meet with his sympathy and encouragement, and yet he did everything possible to discourage us from starting work at the Warburtons. (I would like Mr. Neville to say what he calls the right kind of mission.) I would be grateful to anyone who could elicit this information from Mr. Neville for us, also what qualifications are needed by workers.

We wrote first about starting work at Warburtons in June, 1932, six years ago. Mr. Neville gave no encouragement, even though there were reports of natives being shot in that area.

On the 17th May, 1933, Mr. Neville still asked us to defer our project. We decided to obey the command of Christ and "Go." Letters from Mr. Neville show that he was annoyed. He asked for a bond if we entered the big native reserve and would only allow us to itinerate and stay six months therein. (See letter, 7th June, 1933.)

Mr. Wade decided to work amongst the natives outside the reserve. Meanwhile Mr. Neville told members of our council that Schenk took too much on himself and went too fast—this after a century of neglect by the Church! Doggers and others could go out but a missionary was advised not to go.

30th March, 1937: I asked permission to start settled work at 150 to 200 miles out from Laverton.

13th April, 1937: The Commissioner asks why was such a mission necessary?

19th April, 1937: I wrote to say that we considered a mission there necessary for these reasons:—

(1) To evangelise natives not now reached.

(2) To provide a counter attraction to Cox's Find, where conditions have been condemned by authorities.

(3) To care for the sick and suffering.

(4) To teach the young.

Mr. Neville later told us verbally that he had had a report from Constable Gravestock that Minnie Creek was a most unsuitable place for a mission. We had not asked about Minnie Creek but for permission to start between 150 and 200 miles out where Constable Gravestock himself advised our workers to start.

On 18th June, 1937, Mr. Neville gave us the definite refusal.

When Mr. A. G. Mathews was in the South-West, he desired to do settled work, but Mr. Neville did not agree, but agreed to his doing itineration work.

When Mr. Tom Street had the money to purchase Mt. House Station to do settled work, someone in the department prevented his purchase of the property, and now Mr. Street is one of the itinerating missionaries.

With regard to Badjaling Mission, which the Press representative mentioned as having fewer facilities than other missions, how could it be different, seeing that Mr. Neville at different times emphasised to the missionaries that they must not dig themselves in there?

When I came to Western Australia, I asked permission to do spiritual work only on Moola Bulla Station, but Mr. Neville wrote me to say "No provision was made for a missionary to stay at Moola Bulla." That was 17 years ago and it is only this year that Mr. Neville has offered the Presbyterians the right to send a missionary there. That is how much Mr. Neville wants any kind of a missionary.

In July, 1937, I asked permission to open up mission work at Wodjina, near Port Hedland. Mr. Neville had stated in one of his reports that things there were in a bad way. Mr. Neville told me that such requests should come through our council. I then asked our council to inquire for me, but it is now over a year later and I have no word yet.

This year Miss Jones, daughter of a Presbyterian Minister, a past Moderator, wished to settle amongst the Kellerberrin natives to help them. Mr. Neville wrote to say that he was "delighted" to think someone was ready to teach the children there, but that he could not allow quarters to be built on the reserve for Miss Jones or anything in the way of a definite mission to be commenced. Of course Miss Jones could not travel in and out the six miles to Kellerberrin, so could not stay to teach and help the people.

That gives members a further illustration. I have a letter from Mr. Wade who is in charge of the Warburton Mission. He and his colleagues went out and established their mission amongst the wild natives. The only contact those natives had previously had with the white race was with men who went

out trapping and prospecting. This is Mr. Wade's statement:—

Five years ago an itinerating trip was made through this area to gain information concerning the number of natives to be reached and the possibility of establishing a mission centre amongst them. On that trip natives offered me dingo scalps which I refused, though at that time the Government offered £2 per head for them. Later when it was decided to establish work in the Warburton Ranges, Mr. Neville was approached in the matter. He agreed under certain conditions, namely, that we asked the Government for nothing whatever in the way of food supplies, clothing, medicine, etc. To this we agreed, not knowing how the mission would be maintained, but, being a faith mission, we trusted God to provide.

On settling here the natives came to us continually with dingo scalps, asking for flour. Our supplies were limited at first and we had to refuse for a time, but when requests continued to come in and we were told of the very small amount given by white men in these parts, we felt we could help the people themselves and their children if we accepted the scalps and we gave them a great deal more than they had ever received. We found they were greatly surprised and pleased at what they got. It is now nearly four years since we arrived here and, true to our promise, we have not asked the Government for anything whatever. During this time, the parents of the children willingly left them in our care until at the present time we have over 40 children in our home. These children are fed and clothed without any Government help. We have certainly a good number of scalps and have taken these to be a way of meeting the needs of the mission in supporting the children and caring for the old and sick. Not one penny of revenue received from the scalps is used for the missionaries.

[Resolved: That motions be continued.]

Those are the remarks of the missionary, who has been working with his wife among these people. Some months ago he had the assistance of another missionary and his wife. This latter missionary is the man for whom we sent out our medical 'plane because he was suffering from appendicitis. He was brought in to the Kalgoorlie hospital, operated upon and recovered his health. He had not sufficient money to pay for his hospital accommodation. By the generosity of some people in Kalgoorlie, he was sent on furlough. I have indicated the spirit in which these men are working among the natives, a spirit which inspires them to attend to their native charges.

Hon. G. W. Miles: It is an indication of how the Government can get some revenue to support the natives.

Hon. H. SEDDON: I was speaking to the wife of this missionary. She told me that the children at the mission are not only cared for, but are gradually being educated and trained so far as they can be. She herself is a trained nurse and has ample opportunity for the exercise of her talents in the training of these natives. The missionary himself had to engage in manual work to provide a school and quarters. I have given members this information to show them the spirit animating these missionaries, the conditions under which they are prepared to work, and the attitude adopted by the department.

Some time ago I asked for the file of a native named Munmurrie. That file is another illustration of the department's attitude towards the natives. I can see justification for opinions formed by the Commissioner of Native Affairs in regard to this native, but what I complain about is that he was not given an opportunity to explain his position and point of view. He was dealt with summarily, and it was only when Mr. Schenk interfered and made certain requests and entered into correspondence with the department that the case was concluded as it was. Munmurrie had been trained at the Mt. Margaret Mission. He is a firstclass stockman, and found his way to Karonie. From there he went to work for one or two squatters who have stations on the trans. line. I spoke to one of these men, and he told me, "Munmurrie is the best native worker I have had. I am always prepared to employ him on my station, and shall be glad to get his services. I can refer you to any of the other squatters who have employed Munmurrie, and they will give you a similar report." That is the opinion of the man's employer.

The file discloses that Munmurrie, who had been working for a squatter at Karonie, had been sent from there to another station. He was given his fare, but did not go to that station. Instead, he went to work for another squatter. He was asked by the protector to refund the fare. In January, 1936, Munmurrie went to Perth on holidays, and apparently had a good time, because the department ascertained that he was up against it. The department got in touch with his former employer, who happened to be in Perth, and this gentleman—after hearing the facts—said, "I will take Munmurrie back." Munmurrie married a native woman named Ninah in January of this year. The squatter

asked for Munmurrie, and the protector instructed Munmurrie to go to the squatter's station. He did not do so. As a matter of fact, he behaved very badly. He was given a ticket, but instead of using it to proceed to his employer's station, he went to Kalgoorlie, where, according to the protector, he gave a lot of trouble. The protector said, according to the file, that Munmurrie had been getting liquor, and altogether had behaved very badly. The protector went on to report to the Commissioner that two natives, Munmurrie and another, had defied him, and he asked that they be made an example of. In the circumstances, the request was reasonable and the Commissioner granted it. The point I am making, however, is this: If white men of the same type behaved in the way this man behaved and were brought before the court, they would be given a chance to defend themselves. If they were found to be guilty, they would be punished. In this case, authority was given to arrest Munmurrie and orders issued that he was to be brought to Perth.

Hon. G. W. Miles: Was authority given by the Commissioner?

Hon. H. SEDDON: Yes, to have him arrested. Munmurrie had left Karonie in the meantime. The protector secured the services of the police, who found Munmurrie and arrested him. He was brought to Kalgoorlie and placed on the train in charge of a constable. The intention was that Munmurrie was to be employed in Perth as a black tracker. Incidentally, I would like the Minister to give me some information about a black tracker's work. Munmurrie was able to earn 25s. a week, in addition to his keep, when working on stations. I understand that when a native is employed as a black tracker, he is placed in the charge of the police, and must carry out the instructions given to him. He receives in return quarters and food and usually a few shillings a week.

Hon. A. Thomson: Whether he likes it or not.

Hon. H. SEDDON: Yes. The police seem to have adopted the old press-gang system in vogue in England many years ago and afterwards abolished. What happened to Munmurrie? I will ask members to regard this native now as a white man, and judge his character from his actions. As I said, he was put on the train, but when he got down the line a few miles from Boorabbin he jumped through the window. Notwithstanding that he was knocked about he made his way to the bush and escaped. The constable reported his escape and the police pursued him. They did not catch him. Munmurrie's wife had been left at Karonie, the protector at that place having said that he would take good care of her and supply her with rations. Munmurrie had married the girl at the mission; but, according to native law, she was really the property of some other native, and Munmurrie was naturally in a state of fear because his wife had been left unprotected. Therefore he acted like any other man would; he took the first opportunity of escaping. The woman followed him from Karonie to Kalgoorlie, where she heard of his escape. She then went down the line, picked up his tracks and followed him through the bush. Munmurrie had been joined by another native, and the three of them travelled 300 miles through the bush until they came near to the Mt. Margaret Mission.

Now the mission comes into the picture. Mr. Schenk wrote to Mr. Neville and asked if the mission could take care of Munmurrie. Mr. Schenk said that he had always had first class reports of Munmurrie and found him to be a good man. He would be pleased, he said, if the department could see its way to place Munmurrie under the control of the mission. The following wire, dated the 12th April, 1938, was despatched by Mr. Schenk to Mr. Neville:—

> Would you allow Douglas Munmurrie and Ninah to come here and we support them with no expense to the department? Munmurrie splendid record previously. Please give him chance in his own district.

The following reply was despatched by the department:—

> Your request re Munmurrie will receive our consideration later.

Mr. Schenk then wrote the following letter to the department:—

> I beg to confirm my telegram of even date—"Would you allow Douglas Munmurrie and Ninah come here and we support them with no expense to the department? Munmurrie splendid record previously. Please give him chance in his own district." I know this boy as one of the best I have met in all my travels and if he has had a lapse I would like to give him a chance to make good again. If Munmurrie has been troublesome I am inclined to think that extenuating circumstances have been the cause, and if so, he would feel it terribly if he were taken by the police. All our lady

workers are very troubled and wonder if Munmurrie and Ninah his wife were parted.

Then follows correspondence with the police regarding Munmurrie. The next letter is from Mr. Neville to Mr. Schenk, dated the 6th May, 1938—

Referring to your letter of the 12th ult., I am afraid your good opinion of Douglas Munmurrie is not shared by us. At all events, the circumstances were such recently that it was deemed desirable to remove him from Karonie, together with Sinclair, though the attempt failed and both Munmurrie and Sinclair have temporarily disappeared. I should like to say, in support of my officer at Karonie, that he has done his utmost to bring these men to a sense of their responsibilities, without success.

Then there is a letter to Mr. Schenk dated the 17th May as follows:—

In reference to the case of Munmurrie, and referring to your communciation of the 2nd inst., I have no knowledge that Munmurrie was parted from his wife, Ninah, and I am afraid you have been misinformed in this connection.

Munmurrie, himself, was secured near or at Kalgoorlie and I believe at that time his wife was at the Karonie rationing depot, so I can hardly see how the department can be charged with the separation of Munmurrie and Ninah or what bearing this particular aspect had on the action taken against Munmurrie in consequence of his conduct at the Karonie depot. I presume you do not suggest that action should not be taken against a native for unsatisfactory conduct simply because he is married.

However, as previously advised, Munmurrie escaped from legal custody when en route to Perth and at present I have no knowledge of his whereabouts, so I am unable to agree to your suggestion that he should be sent to your mission.

No charge was preferred against Munmurrie in the police court sense but the circumstances of his case were placed before the Hon. Chief Secretary who had no hesitation on the facts before him in issuing a warrant under Section 12 of the Native Administration Act for Munmurrie's removal from the Karonie depot.

