

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Section 2 of Act No. 2 of 1907:

The CHIEF SECRETARY: I move an amendment—

That in Subclause (2), line three, the word "and" be inserted after "residence."

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

Clauses 6 and 7—agreed to.

Title—agreed to.

Bill reported with an amendment.

House adjourned at 9.8 p.m.

Legislative Assembly,

Wednesday, 20th October, 1926.

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

QUESTION—RETIREMENT OF J. WEVER.

Mr. MANN (for Mr. J. MacCallum Smith) asked the Minister for Justice: Is it his intention to lay on the Table all the papers in connection with the retirement of Jas. Wever, one time S.M. at Donnybrook?

The MINISTER FOR JUSTICE replied: No. But if the hon. member desires the

papers laid on the Table of the House he may move to that effect.

Hon. Sir James Mitchell: The hon. member knows that without being told.

PAPERS—INDUSTRIES ASSISTANCE.

Transactions of Thomas Norburn.

MR. GRIFFITHS (Avon) [4.35]: I move—

That the file relating to the affairs and transactions of Thomas Norburn, of Nangeenan, with the Industries Assistance Board be laid upon the Table of the House.

I ask for the papers with the idea of making a close inspection of them to ascertain whether the allegations contained in a sworn declaration are correct, or whether there is any foundation for the extraordinary assertions made by Thomas Norburn. I do not wish to enter into details because the declaration contains some very serious charges, and before publicity is given to them it is only fair to the gentleman concerned that a close investigation should be made. I understand that a copy of the declaration has been sent to the Minister in charge of the Industries Assistance Board and the Agricultural Bank. At the last general elections the ex-member for Avon was asked whether he would move for the appointment of a select committee to inquire into the serious charges made by Norburn. As a matter of fact, there are two declarations, the first of which was sworn before Mr. W. T. Eddy, one time member for Coolgardie, on the 25th January, 1924, and the other before Mr. A. J. Cunningham, J.P., Nangeenan, on the 24th July, 1926. The declarations involve men holding responsible positions in the community, and I prefer to see the papers before dealing with the contents of those extraordinary documents.

THE MINISTER FOR LANDS (Hon. W. C. Angwin—North-East Fremantle) [4.38]: I oppose the motion. In doing so, I have no desire to prevent any member from seeing the papers. Any member who wishes to see them will find them at his disposal at the office. This matter affects one of the bank clients, and it would not be advisable to table papers dealing with private matters. I suggest that the hon. member withdraw the motion and he may then see the papers at the office.

MR. GRIFFITHS (Avon—in reply) [4.39]: It will be quite satisfactory to me if I can see the papers and make the investigation I desire. Therefore I ask leave to withdraw the motion.

Motion, by leave, withdrawn.

BILL—TIMBER INDUSTRY REGULATION.

In Committee.

Resumed from the previous day. Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

Clause 9—Penalty for refusing to give facilities for inspection:

Hon. Sir **JAMES MITCHELL**: The clause provides that every owner, agent or manager, who refuses or neglects to furnish to an inspector the means necessary for making an entry, inspection, examination or inquiry under this measure, shall be guilty of an offence. What does that mean? If an inspector wished to examine a tramline, the owner would be compelled to provide a conveyance and an officer to take him over it. If an inspector wished to inspect the bush, the owner would be compelled to provide the necessary transport. A timber holding is very different from a mine. A mine comprises a comparatively small area which is easy to inspect, whereas a timber concession often covers a very large area. The Bill also provides that the inspector shall be accompanied by an official. Does the Minister wish to go so far as that? The clause might interfere greatly with the conduct of business on a timber holding. On one occasion I was driven 20 miles over a bush tramway. It is no joke for the mill management to have to convey an inspector over such a distance.

Mr. J. H. SMITH: There are three inspectors concerned in this clause, and the manager of a timber station might get sick of requisitions from the three of them in succession. Could not either the district inspector or the special inspector be eliminated and triplication thus avoided? It is fallacious to have three inspectors empowered to make complaints to the Minister. Possibly this Bill has been foisted on the hon. gentleman. He might have three complaints on the one matter.

Mr. Wilson: There could not be three complaints about the same thing.

Mr. J. H. SMITH: Certainly there could.

Mr. Wilson: But action could be taken only once.

Mr. J. H. SMITH: The hon. member is trying to camouflage the position, which he understands thoroughly.

Mr. CHESSON: Every facility should be provided for inspection under this Bill as under the Mines Regulation Act. If a mining inspector wants to go down in a cage, the mine manager puts no obstacle in his way. Similarly a mill manager should permit a timber inspector to travel over bush lines. There is no occasion for the manager to accompany the inspector in either case.

Miss HOLMAN: The Victorian Act requires the means necessary for inspection to be furnished to an inspector and to a public health officer and to a municipal officer—three officials.

Mr. J. H. Smith: Those other officials have that power here now.

Miss HOLMAN: There must be a clause imposing a penalty on a mill manager who denies to an inspector proper access.

Mr. WILSON: Really there are only two inspectors involved: the district inspector and the workmen's inspector. The district inspector might visit the mill only once in two or three months.

Mr. J. H. Smith: What about the special inspector?

Mr. WILSON: I shall deal with him presently. The workmen's inspector records in a book what he has seen, and also sends his report to the central office. Eventually the district inspector comes along and makes further inquiry into the matter. Special inspectors are to be appointed only for investigations requiring special or scientific knowledge. The member for Nelson is making a noise about something he does not understand.

Mr. J. H. Smith: Refer back to Clause 8.

Mr. WILSON: There is no occasion to do so.

Hon. Sir **JAMES MITCHELL**: As the Minister will not say what he wants, I move an amendment—

That the words "refuses or neglects to furnish to an inspector the means necessary for making an entry, inspection or inquiry under this Act or" be struck out.

An inspector may even examine any part of a timber holding at any time, Heaven knows why. What would that mean at Pemberton mill, for instance? Considerable transport work and much bother would be entailed on

the mill manager because it is not merely a matter of an inspector riding out on a rake of trucks, though that is a thing I would not care to do.

Miss Holman: Sometimes there is no other way of travelling.

The MINISTER FOR WORKS: The Opposition Leader is indulging in flights of imagination this afternoon. There is no possibility of hardship or trouble such as he has indicated. A provision similar to this has operated in the mining industry for many years and no unreasonable demands have been made by inspectors. Are timber inspectors likely to prove more unreasonable than mining inspectors have shown themselves? Timber inspectors will not ask for special trains when visiting the bush, but will ride on the rakes or in the vans attached to them. If the stipulation for necessary facilities were not in the measure, the mill management might say to an inspector, "Find your own means of getting out to the bush."

Mr. Mann: Is there any evidence that mill managers have ever done such a thing?

The MINISTER FOR WORKS: From personal knowledge I can state that in the early days mill managers refused to allow any trade union official to ride on the rake.

Mr. Mann: That is not so to-day.

The MINISTER FOR WORKS: No. We have advanced a little since then. The clause contains nothing new or extraordinary. Timber inspectors will not ask for unreasonable facilities, such as special trains, any more than a mining inspector asks for a special engine and a special cage. If anything like that occurred, the inspector would not hold his job for long. Our whole experience teaches that the provision can be left in the Bill with safety.

Hon. Sir JAMES MITCHELL: The Minister likens the position of an inspector in the forests to that of an inspector in a mine. The positions are not similar by any means. When a mine is working the cages proceed up and down the shaft throughout the day and there is no need to make any special provision regarding the transport of the inspector. In the bush, however, the timber train runs only when required. Should the services of an inspector be required in the bush, there are other means of transport that can be provided by the department. Unless inspections are made when they are needed, little good will result. I do not know why the Minister objects to a little criticism.

The Minister for Works: I am not objecting.

Hon. Sir JAMES MITCHELL: Are we not to be allowed to express our views regarding the Bill? I do not feel like falling down and worshipping at the shrine of the Minister, for he goes too far.

