

ing to the procedure in connection with Private Bills." In pursuance of this resolution the Council requests the Assembly to give the authorisation therein referred to.

*House adjourned at 12.33 a.m. (Wednesday).*

## Legislative Council,

*Wednesday, 8th November, 1922.*

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

### QUESTION—ENGINEERING TRADE, HOURS.

Hon. G. W. MILES asked the Minister for Education: 1, Is it a fact that the Federal Arbitration Court has fixed 48 hours a week for workers in the engineering trade? 2, Are the Government in favour of the 48 hours a week working hours? 3, If so, what steps do the Government propose to take to enforce the 48 hours a week work in this State?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, Yes. 3, The State contends that the Federal Court has no jurisdiction over State activities, and an appeal on this point to the Privy Council by this and other States is now pending, and, consequently, the various Federal awards relating to the engineering trades are not being applied to Government workers. The Government have lodged with the State Arbitration Court a petition claiming, among other things, that the working hours shall be 48 per week, and pending an award being issued existing conditions must prevail.

### BILL—LICENSING ACT AMENDMENT.

#### Second Reading.

Debate resumed from the previous day.

Hon. J. E. DODD (South) [4.34]: It has been said during the course of the debate that any legislation dealing with the social habits of the people is likely to create a certain amount of feeling, and a great diver-

sity of feeling. I agree with that. The Licensing Bill is no exception to the rule. Certainly it has created a great deal of feeling and a great diversity of feeling amongst the community. When we come to consider the cost of the drink traffic, I think we are justified in trying to arrive at the best possible measures we can, irrespective of the feelings of the community. I have nothing to say against those persons connected with the traffic. Very often we meet people who hold that we should consider individuals rather than systems. I have met a great deal of this in respect of mining legislation. It has been my duty to point out that I had nothing whatever to say detrimental to the owners or managers of the mines. Because of that, I have met with a good deal of criticism. So we are likely to be criticised in connection with all legislation. But if we try to deal with systems and leave out individuals, we shall get along very much better. The cost of the liquor traffic in Western Australia, according to the last returns, is something over £3,000,000 per annum, roughly about £10 per head for every man, woman and child in the State. When we consider that we spend on education only something like 30s. per head, and that many people think even that too much, while we are able to spend £10 per head on drink, we see that there is something wrong. I do not think we are going the right way to get prosperity when we spend over £3,000,000 per annum on drink, while our expenditure on education is only £500,000. We cannot measure the cost of the liquor traffic in money. We all know what the liquor traffic is costing, outside of its monetary cost. Probably everybody here to-day will realise to the utmost the number of brilliant lives that have been lost owing to the liquor traffic, lives of men who would have been ornaments to any society in any country. Probably everyone of us has had friends killed by the liquor traffic. The harmful results of drink are obvious to everybody. There is no need to indulge in statistics or obtain expert opinion as to the harmful results of the traffic, for they are obvious to the veriest tyro. Everyone can see what the liquor traffic is doing for the country, and for individual persons. Mr. Holmes referred to the menace of the trade. He was quite right in what he said. The prohibitions and restrictions laid on the liquor traffic are sufficient to show what the menace is. When we consider that in times of crisis, of war, of elections, on Armistice Day, on Peace Day, when boats were going to the war, when boats were returning from the war, all hotels had to be closed—when one remembers this one begins to realise what the menace of the liquor traffic really is. We all know that liquor is one of the most harmful stimulants we can take. Some say "So long as you do not abuse it, it is all right." However, when it is abused it is one of the most harmful indulgences we can have. At times it has been amazing to me to notice how readily men will drink their senses away, how easy it is for

them to give way to liquor. One day, when I was going down past Parliament House grounds, so stricken with my ailment that I was just able to walk, as I turned the corner a man was coming up who had had too much liquor. He also, was just able to walk. What struck me and amazed me was that while I was spending hundreds of pounds trying to walk straight, another man was spending hundreds of pounds trying to walk crooked. He was succeeding very much better than was I. I should like to say a few words in respect of the main principles of the Bill. First there is the scrapping of local option and the setting up of the licenses reduction board in its place; then there is the retention of the three-fifths majority, the percentage on sales of liquor instead of the customary licensing fees, compensation, and the absence of any reference to nationalisation of the traffic. The introduction of the Bill at all is to be wondered at in the circumstances; that is to say, after the liquor traffic had been given 10 years' time compensation and the first local option poll had been carried in respect of reduction, we find an amendment of the Act brought down in which local option is scrapped. Also we find that in some respects the Bill is very favourable to the liquor trade. I must admit that local option, as we have it at present, is certainly not of much utility. At the same time those temperance bodies that are advocating the abolition of local option and the setting up of a State-wide poll are making a sad mistake. I agree that we should try local option in larger districts before we give it up altogether. If we did that, we might do a great deal of good. If the temperance bodies would but realise that under local option they could bring about reduction on a simple majority, and perhaps in that way secure their ends, some of them would not be so eager to cast local option aside. The local option poll did a wonderful lot of good. The Minister himself admitted that the poll had done some good because it made those publicans whose licenses were not affected more careful, realising that the worst-conducted hotels were those which would first be wiped out wherever reduction was carried. When we consider that the campaign was conducted by very few of the moderate section of the local temperance bodies, it will be seen that they did very well. It served to show what a wonderful temperance sentiment there is in the community. The two extreme sections of the temperance party stood out of the local option campaign; would have nothing to do with it. Those behind Archbishop Riley thought it was too extreme, and would have nothing to do with it, while the other section, led by Mr. Jas. Mather, thought it was not sufficiently extreme, and so would have nothing to do with it. It was only a few moderates who conducted the local option campaign. They nearly secured a majority in favour of no license, and this shows that there is a wonderful temperance sentiment in the community. I believe the licenses reduction board will effect a great deal of

good in many districts where local option has failed. Perhaps it is as well to give it a trial. I am, however, alarmed at the enormous increase in the number of boards. This session provision is being made for four new boards, one under this Bill, one under the 'Closer Settlement Bill, one under the Hospitals Bill, and, I believe, one under the Miners' Phtthisis Bill. There is a multiplicity of boards, councils and commissions throughout Australia, and particularly in this State. There is, therefore, cause for alarm as to what they are likely to cost. I am sure that the estimate of the cost of the licenses reduction board under this Bill will be far short of the actual expenditure. I am inclined to think the cost will be many times as great as that which has been allowed for. In regard to the percentage on sales in lieu of license fees, the Government have taken a step in the right direction. I wish they had gone further and taken the full site value of the hotel. To collect upon a percentage on sales is certainly a step in the way of land values taxation. The percentage will be on the site value. I should like to have seen an endeavour made to take the full site value of an hotel in percentages, and I do not think the people would have raised any protest. The ingoing of an hotel is the site value, apart from depreciation and interest. If the Government had endeavoured to get some information on these lines, and tried to base their charges upon it, I am satisfied a fairer principle would have been the result and greater good would have accrued to the State. Whilst I have no objection to the provision for compensation, I cannot understand why this consideration is given to the liquor trade, when it is not even mentioned in respect of any other business or trade. Mr. Holmes spoilt a really good speech by his reference to compensation. Mr. Duffell thought it was the only sensible part of that speech, but I take the opposite view. Suppose legislation should close down any other business. Take the closing down of the water condensers on the goldfields at the time when the Mundaring scheme was taken through. No compensation was given to the management of the condensers. Application was made for it, but there was no one behind it. No one dreamt of giving compensation to those who were running the condensers, although the plants were closed down by legislation.

Hon. J. J. Holmes: Did the Government stipulate what sort of condenser should be put in?

Hon. J. E. DODD: Suppose a mine is closed down as the result of legislation, as mines have been closed down. Does anyone think of compensating the mine owners? What about the men who go to outback mines and build their homes there, and legislation comes along and closes down the mine? The men have to leave their homes, as scores of them have had to do. Is any compensation given to them? Why should compensation be granted in the case of an hotel when legislation closes it down? An hotel license runs only from year to year. It is not a monopoly

running for all time. Suppose the Government were made up of men like Sir James Mitchell and Mr. George, and the Esperance railway were never constructed, would anyone compensate the farmers along the Esperance line? No one would dream of doing so, and yet legislation might close down the railway and ruin them. I do not object to the compensation allowed under this Bill. It is raised on a percentage on sales. If that were not so the Government might have secured more money from the trade, but I am prepared to let it go at that. The three-fifths majority vote is another aspect of this question I cannot understand. I do not see why we should be so tender in dealing with the liquor trade. All legislation is carried on a simple majority vote. We have checks and balances, such as in connection with the franchise of this House, but for all practical purposes we carry legislation on a simple majority vote. Under this Bill we are not, as many people think, discussing prohibition. We are discussing whether the people should have the right to say whether liquor should be sold or manufactured in the State. Why should we have this three-fifths majority? When conscription was before, the country, involving the lives of our citizens, no mention was made of the three-fifths majority. We were prepared to abide by a simple majority vote. It has been said we required a fair majority before conscription could be enforced, but the issue was not raised against a simple majority. The issue raised in connection with the licensing laws is no greater than was the case with conscription. A few years ago early closing was a burning question in the metropolitan area, especially in regard to the change from Wednesday to Saturday. The referendum that was taken was decided on a simple majority vote. In the case of our arbitration laws a vote has to be taken with reference to the submission of issues to the court, often involving hundreds of thousands of pounds. In that case, too, the simple majority vote rules. A similar state of affairs exists in respect to raising loans. I have some interesting figures regarding Federation. When the States federated they entered into an indissoluble bond from which they cannot escape. No reference was made to a three-fifths majority vote on that occasion. I find that the vote in New South Wales, which brought that State into Federation was—Yes 107,420, No 82,471, the total number of votes, as recorded being 189,891. The majority obtained was 24,949, but if the three-fifths majority had been insisted upon it would have been necessary to obtain a majority of 37,978.

Hon. A. Lovekin: A good thing, too.

Hon. J. E. DODD: In Queensland, the votes cast were respectively 33,488 and 30,996, the majority being 7,492. If a three-fifths majority had been required, 13,896 votes would have had to be cast, nearly twice as many. Surely if the States can enter into such a bond on a simple majority vote, it is not too much to ask that the same principle

should apply in connection with these liquor trade issues.

Hon. A. Lovekin: That shows it is a good argument for the three-fifths majority.

Hon. J. E. DODD: The only stipulation made in New South Wales and Victoria was that there should be a minimum of 50,000 votes recorded, which would be about 25 per cent. of the total votes cast. Under this Bill probably we shall be asked to vote for a 30 per cent. minimum. In this State I think the minimum required in connection with Federation was 5,000. Something like 60,000 votes were cast, and the minimum would, therefore, have amounted to about 8 per cent. of the total number of votes. I cannot see what argument can be put up against the simple majority vote when such issues as I have quoted can be placed before the public on that vote. In connection with the Federal Referendum Bill, the explanatory note says that it is intended to bring about in a democratic manner an expression of opinion on Federation. There is no reference to a three-fifths majority vote. If the question is submitted to the people, and we get a majority in favour of it, it will be sufficient to encourage the promoters of the Bill to go on. These issues are infinitely greater than those raised by a prohibition poll. The civil war in America was not brought about on the issue of the abolition of slavery, but on the issue of some of the States trying to secede. It cost America a millions lives, and millions in treasure. In the Federal Referendum Bill we have a measure which may lead to secession, one that would justify the other States in resorting to bloodshed to stop, and yet the whole issue may be brought about by a simple majority vote. I read in the "West Australian" on Monday last some cable regarding the issues raised in the recent American elections. I find this reference—

Prohibition, although it is up for test in five States, is not a real issue because a majority of the candidates of both parties endorse it.