A letter from Mr. Schenk to the Commissioner reads—

Your letter of the 6th to hand and although you have stated that Munmurrie was a trouble, yet we notice that you do not say in what way. We think that if Mr. Carlisle had any serious complaint he would be able to state specified incidents. We are quite prepared to learn even with sorrow that Munmurrie had had a lapse, but the vagueness of the information would only help us to believe the natives who make definite statements. They say that Mr. Carlisle ordered Munmurrie off the Karonie reserve because he would not work for a certain employer. We agree that any man should not receive food if he refuses work, but to do more than this and to force a man to go back to an employer is not British justice on the part of Mr. Carlisle, and would give any employer the license to be severe to the native.

Furthermore, the natives say that Munmurrie had left Karonie when the police took him, and that he was at Lakeside, near Kalgoorlie, about 80 miles from Karonie. They say that Munmurrie waited till Mr. Carlisle came back after going for the police and that Mr. Carlisle told him that he, Munmurrie, could stay at Karonie as long as he liked, and that the police were not coming for him. Munmurrie then left Karonie on his own account and went to Lakeside. Mr. Carlisle came to Kalgoorlie, got the police and went out to Lakeside and got Munmurrie there. It seems to us that Mr. Carlisle was not in legal bounds, and if he was, then we must say that it seems terrible to think that a man can be parted from his wife for such cause. When Munmurrie left Karonie Mr. Carlisle should have been satisfied . . . .

When a native is tried in a court he can have a protector to speak for him, but who is to speak for him if a manager of a reserve takes spite against him? It is not British justice for one man as manager of a reserve to have power to place a native in the hands of the police for removal from wife and relations and his own country when it may be a case of mere spite.

That shows Mr. Schenk's attitude. I am not excusing it; but Munmurrie was not given a chance to put his case. The letter continues—

No doubt Mr. Carlisle has written to you about Munmurrie, but Munmurrie has not been allowed to put his case to you. It is all so unfair, seeing that Munmurrie was taken after he left the reserve.

Would you allow us to bring Munmurrie up here and write out his part of the story for you? Would you allow us to bring him and Ninah up here to stay?

The Commissioner wrote to Mr. Schenk on the 21st May as follows:—

I have your letter of the 11th, the purport of which, I understand, is to ask me to allow Munmurrie and his wife to enter your institution, and that I regret I cannot agree to at the moment.

Apparently your information is derived from native sources, and you are judging the case accordingly. I assure you, however, that there is another side to the picture. The only point I think you make is the allusion to the arrest of Munmurrie taking place not at Karonie. The arrest was undertaken at the instance of this department, consequently after the issue of the warrant Munmurrie had to be arrested wherever he was . . . . .

Your inference that Mr. Carlisle had a spite against the man is unwarranted. Like yourself, Mr. Carlisle is a protector and one, I venture to say, who feels just as sympathetic towards the natives as you do. As for Munmurrie's wife, she has been provided with

...ions by the department throughout the affair, and we shall continue to support her in the absence of her husband.

You suggest that Mr. Carlisle acted illegally, but this is not so. Action was taken as the result of the issue of a warrant under Section 12 of the Native Administration Act. I might add that it was never our intention to send Munmurrie to gaol. All the warrant covered was his temporary removal from Karonie to Perth.

Regarding your final paragraph, I have no evidence and I submit there is none to show that the natives are being brought more into bondage, as you describe it. On the contrary, more and more of them are being taught how to earn their living in a decent orderly way, and are doing so.

Mr. Schenk, in a letter dated the 21st May, 1938, stated—

Since my last letter Munmurrie has come here and, although he may be gone before you get this letter, yet as messengers brought his story to me before, so I can send messengers to him even if he be half way back to Kalgoorlie again.

He told me his part of the story, and as I have never found him out in an untruth before, I am duty bound to believe his story unless I have facts to the contrary.

In your letter you say that he was not parted from his wife as they were already parted, but even if Munmurrie was at Kalgoorlie and Ninah at Karonie they were only separated by mutual consent for the shortest period, being true lovers, and intending to meet as soon as Ninah could go up to him. I cannot see how you can compare this short parting with an indefinite separation down south away from his wife and people. However, nothing could be said against this action if his case were serious, but I think a native should be chargeable with some offence before being parted from his wife.

I do not suggest for one minute that no action should be taken for unsatisfactory conduct, but Munmurrie says that he was not unruly. Mr. Carlisle evidently blames him for being disobedient and unruly, but Munmurrie says that he was merely disobedient and had good cause to be so, as Mr. Carlisle wanted to force him to work for wages lower than he has ever had before, while others on the reserve loafed and were fed. Munmurrie did not object to Mr. Carlisle giving him no sustenance as he expected that. Munmurrie says that Mr. Carlisle sent him to work at Mt. Monger station and that he, Munmurrie, thought that he would get £1 a week or more. When I send men out I always make a definite arrangement between employer and men. After Munmurrie had been at Mt. Monger for a week he found out that he was only to receive 15s. a week and he thought the remainder was to be paid to Mr. Carlisle. This story may be true as I know you asked me to adopt the same procedure up here to increase the trust fund, but I knew the men would only mistrust me. Anyway, Munmurrie left Mt. Monger and because he would not go back to work at Mt. Monger, Mr. Carlisle ordered him off the reserve, and because he did not go off the reserve, Mr. Carlisle asked you to take out a warrant for removal. Munmurrie removed himself, and surely Mr. Carlisle should have been satisfied with that, but instead he followed Munmurrie to Kalgoorlie and got the police to capture him near Kalgoorlie.

Then it seems as though the police offered Munmurrie the choice of going to Fremantle gaol or being a police tracker down south, and of course he said he would rather be a police tracker. Police tracking for no wages is another matter to which the native men object. This you would know when you had desired me to send trackers from here.

A friend of mine in Kalgoorlie interviewed the police and he wrote me to say that the police told him that Munmurrie was being sent south as a tracker. It seems too terrible, Mr. Neville, that a native should be taken by force to work for nothing. Munmurrie kept objecting and asking why he did not have a fair trial in the court at Kalgoorlie before being handled by the police.

Munmurrie then, being righteously indignant, jumped out of the train and escaped from the police—all this because of Mr. Carlisle's maladministration. It does indeed seem true, "Whom the gods wish to destroy they first make mad."

That is an epitome of the action leading up to Munmurrie's arrest and release. I do not wish to weary the House by quoting subsequent letters on the file, but they show that this man remained away from the police for a considerable time and eventually went to work on a station north of Leonora. The police received word that he was there, and when he finished his work the police found him on his way back to the mission. Munmurrie was taken to Leonora and given a chance to work as a tracker. The policeman at Leonora seems to have been a decent sort; he said Munmurrie's wife could stay with him at Leonora. Meantime the department had sent word that the warrant against Munmurrie had been withdrawn. The arrest was made on the 31st August and the letter of withdrawal was received by Mr. Schenk on the 13th September. Munmurrie was not advised by the police that the warrant had been withdrawn. When Mr. Schenk received the letter, he rang up the police at Leonora and advised them that the warrant had been withdrawn. Therefore Munmurrie was a free man. Mr. Schenk said that the police did not advise Munmurrie that he was a free man and he was detained at Leonora. So our friend Schenk, in his interfering way,

took the opportunity to send word to Munmurrie that he was a free man.

Munmurrie was interviewed by Mr. Hannah, the assistant magistrate at Kalgoorlie, at the request of the Commissioner, and in the course of the interview Munmurrie told the magistrate he was quite willing to remain at Leonora and work for the police as a tracker. Meanwhile Mr. Schenk had been writing to the department, and, as I have said, he notified Munmurrie that he was a free man. Shortly afterwards Munmurrie left the Leonora police service and returned to the mission. Mr. Hannah interviewed Munmurrie on the 26th September. The police action on the withdrawal of the warrant is not satisfactory. The police were anxious to have a tracker and this man apparently suited them very well. However, Mr. Schenk said Munmurrie could return to the mission. Having been told that he was a free man, he decided not to stay at Leonora any longer.

I wish to say that this is an illustration of the powers given to the department and of the way the powers are used. Had a white man been involved, he would have had the right to be tried before a magistrate, and an opportunity would have been afforded him to put his case before any steps were taken to punish him. However, a warrant was taken out to remove Munmurrie and he regarded it as a punishment that was not deserved, seeing there had been no trial. The whole sequence of events dates from that time. It is another illustration of the dangers that arise from the passing of legislation such as we have on the statute-book. It shows that this legislation can be used to make a rebel out of a man whose employers have nothing but good to say of him. Speaking to one of his employers in Kalgoorlie, I was told, "This man worked for me, and when he was leaving I told him that he could have a job if he came back. Some time afterwards I was shorthanded and could not get on with my work. Munmurrie and another native came to me and said they were prepared to work for me, having heard that I was short-handed, and would do a fortnight's work voluntarily. This they did." This shows the gratitude of the native to the manager who had treated him well; he was prepared to respond to kindly treatment meted out to him. It shows what kindness and understanding might have accomplished in dealing with this matter, whereas the impression that has been created is, to a certain extent, a most unfortunate one. Munmurrie can only be regarded as having been turned into a rebel, whereas kindness and consideration might have convinced him that he had been wrong and given him an opportunity to continue to win approval.

Some time ago I had an opportunity to visit the Morgans mission. At the mission is a school attended by native and half-caste children, and it would do members good to see the way in which the children get through the work. They are exceedingly smart and can hold their own with white children in the field of mental arithmetic. The mission has workshops; the dormitories are spotlessly clean. Each child has his own towel, toothbrush and mug, and altogether the conditions under which the youngsters are living are a credit to the institution, which is being maintained by voluntary subscriptions.

Hon. W. J. Mann: Up to what standard are the children taught?

Hon. H. SEDDON: The children I saw were in the second and third standards. Not only has the mission provided workshops in which the natives can be trained, but the people have also been assisted to build little cottages. We would not be greatly impressed by them, but they are suitable to the needs of the natives and are occupied by married couples whose children are able to attend the school and return to their homes afterwards.

The missionaries found that the natives were able to obtain employment on the stations for only about three months of the year. For the rest of the year they were thrown on their own resources. Accordingly, Mr. Schenk secured a three-head mill and the services of a prospector and had the natives trained to prospect in the locality. They located a vein of very low-grade ore and were taught to mine it. They work in pairs, and each man secures a small parcel which is put through the mill provided by Mr. Schenk and treated by a cyanide plant. As a result of the first year's operations £600 worth of gold was obtained. That was handed to the natives, the only charge made being one to cover the actual crushing expenses. The men, of course, have to buy their own fracteur. One or two of the men, handy with tools, bought secondhand trucks which they drive around the country, carting for their colleagues who are working different claims. Thus these men are making a living. This year almost £1,000 worth of

gold was secured. Members will observe that natives who had been idle and would have hung around the bush or the towns are now working and learning to become self-supporting and self-reliant. The services of the men are greatly sought by the station-owners in the district, who recognise them to be reliable workers.

Hon. T. Moore: Are they coloured or full-bloods?

Hon. H. SEDDON: There are both full-bloods and half-castes.

Hon. E. M. Heenan: Have you confirmed the last statement you made that the services of the men are being sought by the station-owners?

Hon. H. SEDDON: Yes; in one or two instances I have spoken to station-owners. As a matter of fact I spoke about Munmurrie to a friend of the hon. member, and he gave him a good character. Other people at Leonora spoke very well of the natives. The great point is that the men are being trained to be self-reliant and self-supporting. The women are taught fancy work and weaving. They have a little loom, and after spinning local wool, they weave it into mats and clothes. The whole object is to make them self-supporting, give them self-respect, and teach them that they can win a place in the community. That sort of work demands all the encouragement we can give it.

Hon. W. J. Mann: Is any prospecting grant given by the Government?

Hon. H. SEDDON: Not a bean. Such work should be encouraged; it is work in conformity with the ideal underlying the Native Administration Act.

I wish now to deal with some of the regulations to which I have taken exception. The first to which I object is No. 6, which specifies the position governing the declaring of a quadroon as a native. The regulation states—

(a) The application shall be lodged with the magistrate to whom it is desired to apply for the order, and the magistrate shall thereupon fix a date for the hearing of the application which shall not be less than five days after the day when notice is served on the native as hereinafter prescribed.

(b) If for any reason the notice has not been served so as to allow the necessary time stipulated in the preceding paragraph the Commissioner shall obtain a fresh date of hearing and effect service conformably with the preceding paragraph.

(d) If the quadroon fails to appear the magistrate may on proof of service proceed to determine the matter in his absence.

The objection to this regulation is that there is a discrimination against the native as to the time allowed before the hearing of an application. Regulation 101, relating to appeals against the cancellation of or refusal to grant a permit, states—

The magistrate with whom an appeal has been lodged shall fix a date and time for the hearing of the appeal, providing such hearing shall not take place until the expiration of at least one month from the date of the appeal having been received by him, and that appellant and the protector concerned shall be entitled to receive one month's notice of the date and time of the hearing of the appeal.