The Minister for Works: It does not matter to me how much you criticise.

Hon. Sir JAMES MITCHELL: I know we have a workmen's inspector of mines at Kalgoorlie and I do not know of anything against him. I do not know that he has ever done anything that caused any trouble.

The Minister for Mines: That officer has done very well.

Hon. Sir JAMES MITCHELL: Because there has been no trouble in that respect does not say that the appointments of all such inspectors will give the same satisfaction. I do not know of provision being made for the transport of inspectors in connection with any other industry. The Bill throughout is framed with the idea that the employer is not to be trusted to do a fair thing in any direction.

Amendment put and negatived.

Mr. J. H. SMITH: I wish to amend the clause. I recognise that something has to be done to protect the workers in the timber industry.

The Minister for Lands: And yet you want to block everything that is being done!

Mr. J. H. SMITH: Nothing of the sort.

The Minister for Lands: I thought you would be the one who would support us in this direction. Of course, I know you are only doing what you have been told to do.

Hon. Sir James Mitchell: Who told him? We are not engaged in Trades Hall methods here!

The Minister for Lands: I heard him being told what to do.

Mr. J. H. SMITH: The Minister is to appoint district inspectors and I do not know why we should go further than those officials. I do not see the necessity for the duplication. I want to move the deletion of the reference to "an inspector," with a view to inserting "a district inspector."

The CHAIRMAN: You cannot move that amendment because the Committee has already decided to include the reference to an inspector in the early part of the clause and the second reference to "an inspector" is therefore consequential. You can oppose the whole clause.

Mr. J. H. SMITH: I do not want to oppose all of it, but merely to amend it. As the clause stands, it will create technical difficulties that the Minister must be aware of. If I cannot amend the clause I will have to let it go.

The Minister for Works: You want these powers to apply only to district inspectors?

Mr. J. H. SMITH: I think that is reasonable.

The CHAIRMAN: The only way the hon. member can deal with the clause is to move for the recommittal of the Bill for that purpose.

Clause put and passed.

Clause 10—Inspector to record result of inspections:

Hon. Sir JAMES MITCHELL: Are not the powers already furnished sufficient without providing for examinations being made by other persons? Is there any special reason for this provision? Will this give the Minister power to authorise any person outside the department to carry out inspections?

The MINISTER FOR WORKS: The Leader of the Opposition is all the time trying to create the impression that there is to be an army of inspectors under the Bill.

Hon. Sir James Mitchell: So there will be.

The MINISTER FOR WORKS: Actually under the Bill there will be fewer inspectors than there are at present under various Acts. It will mean a tremendous saving as against existing conditions.

Hon. Sir James Mitchell: How many inspectors will there be?

The MINISTER FOR WORKS: I should say at most four, being three district inspectors and one workmen's inspector. I do not expect there will be any more. So there will be an army of four inspectors taking the place of the large number running about the South-West to-day administering the provisions of various Acts. This record book is to be open for examination. No exception can be taken to that.

Hon. Sir James Mitchell: No, but any person other than an inspector may be authorised by the Minister to examine it. That is not right.

The MINISTER FOR WORKS: There is a big territory to traverse, and the nearest inspector may be miles away when the Minister discovers a need to have the record book examined that day. In those circumstances the Minister will be able to send a

telegram to a Government official, other than an inspector, on the spot authorising him to examine the book and report. That is all. It may be the local schoolmaster, who for the purposes of examining the book would be just as capable as the inspector.

Mr. Davy: You might have to pay the school teacher for the special job.

The MINISTER FOR WORKS: Possibly. Perhaps half a crown. Only in exceptional circumstances would that power of examination be exercised. The same provision exists in respect of mining. There need be no fear that the Government propose to use the provisions of the Bill to harass the industry, for we all desire to see it running smoothly.

Hon. Sir JAMES MITCHELL: If it only means that the Minister may want a copy of an entry in the record book, I have no objection to the provision. But not until now have we been able to learn that there are to be only four inspectors. Why could not the Minister have told us that before? When he gets up, it is not to impart information, but to accuse us of all sorts of things. As for the proposal that one inspector shall do the work of a number of inspectors under various departments, I always thought that, say, a health inspector required some special qualification. Apparently it is not so.

Miss Holman: It is not necessary now, since the secretary of the local road board is generally the health inspector.

Hon. Sir JAMES MITCHELL: Still, an inspector of the Health Department periodically looks in to see that the work is being properly carried out. The Minister is wrong in suggesting that I want to create a false impression of the Bill; all I want is to know the truth about it. The timber industry is providing a very fine revenue. But for the sandalwood revenue we could not budget for a surplus this year. So we can afford to spend a little money on the industry. I do not object to that, but I want to know what is really proposed under the Bill. The Minister should give the Committee full information about the measure, and that without lecturing and threatening us.

Miss HOLMAN: It is difficult to understand the opposition to this provision, for it reduces the number of those entitled to examine the record book to three or four persons, whereas in the mining industry every worker employed is empowered to read the record book. Surely, therefore, the pro-

posal that the Minister should empower one person, other than the inspector, to read the book, should not be cavilled at.

Hon. G. TAYLOR: The reply of the Minister reveals the extraordinary change that has come over him since yesterday. Last night he did not know how many inspectors there would be, what qualifications they would need, nor what would be the cost of the work. To-day he knows a great deal about what is going to happen under this clause. It is remarkable that one can be so successful in trying to bluff people. We want to know about these things, and the Minister has given us some information this afternoon. He should take the Committee into his confidence, and tell us how the Bill will apply, so that we shall have confidence in what he tells us. When he comes along with a Bill on one day knowing nothing, and follows this up on the next day knowing something, the Committee is naturally suspicious of the Bill and of the Minister's conduct in the way in which he is putting it through.

Clause put and passed.

Clause 11—Upon worker making complaints, inspector to make inquiries:

Mr. J. H. SMITH: I move an amendment—

That in Subclause (2) the words "and the name of the informant shall not be divulged" be struck out.

This is a dreadful provision, which the Minister cannot thoroughly have read. I cannot think that members opposite will support such a provision. If a man sees anything wrong with machinery he should report it to the inspector, but the inspector should be at liberty to divulge his name. It has been the experience of every member of this Chamber to receive communications from persons who are not prepared to come out into the light of day and prove their words. I cannot understand members agreeing to anything that savours of white-anting. I know of members of unions who have been held up to ridicule because of certain innuendoes that have been made by persons who have remained unknown. The days of victimisation have passed.

Mr. Heron: Not on your life.

Mr. J. H. SMITH: Surely the Minister does not stand for this. It would be a scandal against trade unionism to embody such a provision in this clause. The Minister says he takes no notice of white-anting

or underground engineering, and yet he permits this pernicious principle to be embodied in the Bill.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	21

Majority against .. 8

AYES.

Mr. Angelo
Mr. Barnard
Mr. Brown
Mr. Griffiths
Mr. E. B. Johnston
Mr. Maley
Mr. Mann

Sir James Mitchell
Mr. J. H. Smith
Mr. Taylor
Mr. Teesdale
Mr. C. P. Wansbrough
Mr. Davy
(Teller.)

NOES.

Mr. Angwin
Mr. Chesson
Mr. Clydesdale
Mr. Corboy
Mr. Coverley
Mr. Cunningham
Mr. Heron
Miss Holman
Mr. W. D. Johnson
Mr. Kennedy
Mr. Lambert

Mr. Lamond
Mr. Marshall
Mr. McCallum
Mr. Millington
Mr. Munsie
Mr. Pantou
Mr. Sleeman
Mr. Troy
Mr. Willcock
Mr. Willson
(Teller.)

PAIRS.

AYES.
Mr. Thomson
Mr. Denton
Mr. Richardson

NOES.
Mr. Collier
Mr. Withers
Mr. A. Wansbrough

Amendment thus negatived.

Clause put and passed.

Clause 12—agreed to.