Is there any greater endorsement of prohibition than that? Is it possible to conceive of any better object lesson to us, than the fact that out of the whole of the 48 States of America, the issue was raised in only four or five of the States, because the parties on either side endorsed prohibition? There is one point regarding the Bill to which I would draw the attention of the Minister, and that is regarding the provisions for increased licences in districts where local option has been carried. I have not read the Bill through carefully, but I read the Minister's speech. I find that provision is made in the Bill for an increase in those districts where such a vote has been carried. I believe a petition has to be signed by people living within a radius of a mile from the locality where the hotel is sought to be established. I would like to know if any provision is made for publicity regarding these petitions. I know what goes on in connection with some of these petitions, for I have had a good deal of experience in

that regard. Provision should be made for adequate publicity, particularly in the districts where reduction has been carried, before any increase is allowed by the board. I believe that if the House insists upon a three-fifths majority, the time will soon come when members will reverse their decision. I am encouraged in that belief from what has occurred with regard to legislation passed in this Chamber. I remember two Bills of which I was in charge as a member of the Labour Government, namely, the Factories Bill and the Workers' Compensation Bill. The Factories Bill was unceremoniously thrown out without debate. Some six or seven years later, a Factories Bill was carried. It contained more up-to-date amendments than were included in the provisions of the Bill I introduced. Almost every clause in the later Bill was carried by this Chamber. As to the Workers' Compensation Act, every clause in the last Bill introduced by the Minister was contained in the Bill submitted by the Labour Government. Yet when we proposed that legislation, those clauses were rejected. Seven or eight years later each of those clauses was carried. I believe the same thing will happen regarding the provision for a three-fifths majority. In further reference to the percentage on sales, the lack of fight shown by the Premier in another place regarding the percentages, does not give any encouragement to members here to seek to increase them. I will not be one to agree to levy prohibitory charges, even in connection with the drink traffic. In conclusion, I would express my appreciation, holding as I do socialistic views, regarding the development of a class consciousness in the minds of some members. In their case, however, their class consciousness would make it impossible for others than millionaires to buy drink. I will not be a party to any such proposal. So long as we legalise the drink traffic, I will not be one to increase the price of liquor so that the ordinary individual cannot purchase drink. He is entitled to liquor as much as the man who can afford to pay the higher prices. However, I think the lack of fight displayed by the Premier regarding his own Bill was deplorable—not even a division was taken on that question. I support the Bill and if it is possible for me to be present, I will move some amendments along the lines I have suggested.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East—in reply) [5.6]: In view of the general support accorded the second reading of the Bill, I do not propose to detain the House by replying at length. I do not intend to take the Committee stage until Tuesday next and in the meantime, I will have placed on the Notice Paper tomorrow, a number of amendments, most of which will not affect the principle of the Bill, but which are required to carry out the obvious intention of the amendments

made in another place. There are one or two matters to which attention has been drawn, and to which I will refer. As to the question of the difference between the provision for increase in licenses and prohibiting the sale or manufacture of liquor, if advocates of a simple majority in this matter of prohibiting the sale or manufacture of liquor are prepared to accept the same conditions as laid down regarding increases of licenses, no one would be likely to oppose them. The conditions regarding an increase in the number of licenses are not, as certain members have stated, on a simple majority. The conditions are that an absolute majority must be obtained and that would make it more difficult than the securing of a three-fifths majority, as provided in the Bill for prohibiting the sale and manufacture of liquor. For instance, in the metropolitan area if a person wishes to secure a license for a new hotel, he has to get the support of an absolute majority of the adult residents of a large area which, in the city, will include many thousands of people. Having obtained that, however, he has secured merely the right to approach the court which will then grant or refuse the license at its own discretion.

Hon. H. Stewart: The area is not specified in the country.

The MINISTER FOR EDUCATION: The area in the country has to be specified by the board. It seems to me that the provision for an increase, demanding that they shall have an absolute majority, is far more severe than the provision for a vote prohibiting, on a three-fifths majority basis, the manufacture or sale of liquor because the latter majority does not apply to the whole of the adult residents in the locality, but merely to the people who vote.

Hon. H. Stewart: Why not put in the provision for both on the simple majority.

The MINISTER FOR EDUCATION: I think if those who advocate the simple majority would agree that the same majority should apply to both, no one would oppose it.

Hon. H. Stewart: Do you call that democratic?

The MINISTER FOR EDUCATION: I am not arguing the merits of the case, but I am simply answering the arguments of those who have said on the one hand it is easier to obtain an increase, and more difficult to obtain the prohibition of the sale and manufacture of liquor. Under the Bill it is more difficult to obtain increases than to secure the majority necessary to prohibit the sale or manufacture of liquor. Mr. Dodd asked a question regarding petitions, and wanted to know if they would be published. That is one of the amendments I shall place on the Notice Paper. As the clause reads at present, it is evident that petitions in country districts, that is, outside the metropolitan area, have to be published in the "Government Gazette," and in a newspaper circulating in the dis-

trict. I cannot imagine that it was the intention of the framers of the Bill—this amendment was agreed to in another place—that the requirements for the publication of the petition in the “Government Gazette” and in a local paper should not also apply to the metropolitan area. I intend to have the clause amended to make that provision apply to the metropolitan area as well as to other places. As it is at present, it only applies to petitions circulated outside the metropolitan area. It was also argued that people temporarily engaged on a public work might form the majority of the residents in the locality in which the petition was circulated. The clause provides that there must be an increase in such area and that the increase in population is likely to be permanent. That is one of the conditions that have to be set out in the petition. I do not propose to argue as to whether the three-fifths majority is democratic or not. I would remind Mr. Dodd, however, that the Federal Constitution does not in all cases recognise the simple majority. No amendment to the Federal Constitution can be carried by a simple majority, but can only be carried by a majority of the votes cast and by a two-thirds majority of the States voting. There must be four States to two in favour of the proposal. It will thus be seen that there is a distinct qualification regarding the simple majority in that connection. Other points raised can well be dealt with when we reach them during the Committee stage. There was one other point, however. Mr. Duffell asked me whether, under Clause 101, a bowling green attached to an hotel would be regarded as on licensed premises. Undoubtedly it would.

Question put and passed.

Bill read a second time.

## BILL—PENSIONERS (RATES EXEMPTION).

### Second Reading.

Debate resumed from the 1st November.

Hon. J. E. DODD (South) [5.11]: I would like to say a few words regarding the Bill, and I thank members for having given me an opportunity to speak on the measure. To my mind, the Bill is based upon unsound principles. At the same time I shall support it, because I believe it gives recognition to a number of individuals entitled to relief. Unfortunately, as in much of our social legislation, we place a premium on thriftlessness, and penalise the thrifty. When I say the Bill is based on unsound principles, I do so because it seeks to give relief to only one class of old age pensioner who may own property, but gives no relief to others who own other kinds of property. There are some old age pensioners who have a house; there are others who may have a vehicle which they may use

to help to augment the pensions they receive by doing a little carting. There is no provision to aid that class of pensioner. There are a lot of other descriptions of property held by pensioners regarding which no provision is made in the Bill. I do not like such an idea regarding our legislation, and I do not like to see one class singled out while nothing is attempted for the others who can be affected. On the other hand, when we come to consider the pension system, we will all realise how impossible it must be for some of these individuals to benefit very much. If they accumulate a little money, it is impossible for them to secure relief. I remember two cases which came under my notice at Boulder in the early days when the Pensions Act was first brought into force. I have in mind one man who was 70 years of age. He had never married, but he secured a pension without any difficulty because he had nothing. Any man or woman who has lived in the State and has reached that age is entitled to a pension irrespective of the life he or she may have lived. This man, however, had nothing and had never married, but he was able to get his pension without difficulty. I know of another man who owned a house worth £200, and had about £200 in the Government Savings Bank. He had married and had a family of four or five children. He had been a good citizen all his life, but because he had a house and money in the Savings Bank, he could not get a pension. What is an old man or woman going to do with a house and that amount of money? The interest would not keep him; yet he was debarred from getting the pension. If the hon. member could see his way clear to alter the Bill in the direction I have indicated and include other old age pensioners, it would be very much better. I shall support the Bill and I hope the House will pass the second reading because, if the Bill is thrown out, all sorts of charges will be hurled against this House.

On motion by Hon. G. Potter, debate adjourned.

## BILL—LIGHT AND AIR ACT AMENDMENT.

### Assembly's Amendment.

Resumed from the previous day; Hon. J. Ewing in the Chair.

The CHAIRMAN: The Assembly made an amendment to strike out of the last line of Clause 2 the word “exceeding” and insert the words “less than” in lieu thereof. The Minister for Education has moved that the amendment be agreed to subject to a modification that the words “not less than” be also eliminated.

Question put and passed; the amendment as modified agreed to.

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

# BILL—NAVIGATION ACT AMENDMENT.

Received from the Assembly and read a first time.

## MOTION—MACHINERY INSPECTION REGULATIONS.

To disallow.

Debate resumed from the previous day on the following motion by Hon. J. Cornell:—

That the whole of the amended regulations of the Inspection of Machinery Act, 1921, laid upon the Table of the House on the 10th day of October, 1922, be disallowed.

The Minister for Education: I have already spoken on this motion, but I would ask the permission of the House to read a statement.

Hon. J. W. KIRWAN (South) [5.18] I have an amendment to propose and it will not interfere with the agreement made last evening by which the Leader of the House would close the debate, except as regards the reply by the mover of the motion. To what is said on the amendment, the Leader of the House may reply later, and consequently the arrangement entered into will not be interfered with. My contention is that the motion in its present form will be utterly futile. It will be worthless for this House to pass it, because it will mean virtually nothing. The motion simply expresses the opinion that the whole of the amended regulations be disallowed. If it is carried, the Government may reduce the fees to an extent which will not be appreciable, and there will be nothing to prevent the Government from increasing the fees. My amendment will put the matter in a definite form so that the Government will know exactly what the House desires. I move—

That the following words be added to the motion: "and that fresh regulations be made fixing the fees at not less than 30 per cent. below those set out in the disallowed schedule."