The argument is that if a month is good enough in one instance, it should be good enough in the other. The conditions should be the same in each instance so that natives will be assured of the same sort of deal as the Commissioner. The next regulation to which I have taken exception is No. 39, which deals with correspondence and states—

All letters to and from the inmates of an institution shall pass through the hands of the superintendent or manager, who may in his discretion withhold them from transmission or return them to the writers.

That is an interference with the natives that may be warranted, but seems a very questionable course of action. Even though correspondence might be of an undesirable description, I do not consider that there is any justification for its being intercepted. It should be given to the person to whom it is addressed. The next regulation to which I object is No. 85, which reads as follows—

The Commissioner may direct that the wages or part of the wages of any native shall be paid to him in trust for such native in any manner he may think fit and the wages shall be paid by the employer accordingly.

This regulation has been the cause of much dissatisfaction, the natives maintaining that they are entitled to their wages. The law might well be amended to provide that where a man is shown to be incapable of taking care of his wages the Act should be enforced, but until he has been shown incapable, he should be allowed to take charge of his money. At present deductions are made from wages and sent to the department. I am informed that the department banks the money in the name of the native concerned, and such sums are held for his benefit.

The Chief Secretary: That applies only to minors, as a general rule.

Hon. H. SEDDON: I have been informed that natives experience some difficulty in securing information as to how much money is standing to their credit. Money belonging to minors is spent by the department on their behalf. One or two natives have said to me, "I am not allowed to have the money I have earned. The department gets hold of it, and I do not see it, and I do not know how much I have." I was told that statements are sent to the natives, but I think there should be some system whereby——

The Chief Secretary: Can you quote one case of the kind you have mentioned where a native has applied to see his account and has been refused permission?

Hon. H. SEDDON: Yes.

The Chief Secretary: I would be glad if you would let me know of one instance.

Hon. H. SEDDON: Very well. I am glad the Minister has mentioned that point. One such native is Jack Quinn. He told me personally that he was unable to obtain a statement as to how much money there was to his credit. There is another case to which I will refer.

Hon. J. M. Macfarlane: Does he not know how much is deducted from his money from time to time?

Hon. H. SEDDON: Apparently not, because he does not know how much money he has to his credit. There is another case of a family that benefited under a will. The estate was dealt with and certain moneys were paid out, but a further amount was due. The person concerned, however, was unable to obtain any particulars concerning it. I think the name of the family is Angwin.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. SEDDON: Before tea I was stating that I had had conversations with natives who told me they had found difficulty in obtaining information about their funds in the hands of the department. If the regulations were properly drafted, they would provide for the issue of regular statements by the department to natives for whom the department is holding money. The statements should show the amounts of money in hand, and also details of any withdrawals made from the accounts by the Commissioner.

Another question arises under the heading of financial arrangements—the position that exists where the estate of a deceased man and infants are concerned. I cannot do better than bring to the notice of the Honorary Minister a case of that kind to which my attention has been drawn. These are the particulars—

Facts Concerning the Estate of the Late A. C. Ashwin.

1. A. C. Ashwin was a white man, not a native or a half caste, who owned his half-caste children and provided for them in his will. He provided for Trilby, Bill, Christmas, Winnie (deceased), Ida and Jack.

2. Each was to receive money from the estate, and we know that £100 was named as the share of Trilby.

3. In April, 1937, Trilby received a letter from the Curator of Intestate Estates, together with £50, less 3d. stamp duty, the letter stating more was to follow. Copy of letter herewith:—

> Re A. C. Ashwin, deceased.
>
> Enclosed herewith is cheque for £49 19s. 9d., in your favour, being the first payment on account of your legacy of £100 under the Will of the above mentioned, after deduction of 3d. stamp duty.
>
> Yours truly,
> (Signed)
> Curator of Intestate Estates.

4. On 15th August, 1938, Trilby wrote to the Curator of Intestate Estates enquiring about the remainder of the money and a copy of the reply is contained herewith—

> 23/8/38.
>
> Re A. C. Ashwin, deceased.
>
> Acknowledgment is made of your letter of the 13th instant.
>
> There were only sufficient funds to pay £90 12s. 2d. on account of your legacy of £100. Of this, £50 was paid to you direct on 16th April, 1934. The balance of £40 12s. 2d. was paid to the Commissioner of Native Affairs on your behalf on 20th August, 1937, and I suggest that you get in touch with him.
>
> Yours truly,
> Curator of Intestate Estates.

5. Trilby is married to a man named Tom Cooper.

6. After A. C. Ashwin died, Trilby and Tom got into difficulties and their children were brought to the Mission and since then the Department of Native Affairs has issued these children half a ration each. (This of course is only one quarter of their support, the Mission provides the rest.)

7. We conclude Mr. Neville has taken the money to pay for these rations.

8. Trilby contends that the care of the children financially belongs to her husband, Tom.

9. Tom Cooper, her husband, some time ago had to go to Perth for a major operation and has only been able to keep himself in bare necessities since.

10. Trilby had determined to build a little home with this remaining money, £40 12s. 2d., in which to spend her declining days.

11. No notification was given to Trilby either by the Department of Native Affairs or by the Curator of Intestate Estates that her money had been paid into the department.

12. We wonder if the money of all her brothers and sisters has been paid in likewise.

13. Her brother, Bill Ashwin, has never at any time received departmental assistance, and he also desires to know if any of his money has shared the same fate.

14. The addresses of the other brothers and sisters are—Christmas (Mrs. Eve Harris), c/o Miss Janet Jones, Geraldton; she has one girl now in department care. Winnie (deceased); her five children, Bella, Daisy, Jinnie, Bruce and Walter, in care of department. Jack Ashwin, Wiluna; as far as we know has never received department help. Bill Ashwin, Mission, Morgans; has not received department help at all. Trilby Ashwin (now Mrs. Tom Cooper), Mission, Morgans, received department assistance for her children. Ida Ashwin (now Mrs. Archie Tucker), Mission, Morgans; for two or three months several years ago received rations from department. She is still under 21 years.

15. The Mission here would in no wise think of deducting the amount we have spent on Trilby's children from her legacy, yet we have done three times as much as the department.

Trilby, Bill and Ida particularly wish me to get the help of a solicitor to recover their money and no doubt the same solicitor could act for the rest of the family.

Apparently that is a case where information that the people were entitled to receive was not made available. The general idea is that the department could be more regular in conveying information to natives of funds standing to their credit in the department's care. The regulations do not state, either, for what purpose a native can obtain his money. There seems to be a feeling that the natives are not entitled to the use of their funds, or at any rate they are discouraged from spending their own money themselves.

The next regulation, No. 101, deals with appeals against cancellation or refusal of permits. The appeal must be lodged with a magistrate, and the magistrate with whom it is lodged then fixes a date and time for the hearing of the appeal—

> providing such hearing shall not take place until the expiration of at least one month from the date of the appeal having been received by him, and that appellant and the protector concerned shall be entitled to receive one month's notice of the date and time of the hearing of the appeal.

I quoted a case where the native had only five days' notice given to him.

The Chief Secretary: Is that strictly correct—that he had only five days' notice?

Hon. H. SEDDON: I should say, not less than five days.

The Chief Secretary: I hope the hon. member will not make any mis-statement.

Hon. H. SEDDON: I do not want to make any mis-statement. The statement I make is that a native can be served with a notice that after five days his case will be dealt with. In the case of the Commissioner, a margin of a month is allowed in which he can make the necessary arrangements to appear. Then as to regulation No. 103, which reads—

> At the hearing of an appeal by the magistrate, the appellant may appear in person or he may be assisted by his agent and the Commissioner shall be represented by the protector concerned or by a travelling inspector. No legal practitioner shall be engaged by either side. Nothing in the foregoing shall prevent the Commissioner from himself appearing and opposing any appeal.

We are dealing with natives, and we are asking natives to go into court and conduct certain cases on their own behalf. I contend that this regulation forbidding the appearance of a legal practitioner is unfair. Natives are opposed to a man who knows all the aspects of the law and all its intricacies —the Commissioner—and yet the natives are left entirely to their own abilities. One can imagine what would happen in the case of an ordinary white person conducting his own case in court. The conditions are obviously unfair. The native should have assistance given him, if he wants it, in presenting his case.

I have given an illustration with regard to regulation No. 106, dealing with estates of deceased natives.

Next, I come to regulations Nos. 112 and 114, dealing with the obtaining of the Commissioner's consent to marriage. That is, of course, in accordance with the Act. However, a point arises here. The Commissioner has to be notified. If he wants to object, he must object within a month. If no objection is raised within a month, then it can be assumed that he does not object. We see there that the Commissioner acknowledges receipt of the notification, but the correspondence I have read shows that dissatisfaction has been caused by communications not being acknowledged in certain cases. Undoubtedly, decisions have not been given and matters have dragged on from month

to month and even from year to year. The Commissioner has ignored communications, and the native has been left high and dry. Unquestionably, in those cases the system can operate harshly against the native. Then, with regard to appeal against the withholding of consent to a marriage, regulation No. 115 provides—

> The magistrate with whom an appeal has been lodged shall fix a date and time for the hearing of the appeal providing such hearing shall not take place until the expiration of at least one month from the date of the appeal having been received by him, and the appellant and the protector concerned shall be entitled to receive from the magistrate one month's notice of the date and time of the hearing of the appeal.

There again I contrast the time allowed in the one case with the time allowed in the other. And with regard to marriages, regulation No. 117 states—

> In the hearing of all appeals the contracting parties themselves must appear but they may be assisted by an agent who may be a legal practitioner, providing that the names of the parties appearing to assist the appellant shall be supplied to the protector concerned at the time of making the application to appeal.

Why the discrimination in this case, allowing a legal practitioner? Why cannot the same assistance be permitted in the other case, where, obviously, the native would benefit by it?

Now I come to missions and missionaries. Regulation No. 139A provides a board of reference to hear appeals. I object to all the regulations dealing with missions. Missionaries, as I said at the beginning, are obviously impelled by the highest of motives in carrying out work among the natives; and I contend that the department's attitude should be rather to help than to restrict or embarrass them. All these regulations lay down conditions giving the Commissioner power to interfere with missions. A missionary cannot go to preach to natives without first obtaining permission. My contention is that provided a man is of good character—and that can be determined under other regulations—and wishes to devote his life to work among natives, no obstacle should be placed in his way.

The Honorary Minister: Is any obstacle placed in his way?

Hon. H. SEDDON: The regulations place obstacles in his way. He has to get a permit first. In the case of the mission established in the Warburton Ranges severe conditions were imposed by the department before work was allowed to be commenced. The mission was only established by the missionaries setting it up on Crown lands, which Mr. Neville afterwards persuaded them to allow to be included in the native reserve, thus coming under the control of the department. The regulations tend to interfere with the missions to natives, and that is a state of affairs we should not establish unless very grave reasons are shown for it.

The regulations have been amended to provide for a board to which appeals shall be made in the case of a permit being refused. I should like to point out that the board is for the purpose of dealing with an appeal by a person who has been refused a permit. On the question of the constitution of the board, let me first point out the position of the churches. The churches have two types of government. There is the Presbyterian type of government, and there is also the Congregational type. The Presbyterian type is government by the clergy of the church; the Congregational type is government by the congregation. In the constitution of the board of appeal, all the churches named are of the Presbyterian type. The other churches—those that are governed by the congregation—are grouped under "Undenominational," whatever that may mean.

The Honorary Minister: You ought to know; you come from the Old Country.

Hon. H. SEDDON: I do know.

The Honorary Minister: That is a term commonly used there.

Hon. H. SEDDON: No, the Honorary Minister is under a wrong impression. There is no such thing as an undenominational church.

The Honorary Minister: Well, there used to be.

Hon. H. SEDDON: The Honorary Minister no doubt has in mind the nonconformist churches.

The Honorary Minister: And undenominational.

Hon. H. SEDDON: No, nonconformist is the term.

The PRESIDENT: Order! This is not a discussion on churches.

Hon. H. SEDDON: I am pointing out the difference and what will occur if the board be constituted as proposed. The board will consist of one type of church, and a missionary who is refused the right to

preach to natives will have to lodge an appeal to this board, which would determine whether he should be allowed to preach to natives or not. I foresee a very grave danger there, because the appellant will be judged not from the standpoint of character but as to whether he is competent to preach religion to natives.

The Honorary Minister: Oh no!

Hon. H. SEDDON: I foresee that a board constituted as the Minister proposes will make a lot of trouble, and will not attain the object that the Minister has in view, namely, that the board should enable any honest man, who has been refused a permit, to preach to the natives. I consider that the whole question of missions should be dealt with in the same manner as we deal with religions generally in this State, namely, that there should be freedom to preach any religion. We should certainly follow out that principle in framing any regulations to govern missions to natives.