Clause 13—Notice of accident to be given:

Miss HOLMAN: I move an amendment—

That the following be added to the clause:—
"It shall be the duty of persons employed on a timber holding to report to the manager any accident on the holding which may come to their knowledge, as soon as possible after the occurrence thereof, and any person who fails to do so shall be guilty of an offence against this Act."

This should suit members opposite, because it imposes a duty upon the workers.

Hon. G. Taylor: That is what we want to avoid.

Hon. Sir James Mitchell: We do not batten on the workers.

Miss HOLMAN: It will not involve an extra duty upon the managers, but will rather assist them.

Hon. Sir JAMES MITCHELL: If a dozen people witness an accident, this

means they will all have to report it or pay the penalty. People should be obliged to report the occurrence of an accident to the manager, but under this amendment all witnesses will have to report to him. If they fail to do so, they may be fined up to £50.

The Minister for Lands: If accidents are not reported, the men concerned will get no workers' compensation.

Hon. Sir JAMES MITCHELL: I support the amendment.

Hon. G. TAYLOR: The amendment is not necessary because these men are all insured against accident and they have to report the accidents.

Mr. Heron: Within a certain time.

Hon. G. TAYLOR: It is very seldom that they miss. An accident cannot occur without its being brought under the notice of the manager.

The MINISTER FOR WORKS: The suggested amendment is included in the Mines Regulation Act, but I deliberately left it out of this Bill because I did not consider it was necessary inasmuch as accidents have to be reported to the manager. The management must be notified otherwise compensation cannot be claimed.

Hon. G. Taylor: It is not necessary. It will only overload the clause.

Miss HOLMAN: It is a fact that on occasions men have met with minor accidents and it was not considered they were worth reporting at the time. Later on, however, those men have been prevented, as a result of the accident from continuing their work, and they have found it difficult to get compensation because they did not report the accident straight away.

Mr. MANN: If an accident occurred on a bush line and the cause of the accident was the neglect of an employee, and if the employee was not compelled to report the accident, evidence of the neglect might be covered up. If an employee had done something that had brought about the accident, rather than report the fact forthwith, his first inclination would be to cover up traces of his neglect. We know that accidents are often caused through neglect of some person or other.

Amendment put and negatived.

Clause 14—agreed to.

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

Hon. Sir JAMES MITCHELL: Does the Minister realise that if the clause is passed it may hold up the conduct of an inquiry. It might also cause considerable loss not only to the workers, but to the owners as well.

The MINISTER FOR WORKS: The clause will operate only where there has been a serious accident. It will not apply where there have been minor accidents. If there is to be an inquiry in the event of a life having been lost, or serious injury resulting to someone it is necessary that there should be inspection before interference with the place where the accident occurred.

Mr. Mann: This clause shows the necessity for the amendment moved a little while back by the member for Forrest.

The MINISTER FOR WORKS: That had nothing to do with this clause.

Clause put and passed.

Clause 16—Dangerous machinery to be guarded:

Miss HOLMAN: I move an amendment—

That the following subclause, to stand as No. 3, be added:—"No person placed in charge of or having the control of any engine or winch driven by steam, air, gas, oil or electricity shall, under any pretext whatever unless relieved by a competent person holding the necessary certificate under the Inspection of Machinery Act, 1921, absent himself or cease to have effective supervision during the time such machinery is so used."

There have been many instances of an engine or winch in the bush having been left under the supervision of an uncertificated person, even of one less than the stipulated age. On one occasion a boy was in charge of a winch and a serious accident happened to one of the workers.

The MINISTER FOR WORKS: In framing this measure I have endeavoured not to overlap the provisions of the Inspection of Machinery Act. The case outlined by the member for Forrest is fully covered by the existing law, and I do not think the amendment would afford any additional protection.

Mr. Mann: People interested in the timber industry will become conversant with this measure, but may not know anything about the Inspection of Machinery Act.

Hon. G. Taylor: Yes, they will.

The MINISTER FOR WORKS: The provision in the Inspection of Machinery Act effectively meets the desire of the member for Forrest.

Amendment put and negatived.

Clause put and passed.

Clause 17—Aid to injured persons:

Miss HOLMAN: The clause provides that an ambulance or stretcher and a supply of bandages, etc., shall be kept at the mill ready for immediate use. I move an amendment—

That the words "at the mill" be struck out. The mill is sometimes 25 miles distant from a bush landing and that is a long way to have to convey an injured man.

Mr. J. H. Smith: How many are 25 miles distant?

Miss HOLMAN: Most of them are ten miles away, which is a long distance in view of the poor means of transport available. If the amendment is carried I propose to move a new subclause providing that where more than 12 men are employed, a first-aid outfit shall be kept in the sleeper-cutters' cabin. I know of two camps, one with 200 cutters and another with 60 cutters, neither of which has first-aid requisites.

Hon. Sir James Mitchell: But are they not contract cutters?

Miss HOLMAN: They are employed by contractors.

The MINISTER FOR WORKS: I have no objection to the amendment, especially as steam log haulers are now replacing the bullock teams in the bush. At Pemberton the log haulers are eight or ten miles from the mill.

Mr. J. H. SMITH: I agree that the words "at the mill" should be struck out but I am not satisfied with the new subclause indicated by the member for Forrest.

Hon. Sir JAMES MITCHELL: Should not first-aid appliances be provided at the mill as well as in the bush?

Miss Holman: Wherever power machinery is used.

Hon. Sir JAMES MITCHELL: Then is it not unnecessary to delete the words "at the mill."

Miss Holman: Not in view of the new subclause I intend to move.

Amendment put and passed.

Miss HOLMAN: I move an amendment—

That the following subclause be added:—
"(2) Where more than 12 men who are ordinarily employed on a timber holding are camped in proximity to each other, without power-driven machinery, a stretcher, and a sup-

ply of lint, bandages, and antiseptic dressing shall be kept ready at such camp for immediate use in case of accidents."

Hon. Sir James Mitchell: Who is to provide those appliances—the contractor?

Mr. J. H. SMITH: I oppose the amendment because it is not clear. Cutters in the bush work on a contract basis and have no responsible head.

The Minister for Lands: Read Clause 16.

Mr. J. H. SMITH: I see nothing in Clause 16 that applies to it. The member for Forrest knows and the Minister for Lands ought to know that the sleeper-cutter is on a different footing from the mill employee. He is a contractor on piecework.

The Minister for Lands: "Owner," according to the definition, includes a sub-contractor.

Mr. J. H. SMITH: The amendment does not indicate who will be responsible.

Miss Holman: Make the union representative responsible.

Mr. J. H. SMITH: I have yet to learn that it is incumbent on every sleeper hewer to become a member of the Timber Workers' Union. I know dozens of hewers who are not members of the organisation.

Sitting suspended from 6.15 to 7.30 p.m.

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

Clauses 18, 19, 20—agreed to.

Clause 21—Coroners' inquests:

Hon. Sir JAMES MITCHELL: Subclause 1 provides that people who sit as jurors must, so far as possible, have some knowledge of the timber industry. I do not know why. The provision seems unreasonable. Apparently, the intention is that only workers in the industry shall sit on coroners' juries. Has such a thing been specified in an Act before? What is the objection to people who are employed in controlling the industry sitting as jurors?

The MINISTER FOR WORKS: It is only the person having a personal interest in, or in the management of, the timber holding where the accident occurred that is debarred. The subclause does not debar the owner or manager of any timber holding, but only the owner and manager of the timber holding on which the accident occurred. If a coroner's jury found that an accident resulting in loss of life was due to negligence on the part of the owner or manager, it would amount to finding a ver-

dict against a member of the jury in the event of the owner or manager sitting as a juror. But of course such persons would be challenged if called.

Hon. Sir JAMES MITCHELL: An owner or manager responsible would not sit in any case. The great bulk of the timber workers are employed on the large mills, such as the State Sawmills or Millars'. Certainly people responsible should not sit on a coroner's jury. However, the wording of the subclause is not right. "Personal interest" means holding shares in the sawmill, and shareholders would not be called as jurors, anyhow. Moreover, insurance of workmen is now compulsory. If a man employs a workman for an hour, an insurance policy must be taken out. That applies even to a man chopping wood for a shilling or two. The mill owner or manager would not employ an uninsured man. Therefore the question of compensation would not greatly concern the owner or manager.