I bring this forward because, although it is quite clear from the remarks of those who have spoken what the meaning of the Council is, we know that the Government almost make a practice of ignoring the decisions of Parliament. I could, if I wished, go through a long list of instances to show where the Government have persistently ignored the authority of Parliament. I need not mention them; they are well known to members. If we passed the motion in its present form, the Government would simply do something which would not meet the wishes of those who have brought forward the proposal. That is absolutely certain in view of what has already happened. The Leader of the House, in speaking last night, mentioned a lot of matters which had nothing at all to do with the

case. The point involved is this: The Council disallowed certain regulations after having fully discussed the matter—I was not present at the time and did not participate in either the debate or the vote—and what has happened? Certainly the spirit of the resolution was not observed. The resolution in fact was practically ignored, as was clearly demonstrated by the mover of this motion. It is for this House to say whether the decision arrived at are to be obeyed. Of what use is it for members to bring forward motion and for this House to carry them if the Government do not recognise them? The statement of the Leader of the House last night practically implied that the Machinery Department should be made to pay. This is very extraordinary in view of what is happening in regard to various other departments. Do the Government intend to make all their departments pay? Do they intend to make the Mines Department, the Department of Agriculture and half a dozen other departments which one could mention pay? Why pick out one particular department for this new-found zeal for making departments pay? No excuse can be advanced for ignoring the decision of this Chamber. The decision was arrived at by a very large majority, and it was absolutely ignored by the Government. Practically no alteration of the slightest consequence was made to the regulations, and the spirit of the remarks made by hon. members was not recognised. It is in order to make the position definite that I am tabling the amendment.

The Minister for Education: I would ask your ruling, Sir, as to whether the amendment is in order. The right of this Chamber to disallow regulations is unquestionable, but is it in order for the Chamber to frame regulations?

Hon. J. W. Kirwan: It is merely an expression of opinion.

The PRESIDENT: I think it is in order as an expression of opinion to guide the Government as to the views held by hon. members.

Hon. J. J. HOLMES (North—on amendment) [5.27]: I approach this matter with a perfectly open mind. I do not quite understand the reference made by Mr. Kirwan to an arrangement arrived at yesterday. I gather that there was some arrangement that no one would speak after the Minister. I do not know how such an arrangement could have been arrived at. I was certainly not a party to it. It would be very nice for the Minister if, in nine cases out of ten, he could have the last say, and other members had no opportunity to reply to him. This motion was moved by a private member.

The Minister for Education: He has the right of reply. I never questioned that.

Hon. J. J. HOLMES: And I have a right of reply too. The Minister is not at a disadvantage in this instance in having spoken before me. After having listened attentively to his remarks, I am bound to say that someone is lying, either the inspector behind the Min-

ister, or the advisers behind those in charge of the motion.

Hon. J. Duffell: That is the position.

Hon. J. J. HOLMES: It is a matter I want cleared up. It is the duty of those concerned to clear it up. If it were cleared up, probably the result would influence my vote. If this extravagance, which members say is going on and which the Minister denies, is not going on and if these charges are not being imposed, it will influence my vote, because I want to do what I consider fair.

Hon. J. Duffell: The President says we must believe each other.

Hon. J. J. HOLMES: It is certainly someone's duty to clear this matter up. I voted against the regulations previously, assuming that the statements made were correct. If the Minister can substantiate his statement, it will influence my vote. On the previous occasion the House disallowed all these regulations, and I consider that the amended regulations are wrongly before us, because only some of them have been amended. The whole of the regulations should have been amended and not merely two or three of them. However, that is a matter for the House; I raise the point as one worthy of consideration. There is a principle involved, that under these regulations the power to collect revenue passes out of the hands of Parliament into the hands of the officer who frames the regulations; that is, unless we check the practice. One thing which will influence my vote on this question arises out of a statement made to me concerning the water regulations. I am credibly informed—though I do not know whether the statement is true or not—that the Government have no intention of re-introducing the disallowed water regulations, but that when Parliament gets into recess those regulations will be enforced, and that thus Parliament will not have an opportunity, at any rate this year, of saying what regulations shall be imposed. I hope the Minister will clear up that point.

The PRESIDENT: Does the Minister wish to read the statement now?

The Minister for Education (in explanation): Yes; but I do not wish to read it under cover of speaking to the amendment, because it has no relation to the amendment. I ask permission to read the statement.

The PRESIDENT: The Minister has permission to read it.

The Minister for Education: The statement is as follows:—

When addressing the House last evening on the question of the fees charged for Holman hoists and similar air-driven winches, I made the statement that there were no hoists or winches in the metropolitan area to which these regulations would apply. This statement was disputed by Mr. Harris and Mr. Lovekin, who urged that I had not been properly instructed in the matter. I have again re-

ferred the point to the acting Chief Inspector of Machinery, who positively assures me that there is no Holman hoist or similar air-driven winch in the metropolitan area, and no hoist or winch in the metropolitan area to which the regulations under discussion can apply, the hoists and winches in the metropolitan area being all governed by regulations which were not included in the previous resolution, and which are not included in the resolutions now before the House.

Regarding the amendment, I must of course oppose it, although personally I would much sooner that the amendment were carried than the motion, because we should know then exactly where we are. If the revenues of the Inspection of Machinery Department are to be cut down by 30 per cent., and that proportion of the cost of the department carried by the general taxpayer, I have nothing more to say from that point of view. But that would be the one and only effect of carrying the amendment. Although I am opposed to it in the interests of the revenue of the State, I would prefer that the House carried the amendment rather than that it should carry the motion, the meaning of which is not clear. I have never heard of any such suggestion as that mentioned by Mr. Holmes with regard to the water regulations. If anything of the kind is intended, it is entirely contrary to the recommendation which I sent forward with the resolution carried by this House.

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

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|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 14 |
| Noes | .. | .. | .. | .. | 10 |

Majority for .. .. 4

#### AYES.

|                   |                   |
|-------------------|-------------------|
| Hon. R. G. Ardagh | Hon. J. W. Kirwan |
| Hon. C. F. Baxter | Hon. A. Lovekin   |
| Hon. A. Burvill   | Hon. R. J. Lynn   |
| Hon. J. Cornell   | Hon. G. W. Miles  |
| Hon. J. E. Dodd   | Hon. G. Potter    |
| Hon. J. Duffell   | Hon. H. Seddon    |
| Hon. E. H. Harris | Hon. J. A. Greig  |

(Teller.)

#### NOES.

|                      |                       |
|----------------------|-----------------------|
| Hon. H. P. Colebatch | Hon. J. M. Macfarlane |
| Hon. J. Ewing        | Hon. J. Mills         |
| Hon. V. Hamersley    | Hon. T. Moore         |
| Hon. J. W. Hickey    | Hon. H. Stewart       |
| Hon. J. J. Holmes    | Hon. A. J. H. Saw     |

(Teller.)

Amendment thus passed.

Hon. J. CORNELL (South—in reply) [5.40]: At the outset I desire to thank the Minister for the prominent position in which he has placed this item of business on the Notice Paper, as for various circumstances it is almost impossible for me to attend after the tea adjournment. I had not the pleasure

of hearing the Minister on this motion, but I have read in the evening newspaper a few of the Minister's statements in reply to some of my remarks. I excuse the Minister, because, after all, it is a case of the hand being the hand of Esau and the voice being the voice of Jacob. The Minister was simply expressing the views put down for him by the department concerned. The departmental officers did not confine themselves to the observation I made in moving the motion. They made a conglomeration of those remarks and of what I said in speaking on a similar motion moved by Mr. Harris. I said that the only incentive towards making reductions was to be found in the remarks of members who spoke on the motion moved by Mr. Harris. In moving my motion I warned the House that that was the position taken by the Inspection of Machinery Department, and that the officers of that department were cognisant only of members who spoke, and not necessarily of members who voted. Possibly in the final result the departmental officers will take due notice of the voting on the present motion. There are many technical features involved in this question. The Minister said it would take almost as long to test the brakes of a winding engine as to test a boiler. I question that. If it were Mr. Harris or Mr. Ardagh who had to reply on this motion instead of myself, I am perfectly satisfied that the case put up would absolutely refute the departmental arguments. I wish the House to take into consideration that two members who have spoken on this matter have for years driven the biggest winding engines in this State. Their opinion is to be weighed against that of men who have never driven a winding engine. I doubt very much whether there is today in the Inspection of Machinery Department a man who has driven a winding engine with a stroke over 18 inches. Still the officers of that department will contradict a member who is a perfectly qualified engineer. In speaking to Mr. Harris' motion I did make reference to the Horseshoe disaster. Last evening we got the reply that the cause of the Horseshoe disaster could only have been ascertained by an X-ray examination. If that is not stretching the scientific to its utmost limits I no longer desire to remain a member of this Chamber. I believe it is generally accepted by common sense practical men that the reason of the Horseshoe disaster was that a single winding engine was pulling to a depth beyond the limit of the engine's capacity. No X-ray or microscopical or other examination of that kind would have discovered such a defect. It is well known to men who go up and down by means of winding engines, and also by men who drive winding engines, that there is 100 per cent. greater safety for the men travelling if the engine has two drums and is pulling in two compartments, as against a winding engine with a single drum and pulling in a single compartment, the reason being that there is no balance with a single drum. That

is the common sense view of the Horseshoe disaster. It is a well known fact that in the Great Boulder disaster, where five men were killed in five seconds, the engine was only pulling at a depth of 800 feet. We had an inspection of Machinery Department in operation at the time of that disaster. After the accident it was discovered that the cause of the accident was that the ropes had been allowed to be put on the two drums one way, with the result that there was no balance. That method was, I understand, known to the Inspection of Machinery Department.

Hon. E. H. Harris: No; authorised by the underground manager.

Hon. J. CORNELL: It had not been running for an hour or a day, but for several weeks. The Minister has taken exception to the figures I have quoted with regard to the number of inspectors employed. I quoted from the Public Service List of recent date. That list showed that, including the Chief Inspector, there were seven machinery inspectors, and that with one position which was vacant the total was brought to eight. Take the mining inspectors, including those at Collic, and we find that there are only seven employed. There are two positions vacant, one at Southern Cross and one at Collic. Thus, if all the positions were occupied we would have eight machinery inspectors and nine mining inspectors. Collic and Kalgoorlie, independently of the duty of looking after the safety of the workmen in the mines, have two special inspectors who deal with the matter of ventilation. The point has been made that I did not take into calculation the State Mining Engineer. I have argued that the Machinery Department should be brought within the control of the Mines Department. In this way the services of the heads of the two departments could be dispensed with, and the administration carried out by one. The figures I quoted in respect of salaries have been questioned. According to the Public Service List—excluding in both instances special allowances—the amount paid to the inspectors of machinery, including the Chief Inspector, is £2,748 per annum and the payment made to the inspectors of mines, £2,576. There is very little difference. This question can be approached from three angles. The first is whether industries should be expected to carry the whole of the burden, and should be made to square the ledger. If we are going to allow that in connection with the inspection of machinery, we should extend the principle to many other governmental spheres, because, after all, the inspection of machinery, as repeatedly pointed out here, is solely for the better protection of the life and limb of the workmen engaged in the industry, and for no other purpose. If it is thought that the ledger should be squared by the imposition of fees, hon. members can vote against the motion; if not, they must vote for it. If we agree to the imposition of fees, for the purpose of squaring the ledger—and it is no secret that this was one of the reasons for the introduction of the Bill



—an undue impost will in many cases be the result. Therefore we must stand out for a reduction of the amounts. We may then bring about the position that the deficiency thus caused will have to be met, though not as the Minister said, from Consolidated Revenue. There are other directions in which economies can be effected. There can be savings made by the amalgamation of existing departments. I can only speak for the mining industry, and I declare in that respect that 50 per cent. of the work on the Golden Mile, carried out by the Inspection of Machinery Department, can be effectively done by the inspectors of mines. That is the view I take of the position. In that way too we shall be showing some consideration for the industry, which, after all, requires it. There should be greater co-ordination amongst departments, and if this existed we would be doing much better than we are doing at the present time. Another point before I conclude. An existing statute gives the House power to disallow regulations. We know in practice that when a regulation is put into force, those responsible for it proceed to collect revenue forthwith. I wish this point cleared up: assume a regulation is framed fixing lower fees, will the payment of those reduced fees be made retrospective; that is to say, will the people who have already paid under the higher scale be permitted to secure a refund? I consider it is only right and proper that that should be so; it should be the natural corollary of Parliament having the power to disallow regulations. The position should also cut both ways, and if there should be an increase the payment of the higher fees should also be made retrospective. I leave the motion in the hands of members.