The other regulations to which I have referred include Nos. 141, 142, and 144. These regulations deal with the issue of certificates of exemptions, and lay down the conditions under which such certificates may be applied for. As I indicated, the policy of the department should be directed towards releasing the natives, as far as possible, from the care of the department. These regulations lay down conditions under which applications for exemption shall be made, and natives will be required to fill in certain forms in their own handwriting, or get someone else to prepare their applications. In these matters, the natives should be facilitated, but the regulations will make it difficult for most people of that type to lodge applications. Regulations 149 and 151 deal with appeals against refusal to grant or the revocation of certificates of exemption. Here again are laid down conditions that must be complied with in order to satisfy the requirements of the department. The whole of the regulations, in my opinion, are drafted to make things easy for the department, and in no instance have they been drafted having in mind the direct interest of the natives or the facilitating of efforts by the natives to obtain their freedom. For these reasons I have moved for the disallowance of certain regulations.

Personally I consider that the whole of the regulations might be disallowed. I also consider that at the earliest possible moment the Act should be amended in order to require the department to obtain a magisterial decision before the natives can be brought under its control. On the other hand, if natives chose to make application for departmental control and assistance, it could be granted, but we should adopt the attitude of encouraging the natives to become free men and of bringing them under control and domination only when they have proved themselves unworthy of being entrusted with personal freedom. Particularly in the matter of half-castes and quarter-castes associating with their relatives, we should recognise them as human beings, and should show sympathy when the human tie is involved. The regulations should be drafted from that standpoint.

Let me now refer to the education of natives. This matter was dealt with by the Commissioner when he made an investigation. According to his report of 1936, amongst the children being educated, 455 were being educated by missions and convents, 248 at State schools, and 156 by the Department of Native Affairs. In 1937, of 4,147 of such natives, 439 were being educated by missions or convents, 380 at State schools, and only 138 by the department. Therefore, in the matter of education, the figures for the department do not show much in the way of progress. Yet the matter of educating the natives is a most important one—the laying of a foundation to enable them to earn a living and establish for themselves a position in the community.

In these circumstances I ask for the disallowance of the regulations, not only on account of my objections to them but because I feel that we should, at the earliest possible moment, make an amendment to the Act in order to overcome the disabilities suffered by these people through being brought under the control of the department indiscriminately, irrespective of whether they are educated, self-reliant, and capable of living as citizens, or are uneducated and of a degraded type. We cannot shut our eyes to the fact that many of the natives have become degraded only since their association with white people, and such natives could well be brought under the activities of the department. When a man is living a decent life, however, he should be left entirely free of the department.

HON. J. CORNELL (South) [7.55]: I move an amendment —

That before the word "regulations" the word "all" be inserted with a view to striking out the numbers of the regulations.

I move the amendment because Mr. Seddon indicated to me to-day that, though he proposed to move for the disallowance of certain regulations only, he would much prefer that the whole of the regulations should be disallowed. Of course, the hon. member could have asked leave to amend his motion in that way. If my amendment be carried, the various regulations enumerated in the motion will consequentially be deleted. The Chief Secretary has been informed of the amendment. It is customary to move the adjournment of the debate immediately after the moving of such a motion, but now the House will have both the motion and the amendment before it and may resolve to disallow either some or the whole of the regulations.

The CHIEF SECRETARY: I move —

That the debate be adjourned.

The PRESIDENT: Perhaps the House would prefer to adopt the amendment to-night, and then the motion, as amended, could be dealt with at the next sitting.

The CHIEF SECRETARY: I do not know whether it makes very much difference, but I think I am quite in order in moving the adjournment of the debate.

The PRESIDENT: The Minister is quite in order.

The CHIEF SECRETARY: Then I will allow my motion for adjournment to stand.

Hon. C. F. BAXTER: On a point of explanation. I intend to move a motion for the disallowance of certain regulations, and I think the Minister would be well advised if he allowed the amendment to be dealt with to-night. Otherwise, I shall have to table another motion to-morrow proposing the disallowance of other regulations.

Motion (adjournment) put and passed.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

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

BILL—WORKERS' HOMES ACT AMENDMENT.

Report of Committee adopted.

BILL—BUREAU OF INDUSTRY AND ECONOMIC RESEARCH.

Second Reading.

Debate resumed from the 17th November.

HON. H. SEDDON (North-East) [8.1]: With the idea behind this Bill, I am in full accord. It contains some excellent principles, and is intended to provide machinery to enable the Government to deal with the important question of unemployment, both youth and general unemployment, and the necessary research work that must be undertaken if we are to encourage the development and establishment of secondary industries in Western Australia. I should like first to express my appreciation of the report that has been placed in our hands by the Royal Commissioner appointed to investigate the problem of unemployment. He has done excellent work. Of course, he had the benefit of previous investigations, and of the knowledge and information that were acquired years ago by the Federal Government through one of its committees. That committee made a report on unemployment. It is a pity that greater attention was not paid to that report. It contains many suggestions that were worthy of investigation. Had those investigations been made at the time, especially into those matters which dealt with statistics concerning various industries and finance generally, we would have advanced a good deal on our way towards solving many of the unemployment difficulties that arose in the early part of the present decade. The value of the Wolff report lies in the fact that the Commissioner has crystalised and embodied in it much information that has been acquired by various other bodies, and has made all this available in one document.

I think the provisions of the Bill will, to a large extent, overlap the activities of organisations at present in existence. A tremendous amount of work is being done by the Federal Government through the Council of Scientific and Industrial Research. The value of that work has been recognised, and some of the achievements of that body are regarded as outstanding.

The Chief Secretary: It is said that the Western Australian bureau will not interfere with its activities.

Hon. H. SEDDON: To the extent that this Bill gives the bureau power to use in-

formation that is made available by the Federal body, and to co-opt any experts that are associated with it or with any other department or the University, well and good. It appears to me, however, that the organisation laid down in this Bill will prove somewhat cumbersome and expensive, and that the same results could be achieved through a small committee. We have heard it said that the best committee is a committee of one. I am inclined to agree that this is so when I come to consider the present proposal, under which power is given to co-opt the necessary expert assistance. A large amount of the work would be statistical, and would lead to inquiries into activities undertaken in other parts of the world.

When the Chief Secretary was speaking I interjected that only one man could adequately fulfil the conditions laid down, and that was Henry Ford. The interjection was treated in a jocular manner, but it was made in all seriousness. I feel that only a man of that type, one who has had training in industrial management and is thoroughly seized of the principles with which Henry Ford carries on his organisations, not only in the shop but in relation to his employees, could possibly carry out the work that will devolve upon the officer or officers to whom the destinies of the bureau are entrusted. Anyone who has read the literature associated with Henry Ford's work will understand how he has co-ordinated and organised the best scientific workers and knowledge available to him. His great achievements were when he broke new ground, and carried out jobs that were defined by experts as impossible. He was the first man, for instance, to institute the system of continuous production of sheet glass. Experts contended that such a thing was impossible. He put his men on to the work, and eventually developed a glass furnace that produced sheet glass by continuous process. That is one illustration of the way in which he was able to organise scientific ability and deal with such problems. He revolutionised the construction of boiler arrangements for power stations. The type of boiler was entirely altered as a result of his investigation. Because of these things I have in mind a man of the same type, who would be the only type capable of assessing our difficulties, and able to disregard political propaganda both on the side of the employer and employee, a man who could see clearly what was needed to increase the efficiency of the community, and thereby raise the standard of existence and provide employment where to-day it seems impossible to find it.

The danger of a bureau of this kind, as has often been charged against other bureaux, is that it is liable to become too scientific and academic. We must have a man who is practical and will offer practicable recommendations. I wish to make a reference to the committee that was formed by Mr. Kenneally in the early days of the recent depression. It was a strong committee, and yet what practical results were made available to the people? I know it undertook a large amount of work, but the results were not made available to members. We had a brief general report that certain investigations had been undertaken, but nothing in the nature of information that could be laid on the Table of the House was compiled, and we had no idea of the lines along which the committee was making its investigations.

The C.S.I.R. is operating over a tremendously wide field. We also have a Tariff Board, which conducts investigations into production, the cost of production, and the ramifications of trade and various types of factories. The result of its investigations would be of immense value to the proposed bureau, but I fear that the establishment of a bureau as provided in the Bill would simply mean a duplication of work. Of course, the intention may be that the information compiled by the Federal body will also be made available to the State organisation.

Let me instance some of the activities of the Federal bureau. One of the greatest problems confronting Australia was the prickly pear menace. Before the C.S.I.R. tackled this question, the prickly pear was forcing out of cultivation in Australia every year no less than 1,000,000 acres of farm land. As a result of the research work the pest has now been controlled, and is rapidly being wiped out. Although the Federal body rendered assistance to Australia that was of untold value, not one penny was collected as payment for the discoveries. Notwithstanding that the land recovered must be worth many thousands of pounds, no charge was made for the work done. I am inclined to think that a bureau established on the lines proposed by this Bill would find itself in the

same position—that of doing work without recompense. A great deal of investigation work on ore treatment is carried out by the scientific laboratory in Kalgoorlie. Many problems of interest to mining companies are dealt with, and much of the work is undertaken from the point of view of its scientific as well as commercial aspects. The investigations, if submitted to practical men, would be a useful guide to them, and would not only bring increased wealth to the State, but be the means of providing employment for a great many of our young men. This work is carried out at the expense of the State, which has recently been assisted by the C.S.I.R.

A great deal of investigation takes place in England and America, particularly in respect of the distribution of commodities. An inquiry was held concerning the number of customers that a grocer's shop, a chemist's shop or a butcher's shop could efficiently serve. The statistics show that it would be easy to lay down a system whereby people could be advised that as there were so many butchers' shops and so much population in a particular locality, it would be uneconomical to establish more than one extra shop. Such information would be of value to the State bureau. I repeat, however, that there is a danger of over-lapping. An officer of the type I have outlined could be appointed by Parliament to report to Parliament. He would be appointed, as it were, a technical auditor and adviser, and would collect information and make it available from year to year. I am sure there is sufficient enterprise as well as courage amongst the commercial people of the State to cause them to take advantage of whatever information is laid before them. In the circumstances I suggest the Bill should be amended to provide for the appointment of a technical adviser whose selection would be approved by Parliament, one who would be responsible to Parliament and whose reports would be made to Parliament. Such a man would to a large extent be independent of political interference, and would carry out his activities in accordance with the spirit of the legislation. The result of his work would be placed before Parliament and thence before the commercial people of the State.

The General Electric Co. of America has two laboratories. In one, scientific men are at work. These are the highest grade scientists in their line that the company could obtain and are drawn from all parts of the world. They are given an entirely free hand to carry out their scientific investigations. All that was required of them was that they should submit reports on their work and experiments, with particular reference to any phenomena they discovered during the course of their investigatory tasks. Members will see that the operations were purely scientific, with no attempt to commercialise the results in any way. The reports and observations of these scientists were handed on to a second committee, the members of which examined them entirely from the standpoint of commercial utilisation. What has been the result? In the wireless field the company has advanced by leaps and bounds. The refrigerators that we enjoy in our homes represent the result of the scientific application of refrigeration from the domestic standpoint.

As the outcome of scientific investigations an air-conditioning system has been evolved. Although the cost at present is perhaps prohibitive, as a consequence of the scientific investigation that has been successfully carried on, the time is not far distant when we shall be able to air-condition our homes, just as we now are able to make use of the vacuum cleaner, the refrigerator, and many other electrical appliances that to-day are quite common in our homes. There we have a field of investigation at first purely scientific, but later commercial in its outlook. The company that has adopted this scientific basis of investigation has made substantial profits from sales that were the outcome, first of the application of science to industry and then the commercialising of the results of scientific research.

This is a field that I hope will be undertaken by the officer who will be appointed to take charge of the investigatory work. Such an officer will have to face tremendous difficulties including prejudice and the machinations of vested interests. I take it that his work in the early stages will be largely educational and investigatory, and for that reason I cannot understand the provision for a large bureau. I think the Bill should be amended to provide for the appointment of an officer of the description I have indicated, so that he can investigate the possibilities of providing employment, increasing the scope of our secondary industries, and pointing out to commercial interests the opportunities

that await them in various avenues of which they could take advantage. I shall support the second reading of the Bill with the idea of amending it in Committee to provide that, at the outset, a man of the type I suggest shall be appointed, and as his activities extend and the value of his work is demonstrated, we can consider the more ambitious project outlined in the Bill, namely, the establishment of a bureau comprising a large number of men to carry on the work.