Mr. Wilson: What about employers' liability?

Hon. Sir JAMES MITCHELL: The responsibility under the Employers' Liability Act is not greater than that under the Workers' Compensation Act.

Mr. Wilson: If an employee were killed through gross negligence on the part of the owner, action would be taken under the Employers' Liability Act.

Hon. Sir JAMES MITCHELL: Gross carelessness would rather involve a prosecution for manslaughter. The subclause goes too far in its disqualifications. It would exclude clerks and bush foremen, for example. Yet the jurors are to be men accustomed to work in the timber industry. It would be hardly possible to obtain jurors from a timber holding adjacent to that on which the accident occurred. People not really concerned in the accident should not be disqualified from sitting as jurors; otherwise the choice would be too restricted.

The MINISTER FOR WORKS: The Coroner's Act contains sections that are practically verbatim with the provisions of the clause, except that the Act provides that at least two of the jurors inquiring into a matter relating to the mining industry must be working miners. Thus, the clause is simply taken from that Act.

Hon. Sir James Mitchell: No, you have gone further than that.

The MINISTER FOR WORKS: Only those personally interested in connection with the timber holdings, where accidents

may have occurred, will be disqualified from sitting on a jury dealing with any one of those accidents.

Mr. CHESON: I regard the clause as satisfactory. Practically the same provision exists under the Mines Regulation Act, which provides that the majority of the men on a jury dealing with a mining accident must be practical men.

Mr. J. H. Smith: There is a great deal of difference between the mining industry and the timber industry.

Mr. CHESON: Not at all. I was a member of a jury at Cue. One of the jury-men had no knowledge of the mining industry and he refused to go underground to view the scene of the accident because he considered it was useless, seeing that he could not say whether or not the part of the mine where the fatality had occurred was in a safe condition. In that instance, the jurymen was content to leave the matter in the hands of practical men. Persons interested should not sit on a jury at all.

Hon. Sir James Mitchell: Certainly not.

Mr. CHESON: The clause will not prevent ex-holders of timber concessions, or ex-managers, from sitting on a jury. In many instances a coroner has no practical experience and he depends upon practical men for assistance.

Hon. Sir JAMES MITCHELL: The Minister is wrong in setting up unnecessary restrictions upon persons having experience in connection with the timber industry. I do not know why those qualified to sit on a coroner's jury should be limited beyond those directly concerned.

Mr. BROWN: The clause is necessary. Persons connected with the management, or workmen employed where the accident occurred, should not be on juries concerned with accidents in which they are interested. As it stands, the clause is one-sided for it debars only those connected with the management. There is nothing to prevent the jury being composed entirely of the fellow workmen of the person who had been killed. That is not right, because those workmen would be just as prejudiced as might be the manager of the timber mill.

Clause put and passed.

Clause 22—Regulations:

Mr. J. H. SMITH: This is the principal clause in the Bill. It provides power for the Governor to make regulations dealing with many matters affecting the industry. Subclause 4 deals with sanitary matters.

The member for Forrest has pointed out how necessary it is for the Minister, or for the inspectors, to control the sanitary arrangements not only at the sawmills but at sleeper-cutters' camps as well.

The Minister for Lands: You know you will be able to have another shot at this when the regulations are framed? This clause merely provides power to make regulations dealing with the various matters.

Mr. J. H. SMITH: Quite so. While the member for Forrest sought to impress upon members the necessity for the proper control of the sanitary arrangements at timber hewers camps as well as the sawmills, it should not be forgotten that the Health Act is in operation. These matters are controlled at mill centres by the local road board or the local board of health. Then, again, inspectors from the central board of health, or the local authority, inspect the provisions made to deal with sanitary matters in the ordinary course. The member for Forrest contended that that was not sufficient. I have been on mills where the sanitary arrangements were not very satisfactory. Yet we have the central board of health already established.

The Minister for Lands: There is no central board of health.

Mr. J. H. SMITH: There is; at any rate, there is the Medical Department. I know that I reported upon the insanitary conditions obtaining at Northcliffe and the central health authority sent an inspector down. If the wishes of the member for Forrest are carried out, contracts will have to be let to provide the necessary sanitary services at sleeper-cutters' camps. Who will be responsible for matters relating to those services in such places? As it applies to milling centres, the provision may be required, but in respect of sleeper-cutters' camps, it is ridiculous. I move an amendment—

That in line two of Subclause (4) the words "including the removal of stagnant water" be struck out.

Miss HOLMAN: Everyone who has studied the health records of the State will know that every season there are numerous cases of fever down in the timber country. I have had to ask the Minister for Health to send down a health inspector to inspect dams or pools of stagnant water at the mills.

Mr. J. H. Smith: The health authorities can do that.

Miss HOLMAN: This is to help the Health Department by giving our inspectors power to deal with these things.

Hon. Sir JAMES MITCHELL: The removal of stagnant water would really mean some sort of drainage. It could not mean more than that. Surely this can only refer to the drainage of a millsite or a townsite. Of course stagnant water ought to be dealt with by somebody, probably by the Health authorities. I hope this provision is not intended to apply, except to townsites or millsites. The outstanding weakness of the Bill is that, apparently, it will be administered by the Minister for Works. Of course its administration ought to be under the Forests Department.

Mr. J. H. Smith: God help us if it were!

The Minister for Lands: There you have a difference of opinion straight away.

Hon. Sir JAMES MITCHELL: But it is a weakness that the Minister for Works should administer this measure, for he controls the timber mills owned by the State, and these regulations of course will apply to all the timber mills in the State. That may result in undesirable administration, particularly in respect of these matters now controlled by the Minister for Health. Probably we shall have engaged in this work of inspection men who are altogether without experience or qualifications for the job.

The MINISTER FOR LANDS: It cannot be too often repeated that these sub-clauses or paragraphs are not regulations at all, but merely provisions giving power to make regulations if required. And the member who moved the amendment should remember that if a regulation is made it has to come before Parliament, where it may be disallowed. Suppose the amendment be carried and the words "including the removal of stagnant water" be struck out. At Pemberton there is stagnant water that the hon. member himself agrees should be removed. But without the power to make the necessary regulation, that water could not be removed.

Mr. J. H. Smith: Yes, the Health Department could do it.

The MINISTER FOR LANDS: Any such regulation would have to be approved by the Health Department. The hon. member referred to the old central board of health. There is no such body to-day.

Mr. J. H. Smith: Then what do the local authorities work under?

The MINISTER FOR LANDS: As a rule the local authorities are not constituted local boards of health, for their areas are too large. In some districts boards are provided to deal with certain areas, but in other districts there are no such boards. In those districts the Commissioner of Public Health has to take charge of the sanitary arrangements, and so the State has to meet the expense of sending health inspectors out there. The people of the district do not carry out these things. If I had my way, I would cause every local board to become a board of health, and compel it to employ a qualified inspector. I would go further and say that the Government should appoint such inspectors, and that the local boards should pay the salaries.

Hon. G. TAYLOR: All these health regulations should be administered by the Commissioner of Public Health. No other authority should be allowed to deal with health matters.

The Minister for Lands: The regulations under this clause must be approved by Parliament, or disallowed.

Hon. G. TAYLOR: The regulations may be gazetted in January, and may be in operation for six months before Parliament can discuss them. It is absurd to suggest that anyone can be forced to remove stagnant water unless it is dangerous to health, when the health authorities would take action. Timber workers are quite capable of selecting their own camps, and of looking after themselves. It makes one weep to hear these great explorers opposite talking about what should be done for our bushmen.

Hon. Sir JAMES MITCHELL: Will it be possible to prosecute under this Bill, and to have a second shot under the Health Act? The Bill does not say that the Health Act shall not apply within these areas.