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

|      |    |    |    |    |    |
|------|----|----|----|----|----|
| Ayes | .. | .. | .. | .. | 14 |
| Noes | .. | .. | .. | .. | 10 |

Majority for .. 4

#### AYES.

|                    |                  |
|--------------------|------------------|
| Hon. R. G. Ardagh  | Hon. A. Lovekin  |
| Hon. C. F. Baxter  | Hon. R. J. Lynn  |
| Hon. A. Burvill    | Hon. G. W. Miles |
| Hon. J. Cornell    | Hon. G. Potter   |
| Hon. J. E. Dodd    | Hon. H. Seddon   |
| Hon. J. Duffell    | Hon. J. A. Greig |
| Hon. E. H. Harris  | (Teller.)        |
| Hon. J. W. Kirtwan |                  |

#### NOES.

|                       |                   |
|-----------------------|-------------------|
| Hon. F. A. Baglin     | Hon. J. Mills     |
| Hon. H. P. Colebatch  | Hon. T. Moore     |
| Hon. J. Ewing         | Hon. A. J. H. Saw |
| Hon. V. Hamersley     | Hon. E. Rose      |
| Hon. J. W. Hickey     | (Teller.)         |
| Hon. J. M. Macfarlane |                   |

Question thus passed.

### BILL—DAIRY INDUSTRY.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Postponed till after consideration of Clause 25.

Clauses 4, 5, and 6—agreed to.

Clause 7—Storage of dairy produce:

Hon. E. H. ROSE: I should like to know whether the clause applies to the carriage of cream on the railway. The Railways are the first offenders in the injuring of cream. I have seen skins, poultry and even pigs stacked alongside cream. Will the clause touch the Railways?

The MINISTER FOR EDUCATION: As a general practice, penalties of this sort do not run against the Crown, for the obvious reason that no such penalty can be imposed.

Hon. G. W. MILES: Can we not take steps to see that the Railway Department observe all precautions in the carriage of cream?

The Minister for Education: They are doing that.

Hon. G. W. MILES: Well could we not put something in the Bill to ensure it?

Hon. H. SEDDON: The penalty, if imposed, might be passed on to the railway employees through the regulations. Thus we might secure an improvement in the existing conditions.

The MINISTER FOR EDUCATION: The Railway Department is doing all it can in this matter. It is one of the indirect purposes of the Bill that the officers of the Agricultural Department shall endeavour to assist the producers of cream in their negotiations with the Railway Department to secure the carriage of the commodity in the best possible condition.

Hon. E. ROSE: Certainly I think the Railway Department should be more careful than it has been. I thank the Minister for his reply.

Clause put and passed.

Clauses 8 and 9—agreed to.

Clause 10—Inspector may order remedial measures:

Hon. A. LOVEKIN: I want to take out of the clause reference to the opinions of inspectors. We want facts, not the opinions of officials. I move an amendment—

That in lines one and two the words "The inspector is of opinion" be struck out.

The MINISTER FOR EDUCATION: I cannot see what purpose is aimed at by the amendment. These are all matters of opinion, and cannot be made matters of established fact. It is provided that where an inspector is of opinion certain things are wrong, he can take action, and the owner of the dairy has the right of appeal. The amendment would seek to make matter of fact what cannot be matter of fact.

Hon. J. M. MACFARLANE: I agree that the amendment will render the position far

more difficult than it is. Only by actual test in the laboratory can the inspector be sure of his facts. For the time being, his opinion should be sufficient.

Hon. E. ROSE: I agree with the Minister that the inspectors should have discretion in this matter.

Hon. A. LOVEKIN: Surely it does not require the opinion of the inspector to say whether any chemical is up to standard! It is a question of fact. So, too, in respect of the accuracy of scales and measures. If it be a fact that things are wrong, the inspector can charge the owner of the dairy accordingly.

Amendment put and negatived.

Clause put and passed.

Clause 11—Payment for cream:

Hon. A. LOVEKIN: I move an amendment—

That Subclause 2 be struck out and the following inserted in lieu: "Butter-fat contents of milk or cream. (See Dairy Supervision Act, Victoria, 1915.) All milk or cream purchased by or for a factory or by or for any person for the purpose of being manufactured into butter or cheese shall be purchased on the basis of its butter-fat contents as determined by the Babcock or some equivalent test approved by the Minister and with such other conditions as may be prescribed, and account sales of such purchase shall be rendered to the vendor and shall set forth the number of pounds of butter-fat contained in such milk or cream for which payment is being made. Any vendor of milk or cream shall have the right to have his milk or cream tested in his presence at the factory not oftener than once a week."

I have been advised that when butter-fat is taken to the factory, particularly at Albany, the owner of the butter-fat does not get a fair deal. In one case reported to me, some milk was divided into two lots, one lot being sent to the factory at Albany, and the other being sent to Perth. The Perth factory returned to the owner of the milk four points more butter than were sent from Albany. The owner of the butter fat claims that he does not get the value of his butter fat at the Albany butter factory, and in consequence he is now making his own butter. The same difficulty has presented itself in Victoria. I have taken my amendment from the Victorian Act, which apparently is more up to date than that of New South Wales. I want to give our dairy farmers the same privilege as is enjoyed by the dairy farmers of Victoria.

The MINISTER FOR EDUCATION: I am by no means satisfied that the amendment is an improvement on the methods set out in the Bill. Provision is made elsewhere in the Bill for all information being given to the suppliers of cream.

Hon. A. Lovekin: Where?

The MINISTER FOR EDUCATION: In Clause 15.

Hon. A. Lovekin: But that is an unchecked test. I want a checked test.

The MINISTER FOR EDUCATION: The amendment provides, not for a checked test, but only for a test in the presence of the supplier of the cream. If any good purpose can be served by the amendment, why not attach to the clause itself the words proposed to be added?

Hon. A. Lovekin: I will be content with that.

Hon. H. STEWART: Mr. Lovekin said the Victorian Act was later than the Act of New South Wales. On turning them up, I find that both Acts are dated 1915. Also, I understand that the New South Wales Act has given every satisfaction.

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

Hon. A. LOVEKIN: I understand that Mr. Rose desires to move an amendment that will take priority over mine. I therefore wish to withdraw my amendment for the time being.

Amendment by leave withdrawn.

Hon. E. ROSE: I move an amendment—

That the words in lines 4 and 5, "estimated in the prescribed manner," be struck out.

Hon. J. M. MACFARLANE: I thought the whole subclause was to be struck out. If not, I must move an amendment myself.

Hon. E. Rose: I will withdraw the amendment.

Amendment by leave withdrawn.

Hon. J. M. MACFARLANE: Mr. Lovekin's amendment, if carried, will mean the striking out of Subclause 1. His amendment is drawn from the New South Wales Act, and the subclause is taken from the Victorian Act. Mr. Lovekin's proposal, however, will give greater satisfaction than the conditions proposed by the Bill. I have discussed this matter with Mr. Sutton, whose desire is to see the best possible thing done for the industry. If the subclause is passed as printed it will tend to create confusion. Butter factories are charged with being swindlers of the first water, and the farmer feels that he is entirely in their hands. We have already been working on the basis of educating the farmer to learn how to check the factories. This would be easy under Mr. Lovekin's proposal. A small Babcock tester can be purchased at a nominal charge, and any factory manager can instruct the farmer how to use it. The farmer can also test his cows by this means, and ascertain whether he is keeping them or they are keeping him. Under this arrangement the factories will prove of greater benefit to the farmer as well as to the department. We do not want to revert to the

old order of things as suggested by this sub-clause. If the farmer knew more about the working of a factory he would have less cause for complaint.

The **MINISTER FOR EDUCATION**: Subclause 1 is the essence of the Bill. It protects the interests of the supplier of cream to the factory. Mr. Lovekin's proposal was to leave Subclause 1, and substitute for Subclause 2 an amendment which he claims would have the effect of further protecting the supplier. Mr. Rose and Mr. Macfarlane now wish to substitute Mr. Lovekin's proposal for Subclause 1, and thus take away the essence of the Bill. Subclause 1 provides that the overrun shall be credited to the supplier of cream. I cannot agree to the proposed amendment.

The **CHAIRMAN**: There is no amendment yet before the Chair.

Hon. J. M. MACFARLANE: I move an amendment—

That Subclause 1 be struck out with a view to other words being inserted.

Hon. H. STEWART: If the various butter factories make a test by means of the Babcock tester, and if it be correct, there will be no overrun to return to the producer of cream. If the test is incorrect, the overrun will be credited to the supplier. The railway freights are so arranged that every inducement is offered to the producer of cream to market it at the nearest butter factory. The tests have been unsatisfactory in the past, and some factories which arrived at an honourable understanding with the suppliers have been thought to have committed a breach of that understanding. As the provision I refer to has been in operation in New South Wales since 1915, there is no reason why we should doubt its satisfactory application to the industry in this State. I realise the industry needs encouraging.

Hon. A. BURVILL: The second paragraph of Subclause 1 is an essential portion of the Bill in the interests of the consumer. The Bill has two sides, one to secure the production of better butter for export, and the other for the protection of the consumer. In connection with the factory in my district, we have asked for something along the lines suggested by Mr. Lovekin in his amendment appearing on the Notice Paper. The clause is fair and reasonable. It will have the effect of directing the cream to the nearest factory, which in itself will be beneficial. As to the butter fat and the over-run, when the butter fats are taken to the factory to be tested, besides the butter fat that is included in the cream, there is water and salt. The cream is tested for its butter fat contents. In the home-made butter there is a considerable amount of water in the product. This, with the salt, constitutes the over-run. The butter factory takes more water from the salt than is possible in home-made butter and it is only a fair thing that the producers should get the benefit of the over-run pro rata, seeing that they provide the cream. Every provi-

sion is made to see that the factory is recompensed for its expenses and charges. I hope the second paragraph in the clause will be retained, otherwise it will be a decided setback for the dairymen.

Hon. J. A. GREIG: We have heard a good deal about the over-run but members should realise that the second paragraph of Clause 11 refers to the value of butter obtained from the cream. It provides for cases where the value is in excess, but nothing is said about the cream when purchased on a falling market. The factory has to stand any loss arising from the purchase of cream on a falling market and that is why I oppose the clause. It should be made equitable so that while the producer will get the benefit from any rise in the market, he shall pay his proportion in the event of the market falling. The Babcock tester enables an accurate test to be made, but the position I suggest should be safeguarded in the interests of the factory and the producer.