I have much pleasure in supporting the Bill, because I regard it as an honest attempt to deal with a very important question, and to place the State on the right track from the standpoints of development and production, and to make use of the most available commodity we possess and are at present exporting—I refer to the brains of the community. Unfortunately the conditions are such that our most promising young men find better scope for their energies and a wider appreciation of their work outside, rather than inside, the State. That is an export we can ill afford. We should harness the energy, ability and brains our people possess for the promotion of our own industrial efforts, and anything tending in that direction should receive the support of the House.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Second Reading.

Debate resumed from the 17th November.

HON. H. SEDDON (North-East) [8.21] Members of the House know the stand I have taken on this legislation in previous years, and I again oppose the continuance of the Act. I would have liked the Minister to give members an opportunity to discuss the Bill introduced by Mr. Nicholson, which seeks to amend the present Act in a direction I consider necessary. I would have preferred that Bill to be dealt with and sent to another place before we were asked to consider the measure now under discussion. In my opinion, the Act has continued for a longer period than was essential in the goldfields and metropolitan areas. A great volume of money awaits investment in mortgages if those in control of the funds could be assured that they could obtain the money when the mortgage term expired and could take advantage of the rights of mortgagees for the protection of their investments.

Hon. H. V. Piesse: They can still contract out of the Act.

Hon. H. SEDDON: The hon. member is mistaken. If a person lends money on mortgage to-day, he immediately passes under the control of the Mortgagees' Rights Restriction Act.

Hon. H. V. Piesse: No, he does not.

Hon. H. SEDDON: The hon. member is mistaken. He is thinking of the Financial Emergency Act.

Hon. H. V. Piesse: No, I am not.

Hon. H. SEDDON: The Mortgagees' Rights Restriction Act restricts the rights of mortgagees.

Hon. H. V. Piesse: Not since 1931.

Hon. H. SEDDON: I suggest that the hon. member read the principal Act, because any mortgage since that time is governed by the Act, and the mortgagee may appeal to the court to secure relief. I am prepared to be corrected if I am wrong, but that is my reading of the Act.

The Chief Secretary: But are you correct?

Hon. H. SEDDON: I think I am.

Hon. H. V. Piesse: No, you are definitely wrong.

Hon. H. SEDDON: I do not want Mr. Piesse to make my speech for me. I have not forced myself upon the House; I am speaking now because no one else was prepared to continue the debate on either the Bill now before the House or the order of the day preceding it. The time has come when the goldfields and metropolitan areas should be exempted from the operations of the Act. There may be need for it in the agricultural and pastoral areas, and I would be prepared to support an amendment with that end in view. Legislation of this type is alarming, and no one is more timid than the investor. The Act has proved detrimental from the standpoint of investment in property. I shall oppose the second reading of the Bill, but should it reach the Committee stage, I shall support an amendment to confine its operations to the agricultural and pastoral areas.

Hon. L. Craig: I desire to move that the debate be adjourned till Tuesday next.

The PRESIDENT: The hon. member secured the adjournment of the debate when the Bill was previously before the House.

Hon. L. Craig: That is right; I had forgotten.

The Chief Secretary: Do members desire to make a farce of the whole business of the House?

Hon. J. Nicholson: No, but we want to give members an opportunity to discuss my Bill.

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

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 3).

Second Reading.

Debate resumed from the 17th November.

HON. L. CRAIG (South-West) [8.27]: I have perused the Bill carefully, and cannot find anything detrimental in its provisions, most of which have been sought by the Road Boards' Association. The Bill provides that members retiring from a board shall do so on the same day as the election of the new board. That is desirable, and the wonder is that such an arrangement has not been sought before. Then again, a candidate at an election will not be able to witness absentee votes. Obviously that is quite correct. A candidate should not be allowed to tour the country and witness votes merely because the ratepayer cannot attend the polling booth to exercise his vote in the ordinary way.

Member: Will he witness all signatures?

Hon. L. CRAIG: I take it that the voter would be favourable to the candidate; otherwise the latter would not witness the ballot paper.

Hon. A. Thomson: Is that sort of thing done in your province?

Hon. L. CRAIG: No, but perhaps it is done elsewhere. Then again, if for the election of the chairman of a road board, the voting is equal and it is not possible to arrive at a decision, power is given to the Minister to decide who shall be chairman. That certainly is one way of finalising the problem. It matters not who may be chosen by the Minister, because the equality of voting shows that each candidate is held in equal favour. An extraordinary position under the existing Act is that a returning officer shall not be paid for his work unless he happens to be chairman of the board. The Bill rectifies that, and provides that any member of a road board who is appointed to act as returning officer shall be entitled to the same remuneration as the chairman. That is quite reasonable.

Permission is also granted for road boards to put in by-passes. But the Bill has this extraordinary provision, that the by-passes or run-overs shall be constructed to the design and subject to the approval of the Commissioner of Main Roads. I have endeavoured to ascertain the reason for this provision. Beyond the desirableness that the design should be uniform and the by-pass absolutely safe, I can find no reason at all. It does seem to me to be rather a slight upon road board secretaries, who are often engineers, and road board members who are familiar with this class of work, that they should be compelled to refer a design, and probably quantities, to the Commissioner of Main Roads. Members must bear in mind that this provision applies not only to main roads, but also to other roads.

Hon. C. F. Baxter: How many road board districts in the Great Southern areas have by-passes? The road boards there have had no experience of them.

Hon. L. CRAIG: But they know all about culverts, and there is not much difference between a culvert and a by-pass.

Hon. C. F. Baxter: There is.

Hon. L. CRAIG: In the southern districts we have timber workers skilled in bridge building. I am quite convinced that they would be capable of constructing a first-class culvert or by-pass.

Member: Could they make by-passes rabbit-proof?

Hon. L. CRAIG: I am not saying whether the by-passes would be rabbit-proof or not.

Hon. C. F. Baxter: They must be.

Hon. L. CRAIG: If a road board decides a by-pass is required and it has had experience of constructing first-class bridges and culverts, it will certainly be capable of constructing a first-class by-pass without reference to the Commissioner of Main Roads. We find that in some road districts there are as many as 200 by-passes. Members will readily imagine the trouble that would be involved in submitting plans and specifications of those by-passes to the Commissioner of Main Roads so as to obtain his approval of them.

Member: We will pass that out.

Hon. L. CRAIG: The Commissioner of Main Roads accepts no responsibility, although he approves of the design. The

entire responsibility will be carried by the road board. I am convinced that secretaries of road boards, who are often capable engineers, and members of road boards are quite able to construct by-passes. With the exception I have mentioned, I support the second reading.

HON. A. THOMSON (South - East) [8.34]: Mr. Craig is expecting a considerable amount of trouble. The intention of the Bill is that the Commissioner of Main Roads shall, through his engineer, approve of the design of by-passes, and road boards will be required to construct by-passes in accordance with that design. We have much for which to thank the engineering branch of the Main Roads Board and those workers of the board who construct our main roads. I am quite prepared to allow by-passes to come under the control of the Commissioner of Main Roads. We must have uniformity.

Hon. L. Craig: There cannot be uniformity.

Hon. A. THOMSON: That is possibly where the hon. member and I disagree.

Hon. L. Craig: How can there be uniformity upon the Murchison and in the South-West district?

Hon. A. THOMSON: The by-passes must be so constructed as to be capable of carrying a given load; if not, the duty will devolve upon road boards to say that certain vehicles must not proceed over by-passes, but must use the gate.

Hon. L. Craig: Culverts are constructed to carry varying loads.

Hon. A. THOMSON: All the more reason why the Commissioner of Main Roads should approve of by-passes.

Hon. L. Craig: He does not approve of culverts.

Hon. A. THOMSON: There is a difference between by-passes and culverts. Culverts are solid; by-passes are an open grid.

Hon. L. Craig: No. They are constructed in the same way as is a culvert.

Hon. A. THOMSON: I am willing to allow the construction of by-passes to come under the control of the Commissioner. There is very little in the Bill to which objection can be taken. Many of the amendments are consequential. When we deal with Clause 6 I would like the Minister to explain the reason for the deletion of the words "or ward (as the case may be)." Section 51, which is to be amended by Clause 6, deals with the electoral roll, a copy of which shall be deemed prima facie evidence of the contents of the roll in any court of justice.

The Honorary Minister: There will be one roll only.

Hon. A. THOMSON: But there must be a separate roll for each ward.

The Honorary Minister: Not under this amendment.

Hon. A. THOMSON: We can deal with that point when we reach the Committee stage. I do not agree with the remarks made by Mr. Craig. He suggested that any person who acted as returning officer should not be eligible to become a candidate at such election. I can see a difficulty. Section 65 provides that no person who acts as returning officer at any election shall be or become a candidate at such election.

Hon. L. Craig: Unless he resigns from that particular post.

Hon. A. THOMSON: I agree with that; but I may be a candidate for, say, a south ward, which adjoins the west ward. In a scattered district, I may be qualified to take postal votes or sign absentee votes. I would not suggest for a moment that any candidate would act in the way Mr. Craig suggested. I do not think a candidate would wander about getting votes for himself.

Hon. L. Craig: Do not you think candidates do it?

Hon. A. THOMSON: No.

Hon. L. Craig: The Road Boards' Association has asked for this amendment.

Hon. A. THOMSON: I shall be pleased to hear the reason. As a matter of fact, I have to-day received a letter from an old roads board member, drawing attention to disability likely to be imposed upon residents who may have to travel some distance to record their votes. He said—

> Say, for instance, a candidate for the east ward living close to the boundary of the north ward is not allowed to witness an absentee vote for the north ward, I am afraid an injustice will be done.

A man might be compelled to travel many miles to record his vote.

Hon. L. Craig: Why cannot someone else be appointed?

The PRESIDENT: Order! That is a detail of the Bill that might well be discussed in Committee.

Hon. A. THOMSON: That is so. I mention these matters so that the Minister, when

replying, may throw some light upon them. I support the second reading of the Bill. I agree with Mr. Craig that some of the amendments have been made at the instigation of the Road Boards' Association. I do not always accept a statement as being quite correct in every detail. Certainly, what the Road Boards' Association has asked for is embodied in the Bill.

Hon. L. Craig: Not all.

Hon. A. THOMSON: Amendments are included in the Bill for which the Road Boards' Association did not ask. However, I support the second reading. When we reach the Committee stage, I hope the Minister will give members information on the points I have raised.

HON. G. B. WOOD (East) [8.41]: I shall support the second reading. I agree with practically all that Mr. Craig has said about the Bill, and I do not intend to repeat his comments. I do not agree with the provision giving power to the Commissioner of Main Roads to determine the particular type of by-passes that shall be used. Consider the Kimberleys and the North-West, where, generally speaking, by-passes are constructed of iron pipes or iron rails to counteract the action of white ants. I am convinced that what is suitable for the South-West is not suitable for the North. My contention is that the Commissioner of Main Roads is not so well acquainted with certain conditions as a road board would be. I intend to oppose that particular provision of the Bill; otherwise I approve of it.

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

BILL—QUALIFICATION OF ELECTORS (LEGISLATIVE COUNCIL).

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [8.44] in moving the second reading said: This Bill seeks to repeal Section 15 of the Constitution Acts Amendment Act dealing with the qualification of electors for the Legislative Council, and to insert new provisions for the purpose of liberalising the franchise. Section 15 has only once received any substantial amendment since the principal legislation was enacted in 1899. As a result the qualification of electors for this Chamber does not differ materially to-day from the franchise laid down when the Legislative Council ceased to be a nominee Chamber. As members are aware, the Act originally provided that the following persons should be qualified to vote at the Council elections:—

(1) Persons having a legal or equitable freehold estate in possession in the electoral province of a clear capital value of £100.

(2) Householders within the province occupying any dwelling house of the clear annual value of £25.

(3) Persons having a leasehold estate in possession in the province of a clear annual value of £25.

(4) Persons holding a lease or license from the Crown within the province at a rental of not less than £10 per annum.

(5) Persons having their names on the electoral list of any municipality or road board district in respect of property within the province of the annual value of not less than £25.

Those qualifications were subsequently altered in 1911 by an Act that laid down the existing franchise. Under the Bill now before the House we do not propose to interfere with the present freehold and leasehold qualifications, which are fixed at clear capital and annual values of £50 and £17 respectively, nor to alter the qualification conferred on persons holding a lease or license from the Crown at a rental of £10 per annum. We do propose, however, to make certain alterations in other directions, which will have the effect of extending the franchise and bringing it more into conformity with the requirements of a democratic community.