The Minister for Lands: The controlling officer will be a qualified health official.

Hon. Sir JAMES MITCHELL: The Bill should say that prosecutions may be launched only under it, and not under the Health Act.

Mr. J. H. SMITH: The Bill provides that the Minister shall appoint inspectors who have had at least five years' experience of the timber industry. This clause indicates that they must also be possessed of qualifications with regard to health matters. If a mill owner appealed against the decision of one of the Minister's inspectors, the Health

Department might take the view that the water in question was not stagnant water.

Mr. LAMBERT: I am rather appalled at the views expressed by the member for Mt. Margaret. They might be excusable in a man who explores the jungle of St. George's-terrace, as the Leader of the Opposition does, or other places as inaccessible as Hay-street, but from a man who poses as having a knowledge of the bush, as the member for Mt. Margaret does, such remarks are appalling. Workers in the bush should be entitled to live under sanitary conditions. No man who really possessed a spark of manliness or common decency would suggest otherwise.

Mr. J. H. Smith: Do not the workers make this provision for themselves?

Mr. LAMBERT: No.

Mr. J. H. Smith: Then you would say they have no manliness in them.

Mr. LAMBERT: The Coolgardie Road Board have a man stationed at Kurrawang to attend to the sanitary work for the wood-line workers. The company also provides drinkable water for the men.

Mr. DAVY: No member minimises the necessity for having sanitary provisions where a number of men are gathered together. We had a perfect illustration of that at the war where there was an extraordinary diminution of disease owing to the strict enforcement of sanitary conditions. Even if you get a collection of men of character and of the highest intelligence, unless there is some enforcement of elementary sanitary conditions, there will be trouble. The point here is whether it is necessary to do what is proposed under the Bill we are discussing. Would it not be better to have one Act dealing with the one subject? If the Health Act does not provide what is wanted here, cannot we do something to that Act so that the principal phases we are now dealing with may be dealt with under it? I think the Minister for Works shares the views I hold on the subject of by-law legislation. Those views are distinctly unfavourable. The Minister agrees with me that it is a bad thing to do. I admit that a certain amount of by-law legislation is necessary, but do we want power to make by-laws dealing with the subject under this Bill, and power to make by-laws dealing with the same subject under another Act? Most of the powers under Clause 22 are necessary. It is most important that the powers set forth in the subclause we are

dealing with should be provided for someone. But is it wise to have a new set of regulations made under this Bill when possibly they could be made under the Health Act? I suggest to the Minister that we consider whether it would not be better to have these powers exercised under the Health Act rather than under the measure we are discussing.

[*Mr. Pantou took the Chair.*]

The MINISTER FOR WORKS: The point raised by the hon. member was decided when we were framing the Bill, and it was agreed that it would be more economical to have all under the one law so far as it related to the timber areas. That decision was reached as being the most economical, easiest to administer and soundest to carry out. The Bill will govern all these provisions in the timber industry.

Mr. J. H. Smith: Irrespective of the Health Act?

The MINISTER FOR WORKS: Yes. The amendment is to strike out the words dealing with stagnant water, and we are told that that should be a matter for the health inspectors to deal with. Does it require a special training to deal with stagnant water?

Mr. J. H. Smith: I did not quite say that.

The MINISTER FOR WORKS: That is the meaning of the amendment. I remind the hon. member that a sanitary contractor was prosecuted for using a gully as his sanitary depot. The water rushed down that gully, carried away the ground and lodged everything in a pool alongside a timber camp. In another instance a butcher used a gully for dumping offal, and all that matter was washed down as well.

Mr. J. H. Smith: Was a complaint made to the health authorities?

The MINISTER FOR WORKS: Yes, and warnings were issued. We want men on the spot; we do not want to make it necessary that inspectors shall be wired for from Perth, before taking any action. When the member for Forrest was speaking last session she referred to the outbreak of typhoid in the timber districts and the member for Mount Margaret interjected, "Is that owing to bad sanitation?" The member for Forrest replied "Mainly." Then the member for Mount Margaret said, "I think the water supply has a lot to do with it." Now we are asking for provision to deal with the water supply.

Hon. G. Taylor: We are not touching the drinking water yet.

The MINISTER FOR WORKS: Will the hon. member say that stagnant water is not as liable to cause typhoid?

Hon. G. Taylor: Not unless you drink it.

The MINISTER FOR WORKS: There is no need to drink it. Under the Mines Regulation Act there is a similar provision dealing with sanitary conditions on the surface as well as underground. In New Zealand similar provisions are set out giving inspectors the powers we are asking for here. If the member for West Perth would get his friends in the legal fraternity to put into an Act all the provisions that have had to be embodied in regulations, I would be delighted. But draftsmen always impress upon me the fact that it is impossible, and they will not attempt to do it. I disagree with doing things by regulation. I believe in including in the Act everything that it is possible to include. That is far sounder than resorting to legislation by regulation. With regulations one does not feel at all secure because they might be disallowed and, owing to the uncertainty, it is difficult to set up the requisite organisation.

Mr. Davy: Regulations do not receive the same keen scrutiny that the clauses of a Bill receive.

The MINISTER FOR WORKS: That is so. The draftsmen, however, say it is impossible to embody all these matters in the measure.

Mr. Davy: It is much easier to put in a regulation clause than to draft the necessary provisions, and the draftsmen are overworked as it is.

The MINISTER FOR WORKS: They are. It is essential to have power to make regulations governing health matters and the only point is whether such provision should be included in this Bill or in an amendment of the Health Act. Many activities relating to the timber industry have been included in this Bill.

Hon. Sir James Mitchell: It is bad all the same.

The MINISTER FOR WORKS: In our opinion it is good.

Mr. Davy: And that is the end of it.

The MINISTER FOR WORKS: Yes. Provision must be made to deal with stagnant water around mills. The population in the vicinity of some of the mills is greater than that of some road districts.

Mr. Davy: Greater than the number of constituents in some members' districts.

The MINISTER FOR WORKS: Yes, Koebourne, for instance.

Mr. Teesdale: Would this mean the draining of a large stagnant lake, for instance?

The MINISTER FOR WORKS: No; water often lodges in gullies during the winter and a little drain is required to allow it to run away.

Mr. Teesdale: It would really apply to offensive stagnant water?

The MINISTER FOR WORKS: Yes. During the week-end before last I saw a pool at a timber mill that was most offensive.

Mr. J. H. Smith: The powellising refuse at Pemberton that has been there since the inception of the mill.

Hon. Sir James Mitchell: But Pemberton is a Government mill and the pool should have been drained.

The MINISTER FOR WORKS: I did not know it was there or it would have been dealt with.

Mr. E. B. Johnston: Will this measure be enforceable against the Government?

The MINISTER FOR WORKS: Yes. If there is any doubt on that score, I shall remove it. I do not approve of any Government activity being conducted on less favourable lines than are private concerns.

Hon. G. Taylor: Then make it apply to your tram tracks.

Mr. E. B. Johnston: And make the Government concerns pay road board rates.

The MINISTER FOR WORKS: It is essential that we have power to prevent and abate nuisances around mills.

Mr. J. H. SMITH: This is purely a matter for the health authorities. The Minister referred to the stagnant water at Pemberton. That is a settling dam for the refuse, containing arsenic, from the powellising plant. If it is drained into the creek, the Minister will run the risk of having to pay damages for the poisoning of stock all along the creek.

The Minister for Works: Not at all.

Mr. J. H. SMITH: I remember an instance of stock being poisoned and considerable litigation resulted.

Mr. Lamond: Is that pool fenced in?

Mr. J. H. SMITH: Yes, and always has been. The Minister spoke of a sanitary contractor dumping refuse in a creek and of its becoming stagnant. If the local authority had been alive to their duty, they

would have notified the Commissioner of Health, who would have sent an inspector down the next day. An inspector under this measure might be at Mornington, and if he was required at Nanga Brook it would take him two days to get there, whereas by telephoning to the Commissioner of Health an inspector of the department could be on the spot the day after.