Hon. A. BURVILL: Will not the factory people know the position of the market when fixing the price for the butter fats?

Hon. J. A. GREIG: That price is governed by the estimate of what they can get, but if there is a falling market, the butter-fat will be bought at a loss. The position should be made equitable from both standpoints.

Hon. A. LOVEKIN: I cannot profess to give an opinion of value on the question under discussion, but it seems to me that the clause could be altered with advantage. If the amendment I suggest were agreed to, it would mean that the producer would take his cream to the factory. It would be tested, the butter fat contents ascertained and payment made accordingly. That would end the whole transaction. That would be preferable to the proposal embodied in the clause.

Hon. J. J. HOLMES: The clause is satisfactory as it stands, especially if we agree to the addition of the last four lines in Mr. Lovekin's proposed amendment which reads: "Any vendor of milk or cream shall have the right to have his milk or cream tested in his presence at the factory not oftener than once a week." I gather that an absolute test can be made. If that is so, and the right is given to the producer to have the test made in his presence, the position should be safeguarded. I do not expect that many of them would take advantage of that provision because, as most of us know, the man who is most difficult to deal with is the individual who does not understand the business. In any case, in view of the position that has been described, presumably nine out of every ten men who bring milk or cream to the factory will be under the impression that the factory is getting the better of them. However, the addition to the clause I suggest would probably overcome that difficulty. As to Mr. Greig's contention regarding the value of the butter, I do not think the value referred to is the cash value, but the percentage value.

Hon. C. F. BAXTER: The proviso is taken from the New South Wales Act. I can understand the Department of Agriculture fol-

lowing along those lines, because the dairy expert, Mr. Hampshire, is a man from New South Wales and probably was partly responsible for placing their Act on the statute books. My experience has been that a considerable proportion of water and salt is left in the butter made on the farms. In consequence, when the producers take their cream to the factory they will consider they are not in as satisfactory a position because the factory takes more water out of the butter than is possible on the farm. It will be difficult to meet all the objections because the butter is graded and put into churns in bulk and the value determined. As it stands, the producer not only gets paid for the butter-fat, but is paid for the water and salt in addition. I think if the proviso were struck out and Mr. Lovkin's proposed amendment were agreed to we would have the position made satisfactory in the interests of the producer, the factory and the consumer. Undoubtedly there has been a lot of discontent amongst the producers who assume that the cream will make so much butter. As there is only a small percentage of salt and water left after the factory has handled the cream and converted it into butter, the producer may think that the factory is robbing him. I am satisfied that the position will be improved by striking out Subclause 1 of the proviso and substituting Mr. Lovkin's amendment.

Hon. J. A. GREIG: If we strike out the proviso to Clause 1 and substitute the last four lines of Mr. Lovkin's proposed amendment to which Mr. Holmes has drawn attention, the position would be improved, particularly if it was provided that the test could take place in the presence of the vendor of cream "or his agent."

Hon. J. M. MACFARLANE: We have been working under the Victorian system in Western Australia since Mr. Kinsella took charge of the dairying industry in Western Australia. We are now asked to adopt the New South Wales system. I do not think it is wise to change over from one system to the other at the present time. We have educated our farmers to the Victorian system and we receive fewer complaints now than was the case formerly. Our farmers are beginning to understand the method, and to introduce the New South Wales system at this stage would retard progress and cause many complaints.

The MINISTER FOR EDUCATION: This clause does represent a conflict between the interests of the factory and the producer. The contention of the department is that it is entirely fair to both. It permits the factory to make what charges it pleases, but those charges must be known. It takes away from the factory any opportunity to cover up its charges.

Hon. J. M. Macfarlane: So does the Victorian Act.

The MINISTER FOR EDUCATION: A similar provision has been operating in New South Wales for six or seven years with entirely satisfactory results.

Hon. J. M. Macfarlane: The same applies to the Victorian Act.

The MINISTER FOR EDUCATION: In the Victorian Act there is no provision that the overrun shall be returned to the producer. I quite understand why butter factories prefer the Victorian Act.

Hon. C. F. Baxter: What does the overrun represent? Does the farmer maintain that the Babcock test is not true?

The MINISTER FOR EDUCATION: No. The department maintain that this provision will compel factories to pay for all butter manufactured, and will not permit of factories utilising the true overrun or faked overrun to pay an increased price per lb. for fat, or to pay first grade price for second grade cream, a very pernicious practice which hoodwinks the farmer into believing he is getting all possible for his cream, no inducement being given him to improve the quality of his cream. This tends to retrogression in the industry by lowering the quality of the butter.

Hon. J. M. Macfarlane: That is a statement which has never been backed up by facts.

The MINISTER FOR EDUCATION: It also eliminates the improper amassing of large sums of money by reading the tests of fat down and increasing the over-run accordingly, such a sum not being accounted for in the usual statement and being utilised to hide loose management and accumulate undue profits. The factory can protect its own interests by making proper charges to cover all outgoings and give a reasonable profit to shareholders, but the producer also will be protected.

Hon. E. ROSE: I do not agree with the Minister's argument. I produce and supply cream and I am satisfied with the Babcock test. In connection with every factory one hears of dissatisfied suppliers of cream.

Hon. T. Moore: Is there an overrun at the Bunbury factory?

Hon. E. ROSE: Every factory has an overrun, but that will not prevent a manager from giving short weight if he wishes to do so. The supplier depends on the manager. I want to see the shareholder supplier getting something more than the ordinary supplier.

The Minister for Education: He must get it legitimately.

Hon. E. ROSE: We want to protect the shareholders as well as the suppliers. If we pass this amendment it will kill co-operation. The supplier shareholder should benefit. Every man who supplies cream can become a shareholder. I give the factory managers credit for being honest. Why should they desire to take down suppliers? Mr. Stewart's remarks were uncalled for.

The MINISTER FOR EDUCATION: Mr. Rose has candidly admitted that his reason for opposing the clause is that he considers the shareholder supplier should get more than the non-shareholder supplier. I admit that he should get more, but he

should get it as a stated profit and everyone should know he is getting it. He should not get it out of the other man's cream without his being aware of it.

Hon. E. Rose: The other man does know all about it.

Hon. H. STEWART: In many instances individual suppliers of cream have been so dissatisfied that they have divided their cream into two parts and sent one to Perth and the other to a country factory, and have found that they did not get as good results from the local factory.

Hon. J. M. Macfarlane: You could not expect it.

Hon. H. STEWART: I would like to hear the explanation. The cream was properly stirred and fairly divided and different results were obtained from the two factories. Railway freights are so arranged as to encourage producers to deliver their cream to the nearest factory. When they find they can get better results in Perth, the extra railage and the unsatisfactory service prevents them taking advantage of the better results. The net return from the local factory is greater, and producers continue to send to the local factory, notwithstanding that they feel certain they are not getting a full return in accordance with the test. I still think I was right in my statement regarding some of the factories, and there was no need for Mr. Rose to take exception to that statement. If the weight and tests are correct, there will be no surplus.

Hon. A. J. H. SAW: At first the question appeared to be somewhat complicated, but as the discussion proceeded, it has become clear that in connection with butter there is a certain amount of backsheesh, and the whole argument hinges on who is to get it, the factory or the producer.

Hon. J. M. MACFARLANE: Mr. Stewart asked why different results were obtained from different factories. It would take a highly qualified expert to send two samples of equal test to different factories. A farmer is generally ignorant in regard to these matters. Sometimes he scoops off the top without stirring the cream. If the cream is properly stirred and divided, it is possible to get an approximate test, but it is easy to get a test one or two per cent. out.

Hon. A. BURVILL: I know a qualified man who stirred and mixed a can of cream thoroughly and sent one half to the Albany factory and the other half to another factory. The Albany factory, with which he had found fault, gave a test similar to his own, and the other factory returned a test four points ahead. This was sufficient to convince him that his prejudice against the Albany factory was ill-grounded. The explanation was, simply, that another factory was giving an unduly high percentage.

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

|      |    |    |    |
|------|----|----|----|
| Ayes | .. | .. | 6  |
| Noes | .. | .. | 16 |

|                  |    |    |
|------------------|----|----|
| Majority against | .. | 10 |
|------------------|----|----|

#### AYES.

|                   |                       |
|-------------------|-----------------------|
| Hon. C. F. Baxter | Hon. J. Nicholson     |
| Hon. J. A. Greig  | Hon. E. Rose          |
| Hon. A. Lovekin   | Hon. J. M. Macfarlane |
|                   | (Teller.)             |

#### NOES.

|                      |                    |
|----------------------|--------------------|
| Hon. R. G. Ardagh    | Hon. J. W. Kirtwan |
| Hon. F. A. Baglin    | Hon. R. J. Lynn    |
| Hon. A. Durcill      | Hon. G. W. Miles   |
| Hon. H. P. Colebatch | Hon. T. Moore      |
| Hon. J. Duffell      | Hon. A. J. H. Saw  |
| Hon. V. Hammersley   | Hon. H. Seddon     |
| Hon. E. H. Harris    | Hon. H. Stewart    |
| Hon. J. J. Holmes    | Hon. J. Mills      |
|                      | (Teller.)          |

Amendment thus negatived.

The MINISTER FOR EDUCATION:  
I move—

That the following be inserted to stand as Subclause 3:—"Any vendor of milk or cream shall have the right to have his milk or cream tested in his presence, or in the presence of his agent, at the factory not oftener than once a week."

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

Clause 12—Grading cream:

Hon. J. MILLS: As to the pasteurising of cream, I presume the first grade is for export, and the second and third grades for local use. If it is necessary to pasteurise the first grade, why should not the second and third grades be pasteurised also? Perhaps it would increase the cost of production. I believe the pasteurisation of cream removes from butter the disagreeable taste sometimes caused by the pastures, and also removes the danger of tuberculosis.

The MINISTER FOR EDUCATION:  
I understand that some factories have not facilities for pasteurising. The provision means, therefore, that a factory without such facilities cannot put first-grade butter on the market. If we applied the pasteurisation everywhere, it would mean the closing up of such a factory.

Hon. J. M. MACFARLANE: Subclause 2 I understand from Mr. Sutton it is intended to deal with export butter particularly. As we are not likely to be better exporters for some time, I move an amendment—

That the following be added to Subclause 2: "If the butter is intended for export." That amendment will meet the difficulty. During the winter months we get the cream so fresh and good that we can make a first-class butter, superior to the pasteurised butter. Pasteurisation removes from the butter those volatile odours which make the

bouquet of fresh butter. I can, therefore, quite understand the Federal law providing for pasteurisation of all export butter. The cost, I believe is one halfpenny per lb. However, as our butter is for home consumption, and as we get the finer grades of butter without pasteurisation, I submit my amendment. Every one of our factories has a pasteuriser, I understand. They have it in reserve to meet the differences owing to seasons.