The Bill provides for the replacement of the householder qualification in respect of a dwelling house of the clear annual value of £17 by an inhabitant-occupier qualification. There is no particular virtue in the £17 minimum fixed by the Act, and the occupation of a dwelling house should be sufficient qualification for the inhabitant occupier. We propose that only one person shall be enrolled as the inhabitant occupier of any one particular dwelling, and that no person shall be entitled to be so enrolled in respect of more than one dwelling.

The Bill defines the term "dwelling house." Under the proposed definition, the right of enrolment will be given to inhabitant occupiers of dwellings, such as flats that are separately occupied and structurally severed from any other part of a building similarly occupied for a similar purpose by any other person. Persons, such as caretakers who

occupy any part of a structure pursuant to their employment will also be given the right to vote.

If this measure becomes law, the ratepayer qualification will be abolished. At present, this qualification is conferred on any person whose name appears on the electoral list of any municipality or road district in respect of property of an annual rateable value of not less than £17. Experience has shown that many of these lists are very loosely compiled. Moreover, since this particular qualification depends upon the basis of rating, power is really given to the local authorities to supersede the provisions of the Electoral Act. I am informed that in one instance a local authority decided to divide a rateable property into sections in order to allow the company owning the property to place its nominees on the electoral list in respect of each section.

We are also providing that where the same person is both a freeholder and an inhabitant occupier, the latter qualification shall take precedence over the former. The Bill stipulates that no person shall be entitled at any given time to be enrolled for more than one province, or more than once for the one province. A somewhat similar amendment was recently enacted in Victoria. In that State, however, the Act provides that a person shall not vote in more than one province, although he may be enrolled for a number of provinces. That is the essence of the Bill, and I earnestly hope it will be favourably received by the House, because I believe that members will be generous enough to extend the franchise to this small degree, and provide as much opportunity as possible for people to participate in the election of members to this House. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [8.50]: I do not propose to move the adjournment of the debate, as I claim to know a little about this subject. I think we can say this Bill has been put up for propaganda purposes and nothing else. In 1935, an honorary Royal Commission sat, and inquired into the Electoral Act and other relative matters. That Royal Commission, members will agree, was not without men of merit, as regards the Assembly representation, anyhow. Amongst the members were the present Premier, who was then the Minister administering the electoral law; Mr. Hawke, who was not then a Minister but subsequently attained Cabinet rank; Mr. Wise, who also was not then a Minister but subsequently attained Cabinet rank; the Leader of the Opposition, Mr. Latham, and the present Leader of the National Party, Mr. McDonald. The representatives of the Council were the Hon. G. Fraser, Hon. H. S. W. Parker, Hon. C. F. Baxter, Hon. A. Thomson and myself. In relation to this Bill, the Commission was unanimous except on one point, and that was the elimination of the ratepayer qualification. As to the particular portion of the Constitution to be amended by this Bill, the Commission did its work thoroughly, but what does the Bill propose? It seeks to whittle away all the safeguards recommended by the Royal Commission. If ever two men deserved credit for their work and were qualified to set down in black and white what the Commission desired, they were the present Under Secretary for Law, Mr. Harold Gordon, who was then Chief Electoral Officer, and Mr. A. A. Wolff, now Mr. Justice Wolff, who was then Crown Solicitor. The Secretary of the Commission, I might also mention, is now Resident Magistrate at Carnarvon.

What the Commission set out to accomplish was to define, not to disturb, the various qualifications. This applied to all except the ratepayer qualification. This Bill, however, seeks to undermine and to do away with practically 80 per cent. of the Royal Commission's recommendations. The Commission, as I have already stated, proposed that all the qualifications in the Act, except the ratepayer qualification, should be preserved. Members of the Commission agreed that the interpretation of the law was that four persons and not more might be registered for one qualification; that is to say, four freeholders holding in equal shares property worth £200 could be registered. The recommendation read—

No more than four persons in the aggregate shall be entitled to be enrolled as freeholders or as leaseholders in respect of all estates or interests in the same area or parcel of land notwithstanding that the estates or interests or any of them may be entirely separate or distinct.

Thus the Commission recommended that the four votes be retained. It endeavoured to express the matter clearly and remove all ambiguity. This Bill seeks to do away with that.

Hon. G. Fraser: That does not refer to freehold.

Hon. J. CORNELL: It does; I have read the exact phraseology. The Royal Commission also defined the vexed question of what constituted the clear annual value. I will not read the definition.

The Honorary Minister: The members of the Commission were all experts.

Hon. J. CORNELL: Mr. Gordon gave a clear and definite explanation of what constituted the clear annual value, and Mr. Wolff set it down in black and white. I suggest that the House should pass the second reading of the Bill, and re-insert, plus the ratepayer qualification, exactly what the Royal Commission recommended. Then we could send the amendments to the Assembly and see how that House now views them. The Royal Commission provided a definition for another debatable term, namely, what constituted the clear capital value. This Bill does not define it, and the position, if we pass the Bill, will be as before.

Now I come to another vexed point, namely, what is a dwelling-house. "Inhabitant occupier" is mentioned in the Bill, and that is what the Commission recommended. The important point is what constitutes a dwelling-house. The Bill defines a dwelling-house as did the Commission, but with a fundamental omission. The Bill says that "dwelling-house" means any structure of a permanent character ordinarily capable of being used for the purpose of human habitation. Then it goes on to say what that includes. The Commission defined dwelling-house as any structure of a permanent character that is affixed to the soil. Will the Honorary Minister tell us, in his reply, why that important stipulation has been omitted from the Bill? I am not prepared to believe that the Crown Law Department, as constituted at present, is capable of setting down a clearer or more concise interpretation than Mr. Wolff did.

The Chief Secretary interjected.

Hon. J. CORNELL: Mr. Wolff framed the definition at the express request of Mr. Gordon, and it was agreed to by the Royal Commission.

Hon. W. J. Mann: Perhaps we live in an age of tents.

Hon. J. CORNELL: Anyhow, I consider that the definition of dwelling-house should include the stipulation that the structure is affixed to the soil, even if it is erected on blocks. Those important words, however, have been omitted from this Bill. The Royal Commission also recommended the inclusion of the following:—

> No person shall be entitled at any given time to vote more than once, or to be enrolled more than once, for the one province.

It left the law as it was. If members had a copy of the old Bill they would find that the recommendations are in italics and that the old law is in ordinary print. The old law stated that no person should be entitled to enrol more than once for the one province. The Bill says that no person shall be entitled at any given time to be enrolled in more than one province or more than once for the one province. That is the fundamental difference between the recommendation of the Commission and the proposal in the Bill. The recommendation of the Commission was agreed to by the Assembly when Mr. Collier was Premier and Mr. Willcock was Minister in charge of the Bill. The Assembly agreed three years ago that the status quo should be preserved and that the provision that an elector could be qualified in ten provinces should remain.

The Chief Secretary: We are going a little further with the Bill.

Hon. J. CORNELL: Yes, you are taking men off the roll. The Bill provides for one man, one vote, whether the voter has property in ten provinces or not. What have the three Ministers in another place to say about their desire to do away with the recommendation they made three years ago? They were parties to a recommendation that the existing state of affairs should be retained. Now they say it must be abolished.

The Honorary Minister: Time marches on.

Hon. J. CORNELL: Of course time marches on. I regret the previous Bill was lost. I think it was lost mainly on account of the provisions relating to postal voting and the taking away of the ratepayer qualification. The Council amended the Bill to such an extent that the Assembly would not proceed with it. Other recommendations of the Commission designed to preserve the existing state of affairs are not contained in this Bill. Messrs. Fraser, Baxter, Thomson and Parker were all members of that Commission and I think they will agree that the consensus of opinion was that the law should remain as it was so far as the franchise was concerned.

Hon. A. Thomson: That is correct.

Hon. G. Fraser: I disagreed on some points.

Hon. J. CORNELL: Not on any of these points.

Hon. G. Fraser: I disagreed very strongly about the ratepayer qualification.

Hon. J. CORNELL: The hon. member did not want him struck off.

Hon. G. Fraser: Yes, I did.

Hon. J. CORNELL: Well, I wanted to keep him on. The others agreed that he be struck off. I agree upon the need for straightening out many questions, such as those affecting the clear annual value of a dwelling house and the interpretation of a flat, which is defined under "dwelling house" in this Bill. I suggest that the second reading be agreed to and that we include in the Bill the Commission's recommendations as well as the ratepayer qualification, and return the Bill to the Assembly.

The Chief Secretary: The Commission did not agree to the ratepayer qualification.

Hon. J. CORNELL: No, the Commission thought the ratepayer should be struck out on notice, and that he be given notice. There was only one point of difference on the Bill as finally drafted and introduced into this House by Mr. Drew. The Bill contained 182 clauses and I think there was room for a difference of opinion as to whether the ratepayer qualification should be continued or not. In many instances the ratepayer is the freeholder or the householder, as the case may be, and he has three choices. He can register once in one province as a ratepayer, as a freeholder or as a householder. I cannot see any difference between giving a vote to a ratepayer who has a property in, say, the West Province and is residing in some other province and giving a vote to anyone else. I support the second reading of the Bill.

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

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th November.

HON. A. THOMSON (South - East) [9.6]: I think all members will agree that where the height of a building exceeds 27ft. the worker should be protected by the use of scaffolding of such a description as not to endanger his life. The Bill proposes to strike out a section of the present Act providing that the inspection of scaffolding of a height of less than 8ft. is unnecessary. That section should be retained. There should be no inspection and enforcement of rules and regulations in respect of scaffolding from 4ft. to 6ft. in height. The height of walls in the average building in the metropolitan area is from nine to 10 feet. The average height of scaffolding for such buildings would be 4ft. 6in. to 5ft. Sufficient protection is provided in the Act at present.

I agree that scaffolding over 27ft. high should be erected only by an expert who knows his job; but that he should have been constructing scaffolding for a period of 12 months before he can undergo an examination is unnecessary. Steel scaffolding has not been in use in this State for 12 months. Consequently, if the Bill were passed in its present form nobody would be qualified to pass an examination. A practical test in the presence of the Chief Inspector should be sufficient. I guarantee to take hon. members to inspect quite a number of buildings and demonstrate to their satisfaction that to construct scaffolding for the average building does not require any extraordinary ability. The uprights are erected and the ledges, as they are called, are simply bolted to the uprights. To do that does not require great skill. Accordingly, the provision that 12 months' experience is requisite before an examination can be taken is unnecessary.

The Bill provides fairly extensive powers. For instance, if an inspector condemns scaffolding and his instruction to remove it is not obeyed, the Bill provides that not only is the offender liable to a fine of £50 but, in addition, his gear may be confiscated and destroyed. I should like to read to members the definition of "gear," which is as follows:—

> Any ladder, plank, chain, rope, fastening, hoist, crane, conveyor, stay, block, pulley, hanger, sling, brace, or other movable contrivance of a like kind.

Those are the things that constitute "gear," and we are being asked to agree that if an inspector gives an instruction that such gear shou'd not be used, and the instruction is

disobeyed, the gear can be confiscated and destroyed.

Hon. E. H. Angelo: Only the portion that he condemns.

Hon. A. THOMSON: Yes, only what he condemns; but we ought to be practical. The inspector may condemn something unsuitable for scaffolding, but is it reasonable and just to say that because it is unfit for scaffolding it should be destroyed? Possibly it could be used for fencing posts or for the making of a road. While gear may not be suitable for scaffolding purposes, it may be useful to the owner for other purposes. Already the Act provides that anyone disobeying the order of the inspector is liable to a penalty of £50. To impose this further penalty is a little drastic. I hope the House will not agree to it.

After the Bill has passed the second reading stage, I propose to suggest several amendments. I am in accord with the desire of the Chief Inspector to protect the lives of workmen, but I think we should have some consideration for those who are and have been engaged in business as contractors. A provision in the Bill is that all scaffolding boards should be 18in. wide. I hope the House will not agree to that. There is a further provision that when notice is given to the Chief Inspector of a contractor's intention to erect scaffolding or gear every such notice shall be accompanied by a prescribed fee. The inspector is given great power. The life of the average man who has a small job is just as valuable to him as other people's lives are to them. It is proposed that every little building and job shall be subject to inspection. I am not thinking so much of the amount of money involved, because the charge is only 4s. or 5s. per £100 value. So the fees are not heavy. However, the provision will make the position more difficult and more troublesome.

There is also a stipulation that all gangways should be at least three planks wide. The present regulation provides for a width of 18 ins., which my many years' experience lead me to consider ample. The existing Act empowers the inspector, if he thinks 18 ins. too narrow, to require a greater width. But to stipulate that every run plank shall be 2ft. 3ins. wide will involve unnecessary trouble and expense.