Mr. Lambert: Under what section of the Health Act could action be taken?

Mr. J. H. SMITH: Under the common-sense section. There is not much common-sense in this proposal. The Bill stipulates that an inspector must have had five years' experience of the industry, and yet no provision is made for health qualifications.

Mr. Lamond: Road board secretaries in the North carry out similar work.

Mr. J. H. SMITH: And they have to pass a qualifying examination.

The Minister for Works: Anyone could pass it after a fortnight's study.

Mr. J. H. SMITH: Then why insist upon an inspector having five years' experience of the timber industry?

The Minister for Works: Many health inspectors do not hold a certificate.

Mr. J. H. SMITH: Very few.

The CHAIRMAN: Members are getting a long way from the amendment.

Mr. J. H. SMITH: A man who has to deal with stagnant water and sanitary arrangements should be a qualified man.

Mr. LAMBERT: The duties under this measure are altogether different from the work of inspecting buildings and attending to sanitary matters as provided in the Health Act. I am astounded to hear such nonsense talked about the examination of ordinary conditions of bush life. A man detailed for duties under this measure would merely need to exercise a little commonsense. If there was a stagnant pool at Manjimup the member for Nelson would have a wire despatched to the Commissioner of Health.

The CHAIRMAN: The hon. member must address himself to the amendment.

Mr. LAMBERT: The provision in the Bill is necessary. For the sake of the men engaged in the timber industry, and for the sake of their wives and children, I hope an intelligent view will be taken of bush conditions generally, and especially as regards stagnant water. The member for Nelson seems callous in that respect.

Mr. TEESDALE: The member for Nelson is perfectly right, and has just as much

sympathy with bush workers in their trials and troubles as ever the member for Coolgardie has. Further, the member for Nelson has a far greater experience of bush life. His desire in moving the amendment is to prevent needless expense to proprietors of bush mills.

Amendment put and negatived.

Hon. Sir JAMES MITCHELL: Inspectors appointed under this measure are not likely to have much knowledge of machinery. Mill machinery should be inspected by properly qualified men. The Health Act and the Factories and Shops Act have already been set aside so far as the timber industry is concerned, and now it is proposed to abrogate the Inspection of Machinery Act. Five years' experience in, say, sleeper-hewing would not qualify a man to inspect machinery. To take away the work of inspection from officials having the statutory authority would be dangerous.

Mr. Lambert: But should a dozen inspectors visit a mill for the purpose of inspecting various sections?

Hon. Sir JAMES MITCHELL: It would not do to appoint a police constable an inspector under these various Acts, as the hon. member interjecting seems to desire. All machinery at mills will be inspected under this Bill.

The Minister for Lands: No.

Miss Holman: "Machinery" is defined for the purpose of inspection.

Hon. Sir JAMES MITCHELL: The regular inspectors of machinery are not to inspect mill machinery. For that purpose inspectors are to be appointed by the Minister for Works, who by the way controls sawmills—in itself a wrong position. However, we can only protest, since the Minister for Works has told us frankly that Cabinet has decided upon these provisions. That is how we make laws. Members sitting behind the Government are not unanimously in favour of these provisions. Acts which have been framed as the result of years of discussion, and which are administered by properly qualified men, ought not to be set aside. The present clause will make it possible for the Minister to impose any regulations he pleases. I trust that conditions at the State sawmills will comprise adequate safeguards, since a fine imposed on a Government department would be meaningless. The workers of Western Australia gain nothing as the result of this kind of legislation; on the contrary, they suffer as the

result of it. They have suffered during the last two years.

Miss Holman: Your Government did not do much for the timber workers.

Hon. Sir JAMES MITCHELL: My Government kept them at work and kept them in comfort, enabling them to operate with the benefit of reasonable treatment. We did not provide for preference to unionists, or anything of that sort.

The CHAIRMAN: Order! That has nothing to do with the clause.

Mr. J. H. Smith: There were no unemployed in the industry then

Mr. Chesson: That was no credit to you.

Hon. Sir JAMES MITCHELL: I protest against the clause, but I know there is no chance of getting any support from any member sitting on the Government side of the House.

Mr. LAMBERT: If the Leader of the Opposition looks up the interpretation clause, he will find that there is no intention of usurping the functions of inspectors of machinery. It is clearly indicated that where specialised knowledge is required for any purpose at all, the services of qualified officers will be utilised. As to the criticism of the Leader of the Opposition, all that is necessary regarding many of the things is plain common sense. Probably the Leader of the Opposition may not have to pay inspection fees under the Inspection of Machinery Act. I have to do so, and can speak feelingly. In one instance I know of an inspector who was sent to Collie at a cost to one of the companies of between £30 and £40, for the inspection of one or two matters that were possibly of a most elementary description. The functions to be carried out under the provisions of the Bill are such as can be dealt with by ordinary sane men, apart from those tasks requiring specialised knowledge, such as the testing of boilers and so forth. I cannot understand the objections raised by the Leader of the Opposition unless he wishes to load the industry with the huge cost that is involved in sending an army of inspectors down from Perth to deal with matters that could easily be attended to in the way suggested under the Bill. Fancy sending an inspector of machinery down to the bush to see whether a belt or a saw was properly protected!

Hon. Sir James Mitchell: For my part, I think it is worth while protecting the lives of the workers.

Mr. LAMBERT: The Leader of the Opposition proposes putting into operation the whole machinery of the Health Department in order to attend to matters at the mills such as stagnant pools and sanitary conditions.

Hon. Sir James Mitchell: What about the lives and health of the workers? Surely they are of some account!

Mr. LAMBERT: I do not think the objections taken by the hon. member were meant seriously. Under the provisions of the Bill all that is necessary can be done by the exercise of common sense, reasonable efficiency and the co-ordination of services.

Hon. Sir James Mitchell: I have heard the hon. member talking a lot about common sense but I have heard little of it uttered.

Mr. LAMBERT: The fact that the Leader of the Opposition fails to recognise common sense in my remarks does not distress me at all.

Mr. Angelo: We are the distressed ones.

Mr. LAMBERT: I hope the Committee will take a reasonable view of the clause. The Minister should be commended for the action he has taken to preserve the lives, health and safety of the workers. If the Leader of the Opposition desires to load the industry with extra costs, he must take the responsibility.

Mr. J. H. SMITH: A strong case has been made out for the deletion of the clause. The member for Forrest contended that the control of sanitary conditions was imperative. How popular she would be if she went to a sleeper cutters' camp, and told them the Government were going to inflict upon them a sanitary rate, and that they would have to pay 1s. or 2s. a week for sanitary rates!

Mr. Lambert: So they should!

Mr. J. H. SMITH: The Minister would raise a howl from one end of the country to the other. The Minister knows what would happen if he endeavoured to make sleeper cutters pay such a rate. I cannot understand the member for Forrest putting up such a ridiculous proposition. The men in the bush are the healthiest under the sun, and they know all about the rudiments of health. Sanitary arrangements do not matter one iota to them. Does any hon. member think that those men want the Minister to interfere in such a matter? If timber cutters were made to pay such a rate and to erect the necessary houses of convenience and so forth, all that would hap-

pen would be that they would shift over the hill, and then the Minister for Health would have to do all the work over again. The whole thing is a farce. Subclause 12 deals with the power to make regulations for the drainage of tramlines, bush landings, and other places. How does the Minister intend to drain bush landings where the men are working up to their necks in water, where the bullocks and horses are bogged and where logs have to be loaded with the men right in the water?

The Minister for Works: Who is drawing the long bow now?