Hon. E. ROSE: This provision does not appear in the New South Wales or Victorian Acts. It is required for export, but we are not yet, and for some time shall not be, in the exporting stage. I understand that the first prize butter at the Royal Show of two years ago was made at a factory which has no pasteuriser—the Government butter factory at Denmark. Then, why should we be compelled to pasteurise all our first-grade butter for our own consumption? Of course, the pasteurised butter will bring the best prices.

The MINISTER FOR EDUCATION: There is a point which I should like hon. members familiar with the industry to make clear to the Committee. I understand that pasteurising gives butter its keeping quality. Is not that so?

Hon. J. M. Macfarlane: If the cream is not in good order, pasteurising will improve it.

The MINISTER FOR EDUCATION: Make it keep?

Hon. J. M. Macfarlane: Yes.

The MINISTER FOR EDUCATION: For export the keeping quality is essential. However, I am not prepared to admit without some further argument that pasteurisation is not necessary for local consumption, if the local producer is going to brand his butter as prime and first-class. If pasteurisation gives the keeping quality, it seems to me wise, in the interests of the industry, that when Western Australian butter is put on the market as choice or first-grade it should have those keeping properties. Otherwise, the impression prevailing in the public mind now, that our first-grade butter is not equal to the first-grade imported, will grow. I know that is the view of the department. The department do not want Western Australian butter to come before the public as first-grade unless it will live up to that reputation. If people find choice first-grade Western Australian butter going off in a few days, they will say that imported first-grade choice butter is better.

Hon. C. F. BAXTER: While the pasteuriser does assist, though only to a small extent, to produce the keeping quality of butter, its most important use is in dealing with all classes of cream. One supplier sends in his cream daily, and another keeps it three or four days before sending it in. There must be some means of producing a uniform grade quality of cream, and that is the main reason why the pasteuriser is installed. Mr. Rose mentioned that the first prize butter exhibit

at the Royal Agricultural Show of two years ago came from the Denmark factory, or so-called factory, where no pasteuriser is used. But let me point out that it is quite possible to make a special point of having a small quantity of cream which will produce prize butter. The position is altogether different if the cream has to be gathered from various parts of the district, and has to be kept for any length of time.

Hon. J. W. KIRWAN: From the point of view of the consumer, it will be better to permit the clause to remain as it stands. It has been said that pasteurisation improves the quality of the butter. Therefore when we pasteurise butter for export purposes, we should have equal regard for local consumers, especially when the butter is labelled "choice and first-grade." We must also remember that the area of the State is considerable, and that butter for local consumption has to travel big distances. We should be just as careful in the matter of butter for local consumption as for butter that is for export.

Hon. H. STEWART: I draw the attention of the Committee to the first subclause, which specifically provides that in the manufacture of butter from the cream the manager of every dairy shall keep apart and not blend or mix either as cream or butter the various grades, and that it shall not be compulsory to grade cream in more than three qualities. Although you might mix creams of the one grade, there is no intention under the Bill to mix cream of an inferior grade with that which would produce the best quality of butter.

Hon. A. BURVILL: Pasteurising is necessary. I have seen very bad cream after having been pasteurised brought up to a quality that was fit for pastry. The cream has had all the bad flavour taken out of it. The clause which provides that it shall not be compulsory to grade cream in more than three qualities is necessary. This is done to compel a factory to produce three grades of cream. The factory should be in working order by the time we begin to export, and if the clause is passed as it stands, it will tend to do that.

Amendment put and negatived.

Hon. J. M. MACFARLANE: Subclause 4 does not state how the butter shall be marked. I suggest that the marking be in bold capitals so that it may easily be read. If it is necessary to mark, the marking should be done boldly and clearly.

Hon. V. HAMERSLEY: There are many centres in which people are supplying butter during the winter months, and I can understand why they use a special wrapper. The clause will create a lot of unnecessary difficulty for the man who is not making a regular trade in the selling of this butter. I frequently see cream cans at sidings waiting for another train—the train they were intended to catch having been missed—and the authorities do not even bother to put the cans in the shade. Cream thus often arrives at its destination in a bad condition. It is turned

into butter, and why then should not the people there sell it in their own locality?

Hon. C. F. BAXTER: There are strong reasons why farm butter should be marked plainly. If there is anything that has done harm to the butter produced in Western Australia, it is the sale of farm butter which has been put forward as the best grade of butter manufactured in the State. Throughout the metropolitan area and in the country districts one will find best grade butter marked up, and in some places sold as factory butter. That is misleading to the consumer and does a great deal of harm to the producers.

Hon. E. ROSE: The clause certainly should be retained. What Mr. Macfarlane complained of can be remedied under the regulations. Mr. Hamersley fears that these wrappers will prevent farmers from making butter. The wrappers will cost about 5s. per thousand, and if that cost is going to prevent the manufacture of butter, it will not take much then to do so.

Hon. J. M. MACFARLANE: In the food and drug regulations of 1914 it is prescribed that all butter must carry a wrapper setting out the weight of the butter and whether or not preservatives have been used. That has never been applied to farm butter, which is marketed in plain wraps and put up as local butter. It has not the keeping qualities of factory butter, and so it gives the factory butter a bad name. My amendment is simply intended to make it so clear that purchasers will have no doubt as to its being farm butter.

The CHAIRMAN: The hon. member has not yet moved any amendment.

Hon. J. M. MACFARLANE: Well I move an amendment—

That after "butter" in line 5, the words "in bold type as prescribed in the food and drug regulations" be inserted.

Hon. J. MILLS: It is not a matter of the cost of having these wrappers printed, but the difficulty of having them on hand when wanted. How can a farmer with one cow that comes in milk for only a few weeks sell his butter to a neighbour, when he has first to send to Perth for these wrappers?

Hon. J. M. Macfarlane: He can get a rubber stamp.

Hon. J. MILLS: The cost of which might be greater than the profits on his butter.

Hon. V. HAMERSLEY: I know of many men keeping each a single cow and selling the butter to a neighbour. They do not send it into the towns to compete with factory butter. We are going to make it very difficult for those people to dispose of their little stocks of butter. They will not know where to obtain the wrappers.

Hon. E. H. Harris: It is already provided for in the food and drug regulations.

Hon. H. STEWART: The amendment reveals the tendency of legislation to ignore the conditions of the State as a whole. Numbers of people make and sell a pound or 1½ lbs. of butter per week. They are doing no harm, for they do not come into competition

with factory butter. What is the use of prescribing specifically printed wrappers? It is quite sufficient to provide that the butter shall be labelled.

Hon. A. BURVILL: Before we had butter factories, the people making butter used to stamp their own names on the pats. I do not see any hardship in the provision. Certainly farm butter should be distinctly labelled, but I do not care whether it be a printed label or a label made with a pencil. All that matters is that farm butter shall not be palmed off as factory butter.

Hon. C. F. BAXTER: The mover of the amendment would be well advised to withdraw it and add after "thereon" in line 5 the words "as prescribed by regulations." Thus it would be left in the hands of a sympathetic department.

Hon. J. Mills: It would play into the hands of the big men.

Hon. C. F. BAXTER: Oh no, the departmental officials would be disposed rather to look after the small men. My suggestion would remove all difficulty.

Hon. J. M. MACFARLANE: I will withdraw my amendment and allow Mr. Baxter to move his. I am satisfied the farmers will then be in sympathetic hands. I am only concerned that farm butter should not be sold as factory butter.

Amendment by leave withdrawn.

Hon. C. F. BAXTER: I move an amendment—

That after "thereon" in line 5 the words "as prescribed by regulation" be inserted.

Hon. J. J. HOLMES: I will support the clause as printed. All we are aiming at is that the public shall know what they are buying. As long as farm butter be clearly marked "farm butter," no harm can be done. When we have farm butter made in large quantities all over the State it will be time to specify the way in which it shall be branded.

The MINISTER FOR EDUCATION: I think it would be better to leave the clause as it stands. The amendment will make it necessary for the department to prescribe a type for the label, and until they do so the farmers will be able to sell their butter without a brand at all. That is not desirable. Under the clause they can brand it as they like. If it can be found in the course of time that the brands are not sufficient, the department will have power to make regulations prescribing the nature of the brand to be used.

Hon. J. W. KIRWAN: The department already has power to make regulations prescribing the nature of the brand for farm butter.

Hon. J. J. Holmes: And we have power to disallow these regulations.

Hon. J. W. KIRWAN: That is so. Still, the department has the power to make regulations. Therefore it does no matter much whether the amendment be agreed to or not.

Hon. E. ROSE: This provision was never intended to be applied to the small

farmer in the back blocks. It applies only to farm butter sold in shops. The departmental officers are not going into the back blocks to interfere with the legitimate enterprise of small settlers.

Amendment put and negatived.

Clause put and passed.

Clauses 13 and 14—agreed to.

Clause 15—Statement of quantity and grade of butter manufactured:

Hon. E. ROSE: Why should the factories be put to the expense of having to send monthly to each of the suppliers of cream a statement showing the quantity and value of each grade of butter manufactured and the quantity and value of cream of each grade which the suppliers of cream have been paid for? It will mean the employment of an extra clerk in each factory, and I cannot see that any benefit would be derived from it.

Hon. C. F. BAXTER: The clause is very drastic. If the ordinary business were transacted between the supplier and the factory, and accounts sent to the department, that should be sufficient.

The MINISTER FOR EDUCATION: This is the companion to Clause 11, and is taken from the New South Wales Act. It is the clause by which the supplier is able to see that the cream is being paid for.

Hon. J. M. MACFARLANE: As a butter factory proprietor, I look upon the clause as being of a drastic nature. The factories have been making returns or account sales showing each transaction that has occurred. This clause will add more work to the factory, and mean less profit to the producer. I cannot see why the department should be supplied with returns.

Clause put and passed.

Clause 16—Grading of butter for export:

Hon. J. MILLS: There is no penalty provided for here.

The Minister for Education: There is a general penalty clause.

Clause put and passed.

Clause 17—agreed to.

Clause 18—Margarine is not to contain more than 5 per cent. of butter-fat.

Hon. J. J. HOLMES: Dr. Saw pointed out that one of his objections to margarine was that it did not contain a sufficient amount of butter fat. This section says it shall not contain more than 5 per cent. of butter fat. I should like to have an explanation from the Minister.

The MINISTER FOR EDUCATION: If 7 or 8 per cent. of butter-fat were allowed, the margarine would be so coloured as to enable people to sell it as butter. So small a percentage of butter fat, however, does not improve the value to the consumer.

Hon. J. M. MACFARLANE: The department does not desire that margarine should be coloured so as to represent butter. Even

5 per cent. of butter-fat will give a certain flavour to margarine. People should only be allowed to sell margarine that contains no butter-fat.

Clause put and passed.

Clause 19—Colouring of margarine:

Hon. A. LOVEKIN: I believe that cocoa-nut fat is an ingredient of margarine. Is there anything to prevent that substance from being coloured at the place of origin before arriving in this State, and then being made up into margarine of the colour of butter?

Hon. J. M. MACFARLANE: The reason why butter-fat is added to margarine is to give a heightened colour to the pale substances making up margarine. If butter were very highly coloured, a small quantity alone would be sufficient to make margarine look like butter.

The MINISTER FOR EDUCATION: The clause says that margarine containing added colouring matter shall not be sold. It does not matter where the colouring matter is put in.