Again, loss will be inflicted on contractors by requiring that all rungs of ladders shall be spaced at 8½ins. Considering the established custom of the trade, the Bill should provide that all new ladders shall be constructed as described. That would be all right. But contractors with £30 or £40 worth of ladders, which in their opinion are perfectly useful, by this Bill are directed to have ladders with 8½in. spacing between rungs. To give effect to the proposal of the Bill, the present ladders would have to be scrapped, involving considerable loss.

The Chief Secretary: Is not 8½ ins. the rule?

Hon. A. THOMSON: It varies. I made it my business to measure quite a number of ladders recently. One contractor with whom I have discussed the matter will suffer a loss of £20 if he is not permitted to use the ladders he has.

Hon. J. Nicholson: Would there be any grave risk in specifying 9 ins. or 10 ins.?

Hon. A. THOMSON: None whatever. The object is to provide a uniform rise or tread for the hod-carrier with bricks and mortar on his shoulders. One contractor might have 9 ins. and another contractor 9½ ins. Still, all the ladders of one contractor would be of uniform size. The proposal of the Bill involves a disability. A new method of scaffolding provides for the use of steel tubes. The Bill asks for at least 6 ft. between standards. People in the Old Country have patented steel scaffolding for light work, such as that of painters, with uprights spaced at 10 ft. apart, but when this type of scaffolding is used for bricklayers, the standards are spaced at 8 ft., and for masons at 6 ft., the distance varying in accordance with the weight to be supported. I hope the Minister will accept the established practice in other parts of the world. The type of scaffolding now in use for the renovation of the Ambassadors Theatre is purely for painting, but the inspector insists on having standards 6 ft. apart. The painters themselves definitely say that 10 ft. apart is ample. Thus unnecessary expense is caused. I do not think that is the intention either of the Government or of the Chief Inspector of Scaffolding, who I know is governed solely by a desire to protect the lives of workers. I am quite in accord with him in that respect. I support the second reading, but shall place on the notice paper

some amendments which I hope will be agreed to.

Question put and passed.

Bill read a second time.

BILL—STATE GOVERNMENT INSURANCE OFFICE.

Third Reading.

Debate resumed from the 16th November.

HON. G. W. MILES (North) [9.23]: I moved the adjournment of the debate last week in order that the Bill might be held over, in accordance with the desire of the House, until the Council's amendments to the Workers' Compensation Act Amendment Bill had been dealt with in another place. I trust an hon. member will secure a further adjournment until Tuesday next, when the complementary Bill will have been dealt with elsewhere.

On motion by Hon. J. Nicholson debate adjourned.

BILL—JURY ACT AMENDMENT.

Second Reading.

Debate resumed from the 3rd November.

HON. E. M. HEENAN (North-East) [9.25]: I support the Bill. The measure proposes to amend the Jury Act of 1898 by making women between the ages of 21 and 60 years qualified and liable to serve as jurors in all civil and criminal proceedings within a radius of 36 miles from their residences. The Bill proposes a reform that has already been adopted in Queensland and in other parts of the world, and I do not see that any harm can result from our following suit.

Hon. T. Moore: Can any good result?

Hon. E. M. HEENAN: The jury system has many opponents; but in spite of its shortcomings it has continued as a vital part of our Constitution, mainly because the public generally has confidence in it. A jury is supposed to be a body representative of the community in general, and it is for this reason I support the present Bill. Rightly or wrongly, we have permitted women to take part in the trades and professions, as well as in our public life; and there seems to be no good reason why they should continue to be excluded from this particular sphere. I am inclined to think their inclusion will benefit the jury system, because the average woman has a point of view on vital and serious subjects that often makes a man pause and take notice. Then again women themselves, unfortunately, sometimes have to stand their trial; and in such cases I should think it would be in the interests of justice to have some of her own sex as jurors. We have in many ways accepted the principle that women should not be excluded from holding public office, and to be consistent we should make some amendment to the Jury Act.

As the Bill stands, no property qualification is required to make a woman eligible for service as a juror. Every woman will, if the Bill passes, be liable to serve on juries unless she writes to a magistrate asking to be excused. I agree with this in principle, but I am afraid that in practice it will lead to a good deal of trouble and confusion. However, I support the second reading of the Bill because I agree with its general principles.

HON. J. NICHOLSON (Metropolitan—in reply) [9.28]: I was pleased to hear Mr. Heenan's remarks on the Bill; and I feel sure they must appeal to members as supporting the suggestion I made, when introducing the measure, to bring our law into line as nearly as possible with the enactment in force in Queensland, to which Mr. Heenan referred. I also noted his observations regarding the valuable aid which can be given by women in connection with the jury system, just as they have rendered valuable service in various other spheres of life. In the professions particularly, we are indebted to them for having achieved very great success indeed. In view of that position I feel encouraged, by Mr. Heenan's remarks, to hope that the Bill will receive the support of members, and that the suggestion made as to bringing our law into line with the Queensland Act will be realised.

Question put and passed.

Bill read a second time.

In Committee.

Hon. V. Hamersley in the Chair; Hon. J. Nicholson in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 5:

Hon. H. SEDDON: I move an amendment—

That all the words after "character," in line 5 of the proposed new subsection be struck out with a view to inserting the following in lieu: "who has the property qualification required of a male juror under the preceding subsection and who notifies in writing addressed to the resident or police magistrate of the district in which she resides that she desires to serve as a juror, shall be qualified and liable to serve as a common juror in all civil and criminal proceedings and on any inquisition within a radius of thirty-six miles from her residence."

The amendment will place women on an equality with men and restore the Bill to the form in which it was introduced in another place. Also the measure will be brought into line with the law in Queensland.

Hon. G. FRASER: On the surface Mr. Seddon's contention that the amendment will place women on an equality with men might appear to be correct, but on examination it proves to be entirely wrong. Women as a rule are not property owners. The amendment will restrict the privilege or option to a certain class.

Hon. A. Thomson: Why privilege or option?

Hon. G. FRASER: Some women would regard it as a privilege, but I should not like to be tried by those who would chase the opportunity to serve.

Hon. H. Seddon: Are you getting anxious?

Hon. G. FRASER: No.

Hon. L. B. Bolton: You would prefer to be tried by men.

Hon. G. FRASER: If men are to be tried by women, I wish to retain a fairly open choice. To restrict service to women possessed of property——

Hon. J. Nicholson: The amendment will not restrict service to such women.

Hon. G. FRASER: That is the effect of the amendment. The wife of a working man would not have an opportunity to serve on a jury.

Hon. G. W. Miles: She would not want it.

Hon. G. FRASER: But in the interests of justice, such women should be able to serve, or be compelled to serve, as the case may be.

Hon. G. W. Miles: Delete the words from the clause and refrain from inserting the other words.

Hon. G. FRASER: I would not take that risk. If the Bill is to be passed, I want it passed in its present form.

Hon. L. B. Bolton: You would have the right of challenge.

Hon. G. FRASER: What would be the good of that if only one section of women was eligible to serve? I would rather be tried by a jury of shop girls than by some of the women who will be chasing this opportunity to serve. The amendment would make the Bill unacceptable to the people generally.

Hon. E. M. HEENAN: I oppose the amendment. The property qualification for men is set out in Section 5, and the amendment will mean that any woman must possess a similar qualification. That will definitely place women at a disadvantage because the husband usually holds the property. The objection outlined by Mr. Fraser is a real one. If we are to have women serving on juries, they should be representative of the sex, whereas to insist upon a property qualification would certainly restrict the choice to women of a certain class. I have nothing to say against such women, but we should not exclude a large section of women who would be qualified in all other respects.

Hon. G. Fraser: The woman who rocks the cradle instead of nursing the poodle.

Hon. E. M. HEENAN: Under the amendment very few women would be eligible to serve, and those who wrote for permission to serve would not be the most desirable to have on a jury.

Hon. H. SEDDON: The property qualification should be the same for women as for men. Without the amendment the field would be widened to include all women, while a limitation would still be imposed upon men.

Hon. E. H. H. Hall: Make it apply both ways.

Hon. H. SEDDON: I am not concerned with the hon. member's suggestion; I am concerned with what is contained in the clause. If a limitation is imposed upon men, it is only fair to impose a similar limitation on women. A woman possessed of property would probably have a greater sense of responsibility than would a woman without property. Obviously, a woman would not apply to serve unless she took an interest in judicial affairs.

Hon. G. Fraser: Do you think you would get a representative body of women under those conditions?

Hon. H. SEDDON: Yes.

Hon. G. W. Miles: You would get all the old sticky-beaks.

Hon. G. Fraser: Certainly you would. Fancy being tried by them!

Hon. H. SEDDON: Under such a limitation there would be a far better chance of getting capable women than if we opened the field to everybody.

Hon. L. B. BOLTON: I support the amendment. Most of us believe in equality. We give a woman a vote; we allow her to sit in Parliament, and she undertakes charitable and other work, and those with sufficient interest should be allowed, if they so desire, to serve on juries.

Hon. J. CORNELL: If the Committee did the right thing, the Bill would be rejected.

Hon. G. W. Miles: Hear, hear!

Hon. J. CORNELL: The clause as printed is wrong and even if amended as proposed would still be wrong. If women are to serve on juries, they should be bound by the same conditions as are men.

Hon. J. Nicholson: That is the object of the amendment.

Hon. J. CORNELL: The amendment will not equalise the conditions. A large section of the community is bound to serve upon a jury when called upon, unless an excuse can be provided within the terms of the statute. This clause says that any woman may serve on a jury, whether or not she has the same status as have present jurors. The amendment, on the other hand, provides that the right to serve shall be left to the discretion of women. If I ever went before a jury, I would not want to go before one consisting of women who had applied to serve in that capacity.

Hon. G. Fraser: Nor I!

Hon. J. CORNELL: Many men I know have cursed the Act because they have been compelled to serve. I believe that 90 per cent. of the people would never serve unless they were forced to do so. If women are to be allowed to do this work, let us have a common basis for both sexes. I hope the clause will be voted out.

Hon. H. S. W. PARKER: Men must possess certain qualifications before they can serve on a jury, and the clause, plus the amendment, sets out that women shall have the same qualifications. For my part, I would rather plead before a jury that was serving willingly than before one that was composed of unwilling persons. The criminal court sits 11 times a year, and up to about 60 people are called for each panel. Fully nine years must elapse before the same people can be called again. If women were allowed on application to serve on juries, probably never more than one would be in any panel. Women should be allowed to serve if they so desire, but it would be absurd to insist that those who have domestic duties and similar responsibilities should do so. Numerous exemptions are provided for men, and we could if we wished exempt all women who have domestic duties. We should not compel any woman to serve, even when able to do so, but should restrict the service to those who really desire it. I am in favour of striking out the words with a view to inserting other words.

Hon. G. FRASER: The amendment contradicts itself. I would rather be tried by women who have reared families than by those who have never been mothers.

Hon. G. B. Wood: What difference would that make?

Hon. G. FRASER: Women who have reared families have more human sympathy for others. We cannot say that all women should be placed on an equality with men as to property ownership. Under the amendment, not 3 per cent. of women would be entitled to serve.

Hon. G. W. MILES: I am opposed to the clause and to the amendment. In my opinion, not 3 per cent. of women have asked for the Bill. If we did our duty, we would move the Chairman out of the Chair. I was one of three members of Parliament who voted against the Bill giving women the right to sit in Parliament. There was no outcry on the part of women for such legislation. The sponsor of that measure was subsequently defeated, and I would not be surprised if the sponsor of this Bill also lost her seat. The measure panders to the votes of women.

Hon. C. F. BAXTER: The amendment provides that applications must be made if women desire to serve on a jury, but the Bill states that they have to apply if they do not desire to serve. It is unfair to ask women to take the responsibility of serving on juries.

Hon. G. W. Miles: They have their home duties to attend to.

Hon. C. F. BAXTER: Women should not be confined to the four corners of their homes. There are many avenues in which they can perform a great service for the State, but they should not be asked to officiate on a jury. I agree with Mr. Cornell that both the clause and the amendment should be rejected.

Hon. J. M. MACFARLANE: I support the amendment. The women have agitated for many years for the right to sit on juries.

Hon. T. Moore: I have never heard of it. Who are the women that are kicking up all the noise?

Hon. J. M. MACFARLANE: The hon. member has been in the bush all the time.

Hon. T. Moore: The good women are up there; not the busybodies.

Hon. G. Fraser: I live in the metropolitan area and I heard nothing of it until the Bill was introduced.

Hon. J. M. MACFARLANE: The hon. member has been like the ostrich. The proposal is no experiment; the system has been adopted with success in other countries. The women have asked for the right to sit on juries and they are entitled to that privilege. I agree that they should have equal rights with men, and although the Bill may not be perfect from that standpoint, I accept it with all its imperfections.