Mr. J. H. SMITH: Will the Minister go 30 or 40 miles away to the coast and take the drain through to the sea? It is farcical! Then the subclause refers to the drainage of "other places." What other places does the Minister mean? Subclause 13 relates to the provision of smoke screens. How will the smoke be screened off? The smoke goes where the wind blows it. It all depends upon atmospheric conditions whether the smoke rises or descends. How can smoke be dealt with by way of regulations? By what stretch of imagination did the Minister reach the conclusion that this provision was necessary? The next subclause prohibits the employment of persons unable to speak the English language. Actually, persons unable to speak English are not allowed into the State, and so this provision is quite unnecessary. In various parts of the State there is a sprinkling of foreigners, some of whom cannot speak English quite as we understand it. Yet they are very good unionists and every shilling they contribute through their union goes to a political fighting fund in the interests of the Minister.

The CHAIRMAN: There is no connection between that and the clause.

Mr. J. H. SMITH: There is, for although some of those people belong to the Timber Workers' Union, this provision is to prevent their employment. The next subclause requires that bush lines shall be cleared of dangerous trees to a prescribed width and patrolled. If the line is to be cleared of all dangerous trees, the days of sawmilling are finished. It is a silly provision. The next provision is for the clearing of house sites of dangerous trees. This would mean that before a man could occupy a camp he would have to clear the surrounding area of dangerous trees. Who is going to bear the cost of such clearing, the State or the occupier of the camp? Another provision is for the housing of the workers.

Nobody has any argument against that; but the mill worker, in comparison with workers in other industries, gets a very comfortable house at a small rental.

Mr. Wilson: What about the bad houses?

Mr. J. H. SMITH: I do not know of any. All the mill houses that I know are very comfortable. Subclause 20 provides for the election of persons as workmen's inspectors. This reverts to Clause 14.

The Minister for Works: You cannot go back.

Mr. J. H. SMITH: Will the election of workmen's inspectors be based on the tickets issued by the Timber Workers' Union? Will everybody, whether a British subject or not, be entitled to vote for a workmen's inspector?

Mr. Heron: Not if it is the same as in the mining industry.

Mr. J. H. SMITH: I think all, whether naturalised or not, will be entitled to vote, so long as they are members of the Timber Workers' Union.

Miss Holman: Read the Bill. Have a look at Clause 5.

Mr. J. H. SMITH: I want the Minister to explain it for us. Then we come to Subclause 21, providing for the making of regulations "for such other purposes not expressly provided for as far as regulations are necessary to give effect to this Act." Will the Minister explain what that means? What is intended by "all such other purposes"? What are the other purposes? I thought everything to do with the industry was already compressed into the Bill, but apparently the Minister has still a surprise packet for us. It is useless to try to amend the clause and I shall oppose it.

Miss HOLMAN: I cannot allow the utterances of the member for Nelson to pass unanswered. Yesterday he told us he was sincere in his wish to see the timber workers protected. After listening to his remarks on this clause I question his sincerity.

The CHAIRMAN: The member for Forest is distinctly out of order in questioning the sincerity of any hon. member.

Miss HOLMAN: The hon. member's mind was sufficiently obscured without needing any smoke screen to add to the obscurity.

The CHAIRMAN: The question before the Chair is Clause 22.

Miss HOLMAN: I do not think the hon. member is conversant with the conditions in his own electorate or in any other part of the timber industry.

Mr. J. H. Smith: I shall not go to you to learn them.

Miss HOLMAN: It might be better if the hon. member did. At Jarrahdale, which has been established for nearly 40 years, we tried for months to get Millars to improve the conditions, but they refused. Finally the present Minister sent a health inspector there with special instructions and Millars had to come to heel. This, notwithstanding that the men at that centre had offered to pay the rate for the conveniences. The hon. member will not be at all popular when his utterances become known in his electorate. Here is a statement from Pemberton—

In the summer the smoke from the sawdust fires are a curse; in fact you cannot see in the mill at times, which is a danger to men working around the benches, and I trust that you will try to get something done in the shape of a high galvanised iron wall, so that it will lift the smoke clear of the mills, and also relieve the watchman of some of his anxiety at night time when sparks are getting blown about; also that the sawdust dumps be removed more often and burned away from the spots where they are now dumped.

Hon. G. Taylor: That is bad for State management.

Miss HOLMAN: It is bad that the hon. member should not know the conditions prevailing in his own electorate.

Hon. G. Taylor: But that is the position after 2½ years of Labour Government.

Miss HOLMAN: The member for Nelson characterised this clause as utterly foolish. That showed his lack of knowledge of the timber industry. No one has denied that foreigners are good unionists, but that is no reason why they should be put to work with other men whom they are unable to warn of impending danger, due to their inability to speak English.

Mr. Davy: What sort of a place would it be where failure to speak English would cause danger?

Miss HOLMAN: Amongst the machinery of the mill or at log-rolling on a bush landing.

Mr. Davy: That would exclude a foreigner from practically every part of a mill.

Miss HOLMAN: Not at all.

Hon. S. W. Munsie: Why should foreigners receive preference over men who can speak the English language?

Mr. J. H. Smith: No one suggests that they should.

Hon. S. W. Munsie: Some of your friends suggest it anyhow.

The CHAIRMAN: The Honorary Minister must keep order.

Miss HOLMAN: Millars and other firms keep their lines clear, and why should not other mill owners comply with similar conditions? If an engine were sent out in the early morning to patrol the lines, the men would feel that they had a measure of safety. It is quite easy for a tree to fall across a line and, being hidden by a curve, to cause serious loss of life.

Mr. J. H. SMITH: That would apply to motor or any other traffic.

Miss HOLMAN: As to house sites, I have a picture from Pemberton showing a large red-gum tree that had fallen into the yard of a house. The member for Nelson says he supports the Bill. Yet he is raising objections, although he knows this State is so far behind in legislation of this kind. Nothing was done by him or by his party to give the timber workers the protection to which they are entitled. The hon. member raises the same old cry that this measure will place heavy impositions on the industry. Every movement to better the conditions of the workers has been met with the cry that the industry could not stand the expense. In New Zealand the regulations for housing accommodation are much stricter than are those we ask. The Minister has not asked for any extravagant power. Bushmen work from early morning till late at night, and they cannot be expected to clear their house sites after finishing the day's work. They are working for employers who are getting the profit out of the timber mills, and surely some portion of it should be applied to making the conditions more comfortable for the employees. Members who express such a high opinion of the timber workers and their common sense, might back it up by conceding them a vote for the Legislative Council.

[Mr. Angelo took the Chair.]

Mr. J. H. SMITH: No one is more anxious than I am to see that the workers in the industry are properly protected.

The Minister for Works: You are doing your best to knock out the Bill.

Mr. J. H. SMITH: I am doing my best to eliminate the ridiculous regulations which the Minister has based on the claptrap of members who know little of the industry and have gained their limited knowledge by sitting in an office and listening to trivial complaints.

Miss Holman: The timber workers will be pleased to hear that.

Mr. J. H. SMITH: They appreciate the work I have done for them, work extending back long before the member for Forrest knew anything of the industry.

The Minister for Works: Who gave you your brief for this?

Mr. J. H. SMITH: No one. I object to the member for Forrest questioning my sincerity for the welfare of the timber workers.

Mr. Richardson: No member has the experience of the industry that you have.

Mr. J. H. SMITH: I am concerned to see that the workers are not loaded up with a lot of foolish regulations that will do the industry no good.

Mr. Sleeman: You have a peculiar way of showing it.

Mr. J. H. SMITH: The member for Fremantle has a peculiar way of harrassing his own Government. If a member of this side did the same thing, he would soon be brought to book, and would be ridiculed by members opposite.

Hon. G. Taylor: Who found the crack in the Fremantle bridge, anyhow?

Mr. Marshall: You will find the crack in a lot more things yet.

Mr. J. H. SMITH: I do not care if every word I have uttered is made known to my electors. They appreciate what I have done for them in the past, and will appreciate what I am attempting to do now. Because I object to the foolish regulations for patrolling and clearing lines, I am twitted with being insincere. My concern is for the small man in the industry, the man who is battling for a living.

Mr. Sleeman: That is an after thought.

Mr. J. H. SMITH: Not at all. I am not thinking of the big man.

Mr. Sleeman: Millars?