Hon. J. W. KIRWAN: Is there anything in the Bill to say that margarine should be marked as such?

Hon. J. M. Macfarlane: Yes.

Hon. J. J. HOLMES: The passing of this clause will indirectly prohibit the sale of margarine. This substance is largely used in the State by people who cannot afford to buy butter. I understand it is a wholesome food. If colouring is prohibited, the margarine no longer becomes pleasing to the eye, but its absence does not make it unwholesome. The addition of a little colouring matter certainly makes margarine more attractive to the consumer. I am informed that not less than 10,000 tons of margarine are consumed weekly in the United Kingdom.

The Minister for Education: People do not eat it because they like it.

Hon. J. J. HOLMES: The clause will prohibit the sale of an otherwise marketable and wholesome product. Why should margarine not be sold so long as it is marked as such? Many of the articles of food we consume are coloured in order to make them more pleasing to the eye, and apparently more palatable.

The MINISTER FOR EDUCATION: There is always a tendency for the inferior article to drive out the superior article. The profit on the manufacture of butter is very small, and ranges from 1d. to 3d. a lb. In the case of margarine it is often 8d. a lb. If colouring matter is kept out of margarine, the product will fall back to its own value in the eyes of the public. This may prevent the sale of margarine, because it may not be manufactured to so large an extent as is now the case. People who want to buy margarine, however, should be able to do so at a cheaper rate.

Hon. C. F. BAXTER: Margarine is made from the best quality of beef dripping, with



cocoanut oil added to it. After treatment, as a rule 10 per cent. of butter-fat is included. The best quality of beef fats and drippings is procured from the Wyndham Meat Works, and when other meat-works are established along the coast further supplies will be forthcoming. If no alteration is made, it will not be possible to export a ton of margarine from Western Australia in competition with other countries or even with any of the Eastern States. It is a fallacy to say that margarine is as good an article as butter.

The Minister for Education: New South Wales prohibits the export of coloured margarine.

Hon. C. F. BAXTER: That must have been decided recently. I move an amendment—

That the following proviso be added:—

“Provided that the Minister may grant permission to add colouring matter to margarine for export purposes only.”

It is advisable to have such a provision in connection with margarine for export. At any rate, it will leave the matter in the hands of the Minister.

Hon. A. LOVEKIN: I do not think the provision will meet the object the Minister has in view. Animal fat is coloured. It would be better to provide that no margarine which appears at all coloured shall be sold.

Hon. A. BURVILL: I oppose the amendment. We should not encourage anything to enter into competition with butter when we are reaching the export stage in competition against outside States. The amendment would encourage competition against the butter trade.

Hon. J. J. HOLMES: Much as I dislike the clause, I do not think the proviso is necessary. Reference has been made by Mr. Baxter to the huge quantity of beef fat from the Kimberley stock. So far as the beef fat is concerned, it will be sufficiently highly coloured to appear as a coloured article without the addition of anything of that description. Therefore, the amendment is not necessary.

Hon. C. F. BAXTER: I do not agree with Mr. Holmes. The beef fat will not be coloured sufficiently to enable it to compete with margarine from other countries.

Hon. E. H. HARRIS: It says it shall not be sold, and you propose to sell it.

Hon. C. F. BAXTER: I merely propose that the Minister may agree to the colouring of margarine for export purposes only, so that we can compete with other countries.

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

|                  |    |    |    |
|------------------|----|----|----|
| Ayes             | .. | .. | 3  |
| Noes             | .. | .. | 16 |
| Majority against | .. | .. | 13 |

#### AYES.

|                       |                   |
|-----------------------|-------------------|
| Hon. V. Hamersley     | Hon. C. F. Baxter |
| Hon. J. M. Macfarlane | (Teller.)         |

#### NOES.

|                      |                   |
|----------------------|-------------------|
| Hon. R. G. Ardagh    | Hon. A. Lovekin   |
| Hon. F. A. Baglin    | Hon. G. W. Miles  |
| Hon. A. Burvill      | Hon. J. Mills     |
| Hon. H. P. Colebatch | Hon. J. Nicholson |
| Hon. J. A. Greig     | Hon. E. Rose      |
| Hon. E. H. Harris    | Hon. A. J. H. Saw |
| Hon. J. J. Holmes    | Hon. H. Stewart   |
| Hon. J. W. Kirwan    | Hon. H. Seddon    |

(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 20—Margarine to contain Queensland arrowroot:

Hon. J. J. HOLMES: It is proposed that margarine shall not be manufactured or sold unless it contains the prescribed percentage of Queensland arrowroot. If we can grow arrowroot in Western Australia, why should we stipulate only Queensland arrowroot? I presume the reference has been taken from the Queensland Act, or perhaps we have a Queensland man in the department. It should be unnecessary to specify Queensland arrowroot only.

Hon. J. M. Macfarlane: If we specified Western Australian arrowroot, could we get it?

Hon. J. J. HOLMES: We should not specify any particular arrowroot.

Hon. H. Stewart: Some arrowroot is much adulterated.

The MINISTER FOR EDUCATION: I will move an amendment to add the words “or other approved.” I do not know why Queensland arrowroot was specified.

Hon. J. M. Macfarlane: It was considered that Queensland arrowroot was specially pure.

Hon. F. A. BAGLIN: I do not agree with the suggested amendment. If the Minister will agree that the approved arrowroot must be of Australian origin, it will be all right. We may be able to produce arrowroot in other parts of Australia.

Hon. J. Nicholson: What about New Guinea?

Hon. F. A. BAGLIN: I am most concerned about Australian products.

Hon. H. Stewart: What about the mandated territories, too?

The MINISTER FOR EDUCATION: I am willing to meet the objection raised by Mr. Baglin. I move an amendment—

That in line 3 after “Queensland” the words “or other Australian approved” be inserted.

Hon. A. J. H. SAW: I have no objection to the amendment. I fancy the reason why Queensland arrowroot is specified, is that it is used as a means of identification under a microscope because the granules are easily detected and thus they can see at once whether the article is butter or margarine.

Hon. J. M. MACFARLANE: At the 1913-14 conference held in Melbourne the standards were fixed for the purpose of uniformity. Analysts and principal medical officers agreed that we

should stipulate arrowroot of Australian manufacture, because they stated it had the qualities Dr. Saw has indicated. The Queensland arrowroot was regarded as the purest and the idea was to ensure that only the purest arrowroot should be mixed in margarine, for the reasons I have indicated.

Amendment put and passed.

Hon. J. W. KIRWAN: I move an amendment—

That the following words be added: "Nor sold unless branded or marked with the word 'margarine' as prescribed."

These words are the words used in the next clause, and if it is necessary to provide for the branding of margarine for export, I cannot see why it should not be branded for local consumption.

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

Clauses 21 to 24—agreed to.

Clause 25—Regulations:

Hon. A. LOVEKIN: I move an amendment—

That in paragraph (a) the words "and the fees to be paid in connection therewith" be deleted.

This clause gives the Governor power to make regulations and prescribe the fees. We have had a good deal of experience of departmental prescription of fees, and the sooner we prescribe them in schedules to our measures, the better it will be for everyone.

The MINISTER FOR EDUCATION: I have no objection to the amendment. There is only one connection in which fees will be charged under this measure and that is under Subclause 2 of Clause 5. There the fee for the registration of premises is limited to £1. The object evidently is to grade the fees at sums under £1. There are about ten factories in the State and the amount of the fees cannot be of any importance. I propose later on to recommit the clause with a view to making the prescribed fee purely nominal. There is no object in imposing a big fee, because the factories have to be registered under other Acts.

Amendment put and passed.

Hon. J. M. MACFARLANE: Paragraphs (c) and (d) refer to the books to be kept in factories. Are the books to be specified by the department, or can factories continue the systems under which they are working at present?

The MINISTER FOR EDUCATION: I take it the department will require only such books as will reveal the facts wanted under this measure.

Hon. A. LOVEKIN: I take it the regulation cannot go beyond what is provided in the measure, and Clause 22 stipulates the information required.

Hon. J. J. HOLMES: I can understand paragraph (i) stipulating the minimum percentage of butter fat, but why the maximum?

Surely the greater the percentage of butter fat, the better the cream.

Hon. J. M. MACFARLANE: The object is to get about a 40 per cent. test. This gives a cream easy to churn and in good condition for sampling, and produces a nice smooth, even granule of butter. When the cream is denser and runs over 45 per cent., it is like cheese. It is difficult to get an accurate sample and difficult to mix it, and the liability to make mistakes in the checking off is greater. There is also the disadvantage that butter cannot be made with the same ease as on the 40 to 45 per cent. test.

Hon. J. J. HOLMES: Why is it necessary, as provided in paragraph (q), to regulate the size of milk cans?

Hon. A. LOVEKIN: Wheat sacks are regulated.

Hon. J. J. HOLMES: Quite so, but the objection would not apply to milk cans.

Hon. A. LOVEKIN: A man might have to lift them.

Hon. E. ROSE: The provision is necessary. If Mr. Holmes saw all kinds of milk cans ranging from Lilly-cans and kerosene-tin cans up to large milk cans going to a factory, he would appreciate the advisableness of providing for uniform cans.

Hon. J. M. MACFARLANE: The Railway Department have a regulation providing that if more than a 40-quart can is used, the owner shall be on the station to help to load it. We have had experience of milk cans being left on the station, because the owner was not there at some ungodly hour of the night to help the guard to put them on the train. As the Railway Department have this regulation, I presume paragraph (q) is required in order to conform with it.

The MINISTER FOR EDUCATION: The reason given by Mr. Hampshire was as suggested by Mr. Rose. It is desired to have cans of a definite size.

Hon. J. M. Macfarlane: What difference would it make to the butter fat?

The MINISTER FOR EDUCATION: The cans would not necessarily be of the one size, but definite sizes are desirable.

Hon. E. Rose: Some three-gallon and some five-gallon.

The MINISTER FOR EDUCATION: Yes, something definite.

Hon. J. W. KIRWAN: The Bill contains numerous references to the examination and printing of a certificate for margarine for export. Why is not a somewhat similar provision made to prevent the importation of margarine which is not up to standard?

The MINISTER FOR EDUCATION: I am not prepared to answer the question. I shall make inquiries and if there is any necessity for a further provision with regard to imported margarine, it can be inserted. I intend to keep the Bill open for recommitment.

Hon. J. M. MACFARLANE: The regulation under the Pure Foods Act stipulates what margarine shall be, and is sufficient to deal with any inferior margarine which might be imported.

Hon. J. W. KIRWAN: But this deals with export. Why not deal similarly with imported margarine?

Hon. H. STEWART: There is a good deal in Mr. Kirwan's point. He wants imported margarine examined at the point of entry. I am not too sure that Mr. Macfarlane is not confused on the subject. The regulations to which he refers may not deal with the point of entry, but with the place of sale.

Hon. J. M. MACFARLANE: The regulations are of Australian uniformity.

Hon. J. J. HOLMES: I move an amendment—

That paragraph (r) be struck out.

We have provided for everything to be regulated already, and here is a paragraph by way of a drag-net.