Hon. E. H. ANGELO: It is useless to discuss whether women should be accorded the proposed right. Throughout the British Empire and in America the principle has gained recognition.

Hon. C. F. Baxter: Does the original sponsor desire the Bill in its present form?

Hon. E. H. ANGELO: I do not know; I support the amendment. If we agree to the Bill, as submitted, it will indicate that men have not equal rights with women.

Hon. G. Fraser: I would sooner be tried by a jury consisting of flappers than by one comprised of women such as the amendment provides for.

Hon. E. H. ANGELO: In my opinion, the time is not far distant when the jury system itself will be abolished because it has tumbled down on its job.

Hon. C. F. Baxter: What would you substitute?

Hon. E. H. ANGELO: Three judges.

Hon. C. F. Baxter: Nonsense!

Hon. E. H. ANGELO: If I were guilty, give me a jury; if I were innocent, give me three judges every time. I do not like either the Bill or the amendment, although the latter is an improvement.

Hon. J. CORNELL: If I am forced to an affirmative vote, I will vote for the clause and oppose the amendment. The former has some merit, but the latter none. The clause provides that all women shall have the right to sit on a jury and those that desire may write asking for exemption. The amendment is framed to enable those more fortunately circumstanced and those who rush into a ham and beef shop when the time has nearly arrived for their husbands to return home for something to eat, to write claiming the privilege of sitting on juries. It is repugnant to me to think that the liberty, or even the life, of an individual should be at the mercy of some women who presided over his trial at their own invitation. I hope the Bill will be given what it deserves.

Hon. G. B. WOOD: I always thought people did not wish to serve on juries and I am amazed that women should wish to do so. If they are foolish enough, let them have the right. I can imagine the thousands of letters that will be received from women asking to be exempt if the clause is agreed to. The women in the country will have far too much to do to think of writing to ask for the privilege of sitting on juries, so this legislation will apply largely to women in the metropolitan area. I support the amendment.

Hon. T. MOORE: Mr. Wood gave the best reason possible for voting against the amendment because he said thousands of women would send in letters indicating that they did not wish to serve on juries. That is distinctly different from the suggestion of Mr. Macfarlane that there has been an outcry for this privilege. I spend a lot of time in the city, but I have not heard any clamour for it. Members should understand that if the amendment be agreed to, the fair-minded woman will not wish to sit on juries. If the amendment be agreed to, we will not secure a fair average representation of women as we do when men are chosen to sit on juries. Members know the type of hysterical women that attend criminal courts when certain kinds of cases are being tried.

They are the women that will serve on juries.

Hon. G. Fraser: And also the privileged few.

Hon. J. Cornell: The morbid few.

Hon. T. MOORE: That word more aptly describes them. In the interests of justice, we should not alter the present system. I oppose the amendment.

Hon. J. NICHOLSON: I am surprised at the objections raised to what is a very simple proposal.

Hon. G. Fraser: A man's life may be at stake.

Hon. J. NICHOLSON: The age of gallantry seems to have disappeared from this Chamber.

Hon. G. W. Miles: On the contrary, we want to keep women away from this obnoxious occupation.

Hon. J. NICHOLSON: I am sorry Mr. Miles was away and that he himself has not sponsored this legislation. Is the hon. member justified in seeking to prevent women from the enjoyment of this right?

Hon. G. W. Miles: How many women have asked for it?

Hon. J. NICHOLSON: The hon. member has been absent and does not know. The Bill was introduced by a woman who has proved her ability in another place. That should be evidence enough of the demand by women for this legislation. Let me comment on the Bill as presented to us and then upon the amendment.

Hon. G. W. Miles: Are you accepting the amendment?

Hon. J. NICHOLSON: Yes.

Hon. G. W. Miles: As sponsor of the Bill?

Hon. J. NICHOLSON: Yes. The Bill provides—

Subject to the provisions of Section 8 any woman between the age of 21 years and 60 years being a natural born or naturalised subject of His Majesty residing in Western Australia and being of good fame and character, shall be qualified and liable to serve as a common juror in all civil and criminal proceedings and on any inquisition within a radius of 36 miles from her residence: Provided that any woman may by notice in writing addressed to the resident or police magistrate for the district in which she resides, indicate that she does not desire to serve as a juror, and upon receipt of such notice by the resident or police magistrate she shall be excused from any service whatsoever as a juror.

Hon. G. W. Miles: That is fairer than the amendment.

Hon. J. NICHOLSON: The Bill in its present form will throw a great load of work upon the resident and police magistrates of the various districts. The amendment will remove that difficulty, because it provides that only those women who apply to be put on the list will be eligible. It is much to the credit of women that they express a willingness to serve on juries. The amendment to me is acceptable and it would be unworthy of the members of this Chamber to reject it, or even to reject the Bill. There is a further argument in favour of the amendment. The duties of womanhood are such as to incapacitate women during certain times from acting as jurors. We should consider those women. I therefore hope the amendment will be accepted.

Hon. G. W. MILES: The speech made by the sponsor of the Bill is an argument for rejecting it. Notwithstanding that Mr. Nicholson sponsored the Bill, he now asks members to vote for the amendment. If members follow Mr. Nicholson at all, they should vote for the Bill as introduced by him. The Committee should vote the Bill out.

Amendment put and a division called for.

The CHAIRMAN: Before tellers are appointed, I give my vote with the ayes.

Division resulted as follows:—

Ayes	13
Noes	12
Majority for	1

AYES.

Hon. E. H. Angelo	Hon. H. S. W. Parker
Hon. L. B. Bolton	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. G. B. Wood
Hon. W. J. Mann	Hon. E. H. H. Hall
Hon. J. Nicholson	*(Teller.)*

NOES.

Hon. C. F. Baxter	Hon. E. M. Heenan
Hon. J. Cornell	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. H. Tuckey
Hon. W. R. Hall	Hon. H. V. Piesse
	(Teller.)

Amendment (to strike out words) thus passed.

Hon. H. SEDDON: I move an amendment—

That the following words be inserted in lieu of the words struck out:—"who has the property qualification required of a male juror under the preceding subsection and who noti-

fies in writing addressed to the resident or police magistrate of the district in which she resides that she desires to serve as a juror, shall be qualified and liable to serve as a common juror in all civil and criminal proceedings and on any inquisition within a radius of thirty-six miles from her residence.''

Hon. J. CORNELL: I move—

That the amendment be amended by adding the following words:—''Provided that this section shall have no effect until not less than 200 women have made the necessary application to act as jurors.''

Hon. W. J. Mann: What percentage would that be?

Hon. J. CORNELL: I do not know. I believe there will not be 200, and unless that number does apply, the privilege should not be granted. If there is anything in the contention that an overwhelming number is desirous of acting, there is no harm in my proposal.

Hon. E. H. Angelo: You will have to stir them up to get the number.

Hon. J. CORNELL: Yes.

Hon. G. Fraser: That number is not satisfactory.

Hon. J. CORNELL: Then the hon. member can move to insert another number. The type of woman that would desire to act as a juror is one that would put it all over a man.

Hon. C. F. BAXTER: I am concerned about the words proposed to be inserted by Mr. Seddon. A woman will have to notify that she desires to serve, but for what period?

Hon. J. Nicholson: From the age of 21 to 60, as provided in the Act.

Hon. C. F. BAXTER: During the first year or two a woman might not be in a position to serve, but surely she should be entitled, when the time is suitable, to elect to serve. According to the amendment, however, if she once refuses she will be excluded for the term of her natural life.

Hon. J. Cornell: And how could she get off the jury list?

Hon. W. J. Mann: By going more than 36 miles away.

Hon. H. S. W. Parker: A woman may apply to be put on the jury list.

Hon. J. Cornell: But how does she resign?

Hon. C. F. BAXTER: If a woman writes to say that she does not want to serve, what period will that cover? Mr. Nicholson said for all time.

Hon. J. Nicholson: No, I said from 21 to 60 years of age.

Hon. C. F. BAXTER: But she cannot serve after reaching 60 years of age, and therefore it means for all time. If we open the door to women jurors, we should make some selection and there should be a certain number from which to select. If only 20 or 25 applied, they might be challenged.

Hon. J. CORNELL: Suppose Mrs. Brown has the necessary qualifications and notifies her desire to act. She acts for a time and then sees the error of her ways and wants to get off the list, how can she get off?

Hon. H. S. W. PARKER: When the names of the jurors are being called, the accused has the right to challenge six without giving reasons.

Hon. J. Cornell: Women can be released from marriage but not from service on a jury.

Hon. H. S. W. PARKER: One would hardly be likely to find six women in a panel, but if the law insisted upon there being 200 willing to serve, a full panel of women would be possible.

Hon. J. Cornell: Then they would never agree.

Hon. H. S. W. PARKER: In every town of Western Australia there are people ready to serve on juries, so there will have to be a system of ascertaining the numbers, which perhaps could best be done by the Lotteries Commission. Only thus it would be possible to learn how many women from Wyndham to Eucla were willing to serve, which shows that to insert a number would be vain.

Hon. G. FRASER: I do not intend to waste time in discussing the amendment, because if the Bill is restored to its original form it will be rejected by the Assembly.

Hon. J. NICHOLSON: The amendment brings the Bill into line with the position in Queensland. I hope the amendment on the amendment moved by Mr. Cornell will not be accepted.

Hon. T. MOORE: Much has been said about the Old Country. I should like to know from the legal gentlemen who profess to know what happens on the other side of the world how the Act there does operate. Is there a property qualification, and have women the privilege of writing in? Members have been basing their arguments on the English Act. I doubt whether the English Act contains such a provision. I have not had time to ascertain what happens in the Old Country, and I should like Mr. Nicholson to tell us.

Hon. J. NICHOLSON: As I understand it, the question before the Chair is the amendment on the amendment moved by Mr. Cornell. The matter referred to by Mr. Moore I previously explained, and I do not want to repeat myself.

Hon. T. MOORE: We have been asked by Mr. Nicholson to take notice of what has happened in the Old Country. He says he has explained it. I leave members to decide whether that is so. If I bring up an argument about what happens in other parts of the world, I produce facts to support my case. It is only fair that the hon. member should tell us whether women are allowed to remain off juries in the Old Country.

Hon. J. CORNELL: I want one point cleared up. Is there any part of the British Empire where women can write in?

Hon. J. Nicholson: Yes, Queensland.

Hon. J. CORNELL: I heard something said about New Zealand the other night. When I looked the matter up, I found that the statement was not correct. I venture to say the same applies to other statements we have heard to-night.

Hon. G. B. WOOD: It seems to me that the question is whether women should serve on juries. Whether they have the privilege of writing in is not the question.

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

Ayes	8
Noes	16
Majority against	8

AYES.

Hon. C. F. Baxter	Hon. E. H. Gray
Hon. J. Cornell	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. T. Moore
Hon. G. Fraser	Hon. G. W. Miles
	(*Teller.*)

NOES.

Hon. E. H. Angelo	Hon. J. Nicholson
Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. V. Piesse
Hon. E. H. H. Hall	Hon. H. Seddon
Hon. W. R. Hall	Hon. H. Tuckey
Hon. E. M. Heenan	Hon. C. H. Wittenoom
Hon. J. M. Macfarlane	Hon. G. B. Wood
Hon. W. J. Mann	Hon. A. Thomson
	(*Teller.*)

Amendment on amendment thus negatived.

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

Clause 4, Title—agreed to.

Bill reported with an amendment.

House adjourned at 10.57 p.m.

Legislative Assembly.

Tuesday, 22nd November, 1938.

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

QUESTION—RAILWAYS.

All-steel Boilers.

Mr. STYANTS asked the Minister for Railways: 1, What has been the average cost per boiler for repairs and replacements to tubes, stays, etc., in the 10E's all-steel boilers built in 1932-33 and 1935? 2, What has been the average "standing time" for each of these boilers due to repairs for tubes, stays, etc.? 3, How many stays have had to be renewed (average per boiler)? 4, How many tubes have had to be renewed (average per boiler)?

The MINISTER FOR RAILWAYS replied: 1, £294. 2, 138 days. 3, 845. 4, 47.

QUESTION—PUBLIC SERVICE COMMISSIONER.

Mr. MARSHALL (without notice) asked the Premier: Is it a fact that the Public Service Commissioner was re-appointed subject to the introduction of legislation to control the administration of the Public Service; if so, will he indicate to the House at what period, if at all, such legislation will be introduced?

The PREMIER replied: The present Public Service Commissioner was appointed, I think, originally in 1931, and was re-appointed under the same conditions as those under which he was appointed in 1931. It is not possible to say at this stage whether any legislation will be introduced this session.