Hon. J. M. MACFARLANE: I support the paragraph. Mr. Sutton gave us an assurance that all matters of regulation would come before the Butter Factories' Association before being submitted to Parliament for confirmation.

Hon. F. A. BAGLIN: A Government officer might equally well give the Engine-drivers' Association an assurance that everything in connection with machinery regulations would first be submitted to them. Such an assurance is astounding, and should not be accepted by Parliament. We are fairly well protected by the circumstance that regulations when made must be laid upon the Table of the House, after which they can be disallowed. The Butter Factories' Association have no right whatever to be consulted regarding regulations. I do not know Mr. Sutton, but if he cannot, without first consulting some outside body, advise the Government as to the regulations to be made, Parliament had better be closed up. Presumably, if the association do not approve of the regulations, they will not be gazetted.

Hon. J. M. Macfarlane: That does not necessarily follow.

Hon. F. A. BAGLIN: If the Government officer promulgates regulations which are unfair, it is up to the Butter Factories' Association to make their objections known to Parliament.

Hon. J. W. KIRWAN: The regulations now under consideration are somewhat different from other regulations which have been rather unpopular in this House. Here it is not a question of fees, but a question affecting the food of the people, and therefore their health. In those circumstances we ought to give the department rather wide powers in the matter of regulations.

Amendment put and negatived.

Clause as previously amended, agreed to.  
Postponed Clause 3—Registration of premises:

Hon. H. STEWART: I move an amendment—

That the following proviso be added:—  
“Notwithstanding anything to the contrary therein contained, the provisions of the Shops and Factories Act, 1921, and the Amendment Act, 1922, and the Inspection of Machinery Act, 1921, shall not apply to a dairy produce factory or store registered

under this Act, except the provisions therein relating to the registration and inspection of steam boilers.”

On the second reading I drew attention to the fact that dairy produce factories were already registered under the Factories and Shops Act, and subject to inspection by departmental officers, and that they were already subject to inspection and registration under the Inspection of Machinery Act. The debate has drawn attention to the fact that they are also subject to the Health Act. There are too many departments having control of these premises, and of the dairying industry. If the intellect of the Government and the department is so restricted that they cannot in connection with a measure like this provide that one or two of the departments concerned shall delegate their authority to officers of other departments concerned, the position is very bad. Dairy produce factories are distributed all over the State, and the cost of registration and inspection by four departments must be very considerable.

The MINISTER FOR EDUCATION: I hope the amendment will not be carried. In moving the second reading I pointed out that although the officers under this Bill are called “inspectors,” they are known in the department as “dairy supervisors.” They are supervisors, instructors and assistants in the teaching of dairy farming and dairy production. It is not intended that they should carry out the functions of inspectors, nor would they be competent to do so, under the Shops and Factories Act, or under the Inspection of Machinery Act; but it is not fair or reasonable to use this Bill as a means for exempting dairy produce factories from the proper inspection to which they are subject at present. I recognise a good deal of strength in the argument that a factory having to register under a certain Act, should not be charged again for registration under other Acts. For that purpose I propose to recommend the Bill, so that the registration fee may be made purely nominal, or even nothing at all. But there is no more excuse for exempting these institutions than for exempting any other institutions from the Shops and Factories Act and the Inspection of Machinery Act.

Hon. A. LOVEKIN: I hope the amendment will be carried. Everyone wants to foster the butter industry, but by this Bill we say, as an inducement to people to embark their capital and perhaps later promote the export of butter, “You shall register under the Shops and Factories Act and pay the fees under that Act, and you shall be subject to all the harassing that occurs from the various so-called inspections, and you shall keep certain books and give notices, all of which cost money; and you shall register under the Inspection of Machinery Act and pay fees,” and so on. Except the steam boiler, I cannot conceive that any article in a dairy would need any inspection whatever. Further, there is registration and inspection, and also payment of fees, under the Health Act. Then as regards this Bill, I care not whether a

man is called an inspector or a supervisor; he is in the nature of an inspector, and there is another registration. All that is necessary with regard to inspection of a butter factory can be done under this measure, by the inspector, or supervisor, or dairy expert, or whatever he is called, except as regards the one case where life and limb may be in jeopardy from a possibly faulty steam boiler. That matter the mover of the amendment agrees should come under the Inspection of Machinery Act.

**THE MINISTER FOR EDUCATION:** The hon. member's argument is against the Factories and Shops Act and would hold in regard to any industry. We should not try to undermine the law of the country in regard to matters of this kind, for that is what the amendment will do. If we think that the Factories and Shops Act prevents the establishment of industries, it is our duty to repeal that Act. Under the Factories and Shops Act records have to be kept of the hours employees work. The Bill makes no provision for anything of that kind.

**Hon. H. STEWART:** My remarks indicating that there should be some method in the arrangement of the duties of inspectors, show that it is not my intention to undermine the Factories and Shops Act. Section 8 of that Act provides—

An inspector may hold office as inspector under this Act in conjunction with any other office or employment which the Governor deems not incompatible with his duties under this Act.

Shortly after Mr. Pantou, a former member of this House, suffered defeat at the last elections, I noticed in the Press that he was appointed an inspector under the Factories and Shops Act. I grant he was conversant with that statute and also with industrial legislation, but I submit that in connection with these factories and the administration of the Factories Act, it would be a simple matter for the dairy supervisors or inspectors to become sufficiently conversant with the requirements of that Act to carry out inspections under it, as well as carrying out their other duties. The work would not be arduous. The particular reason is the scattered nature of the factories and the expense that will be involved by double larking.

**The Minister for Education:** They can do it under the Factories and Shops Act now.

**Hon. H. STEWART:** Are they likely to do it?

**Hon. A. J. H. SAW:** In spite of the arguments used by Mr. Stewart that the duties under the Factories Act should be carried out by the inspectors or supervisors under the Dairy Industry Act, the proviso says "Notwithstanding anything to the contrary therein contained the provisions of the Factories and Shops Act and the Inspection of Machinery Act, shall not apply to a dairy produce factory or store registered under this Act." I am perfectly willing to foster

and even pamper these butter factories, but I am not prepared to put them above the law.

**Hon. A. LOVEKIN:** We cannot expect any industry to flourish if we are going to start it with four registrations, four inspections, four sets of hamperings and four sets of fees. We must have some improvement. If the House passes a Bill to encourage an industry, and all these things are heaped upon that industry, the House deserves all the opprobrium that can be directed against it.

**Hon. F. A. BAGLIN:** I am in accord with the sentiments expressed by the Leader of the House when he says that if the Factories and Shops Act is not a fair statute, it should be repealed. Parliament has seen fit to place it on the statute book, and whilst it is there we should loyally obey it. I am as much interested in fostering the dairying industry as any other member, and I wish to see the working conditions of the employees protected. Under the Factories Act it is not possible for any industry to employ girls under 18 years of age for more than 44 hours a week. We ask for exemption in this respect in connection with the dairying industry. Girls may be employed for 88 hours a week, and boys may be employed even though they be under 14 years of age. If we are going to build up an industry at a sacrifice of the people employed in it, it is just as well that that industry should go by the board. So long as we have factories, be they butter or any other, they should not be exempted from the Factories Act. If we are going to allow the dairying industry to be exempted, it will be the thin end of the wedge. The amendment will have a far reaching effect. I can see what will happen. Whenever a new industry comes along, an effort will be made to secure its exemption from the Factories Act for the purpose of protecting that industry.

**Hon. H. STEWART:** The view expressed by the hon. member is not warranted. The Minister should report progress to give us an opportunity to consider the way in which it might be possible to arrange for the duties to be carried out by the one set of inspectors.

**THE MINISTER FOR EDUCATION:** There is no necessity for an amendment to carry out the wishes of the hon. member. It is competent for one person to be appointed an inspector under half a dozen of these Acts, but I object to an amendment which will make it obligatory on the part of the department to see that one man does the work of three or four departments. Where it can conveniently be done it should be done.

**Hon. E. H. HARRIS:** We would be establishing a bad precedent if we were to exempt the two Acts referred to in the amendment. It is quite possible that an inspector may be appointed who would be an inspector under the Shops and Factories Act.

Still I do not think it would be desirable to make exemptions from the Shops and Factories Act and from the Inspection of Machinery Act, as the hon. member would have us do.

Hon. J. A. GREIG: The desire of Mr. Stewart is to have only one inspector to inspect butter factories, instead of having three or four inspectors going round making inspections under the various Acts. We can have a provision to cover that. Indeed I have drafted one which I propose to move as an amendment.

The Minister for Education: But it is the law to-day.

Hon. J. A. GREIG: I did not know that. I have yet to learn of a case where it has been accepted. In how many instances is the machinery inspector an inspector also under the Shops and Factories Act? Where has that economy been practised? I would not expect an inspector of a butter factory to be competent to inspect a steam boiler, but any ordinary man could satisfactorily inspect the rest of the machinery to be found in a butter factory.

Hon. E. H. HARRIS: What about the refrigerating machinery?

Hon. J. A. GREIG: I see no particular difficulty in that. Apart from steam boilers, there would be nothing to fear in leaving the inspection to a butter factory inspector. If, as the Leader of the House says, the position is already provided for, I will not move my proposed amendment.

Hon. H. STEWART: I now realise that my amendment does not meet the position. Therefore I will withdraw it.

Leave to withdraw the amendment refused.

Hon. A. LOVEKIN: I move--

That progress be reported.

The MINISTER FOR EDUCATION: As I reminded the hon. member this afternoon, it is not unusual for a private member to move to report progress. If any hon. member wishes that progress should be reported, the practice is for him to ask the Minister in charge to move accordingly. However, if the hon. member wishes to take charge of the proceedings, I do not mind.

Hon. A. LOVEKIN: I asked the Minister just now to report progress, and I understood him to refuse. Consequently I moved merely to test the feeling of the House. Still, I have not the slightest wish to take the control out of the hands of the Minister. I will withdraw my motion.

Motion by leave withdrawn.

Progress reported.

House adjourned at 10.29 p.m.

## Legislative Assembly.

Wednesday, 8th November, 1922.

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

### QUESTION—ROEBOURNE GAOL.

Mr. TEESDALE asked the Colonial Secretary: Is it the intention of the Government to close the Roebourne gaol and transfer the prisoners to Broome?

The COLONIAL SECRETARY replied: The matter has not yet been determined.

### QUESTION—CIRCUIT COURT, NORTH-WEST.

Mr. TEESDALE asked the Premier: Is it the intention of the Government to appoint a commissioner to proceed to the North-West to adjudicate on the several session cases pending, thus saving hundreds of pounds in passages and witnesses' fees?

The PREMIER replied: The whole question as regards action to be taken for hearing the cases referred to is at present being carefully considered.

### QUESTION—COTTON GROWING, IMPERIAL ASSISTANCE.

Mr. TEESDALE asked the Minister for Agriculture: Will he instruct the London Agency to apply for a proportion of the million sterling set apart by the Imperial Government to develop the cotton industry within the Empire?

The MINISTER FOR AGRICULTURE replied: £1,000,000 was, I understand, set aside for the purpose of organising the growing of cotton within the Empire, not to meet the actual cost of growing it. The British Empire Cotton Association will send