Mr. J. H. SMITH: If I were in order I could tell of the unbolty combination between Millars and the State Sawmills, who are working hand in glove and fixing prices.

Mr. Sleeman: You are not in favour of the Bill.

Mr. J. H. SMITH: I doubt whether the member for Fremantle has read one clause of the Bill, or would have the brains to understand it if he had.

Mr. Sleeman: You have not shown that you possess much in the way of brains.

Mr. J. H. SMITH: If I could not show more intellect than the hon. member I would

not be in this place to-night. At all events I have sufficient courage to express my opinions when standing on my feet, without interjecting when other members are speaking. The hon. member is noted for that. I have failed to secure any amendment to this Bill. This causes me to think it is a party measure. I hope the Minister will not insist upon the draining of tramlines and upon the tram tracks and camp sites being cleared of trees to the extent that it is proposed.

Mr. LAMBERT: I do not see why regulation 14, which deals with the necessity for persons being employed in the industry being able to speak English, should not be made to apply in this case, as it does in the gold mining industry. It is very necessary in the timber areas that men should be able intelligibly to warn their comrades in the event of sudden danger arising. It is somewhat heroic on the part of the member for Nelson to indulge in a kind of family fight with the member for Forrest. The name of the member for Forrest is honourably associated with the industry, and the workers in it confidently look to her to protect their interests. She is the mouthpiece in this Chamber of a big proportion of them. Every local company that has any regard for the safety of its workers would observe the utmost care regarding them, but other companies might not do so. I am sorry the member for Forrest does not possess a louder voice with which to retort to the circus-like display of the member for Nelson, who would have us believe that the timber companies, operating for profit alone, should be allowed to hold cheaply the lives and limbs of the workers. It is time these corporations gave the workers a little of the benefits they themselves have received from the industry.

Mr. Teesdale: Do not forget that you are a buyer of sleepers.

Mr. LAMBERT: I do not know that the proposed regulations would affect me; in any case, I do not want cheap sleepers at the price of the workers' safety. The member for Nelson evidently derives much satisfaction from his opposition to the proposal for clearing bush lines of dangerous timber. Such clearing is highly necessary, as is obvious to anyone with knowledge of bush work. A single rake may carry 50 or 60 workers. The greater part of this country's timber production is exported to other parts of the world, which must pay the price, and

that price should include the cost of the safeguards necessary for our workers.

Clause put and passed.

Clauses 23, 24—agreed to.

Clause 25—Penalties:

Hon. Sir JAMES MITCHELL: Two penalties are provided for the same offence—a penalty of £50 for the owner, agent or manager, and a penalty of £10 for any other person. No such provision has found a place in legislation within my memory. The penalty should be even for the same offence.

Clause put and passed.

Clauses 26, 27—agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—NAVIGATION ACT AMENDMENT.

Received from the Council, and read a first time.

BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th October.

HON. SIR JAMES MITCHELL (Northam) [10.18]: This is another Bill asking us to agree to the appointment of inspectors. True, it is but the amendment of an Act already on the statute-book, and probably can best be dealt with in Committee. Some of its provisions, however, are new; and no doubt these have been suggested to the mind of the Minister for Works by the last Bill. Apparently the hon. gentleman has a deep-rooted objection to placing any kind of trust in the ability of the shearers themselves to see that an Act designed for their protection is observed. He seems to have a still more deep-rooted disbelief in the fairness and honesty of pastoralists who employ shearers. True, he said that in his travels through the North he saw shearing sheds where the accommodation for the housing of the men was perfect. On the other hand, he says that in some cases the provision for housing the shearers was altogether inadequate. Of course the Act as it stands to-day should be administered; there is no doubt about that. But now the Min-

ister proposes that there shall be inspectors who will travel from one end of the country to the other. He also proposes to bring within the operations of the Act the comparatively small farmers. The stations have been regarded as the places at which shearers' hut accommodation has been necessary. When shearing is done on the farms, the shearers, in many instances, live in the farmers' houses. No strong objection can be raised to the improved hut accommodation that the Minister proposes in respect of the stations, because what he says is that not more than two men shall sleep in any compartment, but that where huts have already been erected, the provision is not to be retrospective. He also provides that in any new huts to be erected, the divisions between the compartments need not be taken to the ceiling like walls in a house. Many of the provisions will be difficult to supervise by means of inspectors. On the other hand, we have police officers throughout the country who should be able to do this work quite well. Arguments advanced to-night in connection with another Bill showed that anyone could very easily and quickly learn to administer Acts that it was considered in the past would require to be done by men of experience. The Minister has stated that men who have worked in the timber industry can become inspectors under half-a-dozen Acts.

The Minister for Works: Where does this Bill depart from the provisions of the Act?

Hon. Sir JAMES MITCHELL: The Minister says he will appoint inspectors.

The Minister for Works: Where is that set out in the Bill?

Hon. Sir JAMES MITCHELL: The Minister in his speech said he would appoint inspectors.

The Minister for Works: No such thing.

Mr. Angelo: The Minister said he would appoint one inspector.

The Minister for Works: I said nothing of the sort.

Hon. Sir JAMES MITCHELL: I say you did.

The Minister for Works: But I did not.

Hon. Sir JAMES MITCHELL: Of course you did.

Mr. SPEAKER: Order!

Hon. Sir JAMES MITCHELL: The police can do the work that has to be done under the Shearers' Accommodation Act. Under the provisions of the Bill an inspector will be required to make inspections, to erect

premises and to carry out necessary improvements required by the Act should the owner of the property fail to do so. In the opinion of the Minister, without the inspectors the new provisions sought to be enacted could not be given effect to. The Minister certainly does not propose to trust the administration of the measure to the police. If the Minister reads his Bill he will see just what the inspectors will have to do. So we are to have more inspectors travelling round the country! When dealing with another Bill this evening the Minister said it would mean the appointment of four additional inspectors; I do not know how many will be appointed under the Bill now before us. The Minister desires to increase penalties imposed for breaches of the Act from £5 to £50. We can deal with that clause at the Committee stage. Then again he proposes to include all farms where more than 1,000 sheep are shorn. I hope he will not insist on that provision. As a matter of fact, many sheep from the smaller holdings are shorn now in depots, so that this will not apply. A flock of a thousand sheep does not represent a great many animals to be dealt with and the time occupied in shearing them will be very short. As a rule there is accommodation in the farm houses for men engaged in shearing such small lots. Then again very often the sheep are shorn by local men, in which event there will be no necessity for the provision of accommodation. We should leave the parent Act as it stands in that respect and not apply it to small holdings where a few sheep are run. Another amendment that is proposed is the substitution of "owner" for the word "master." I do not offer any objection to that change because it does not make the slightest difference. I do not know why the Minister objects to the word "master." We have schoolmasters, masters of ships, master painters, master butchers, and so on.

Mr. Griffiths: Why not have "owner" and "master"?

Hon. Sir JAMES MITCHELL: There is no need for both.

Mr. Griffiths: I do not know; there is the owner and there is the master, who is the shearers?

Hon. Sir JAMES MITCHELL: I see what the hon. member means. Of course a rose by any other name would smell as sweet, and whether we include the word "owner" or retain "master" will not make any difference. I hope the Minister realises

that it was not regarded as an offensive term when "master" was included in the parent Act. Someone must have control, whether he be the master, the owner, or a person having some other designation. However, if it pleases the Minister, we will let him have his way in this small matter. The Minister also proposes that prosecutions respecting offences against the Act must be tried before a magistrate and not before a justice of the peace. He will have nothing to do with justices of the peace at all; he objects to them taking cases. I do not know why he should do so because not all justices of the peace in the country areas are owners of flocks. Many workers are justices of the peace. Then, again, in the North, magistrates are few and far between. I do not know how the Minister will overcome the delays that must follow the passing of the Bill, when all such cases will have to be tried before a resident magistrate or a police magistrate. I should think justices of the peace would be quite capable of dealing with the small offences that can be committed under the Shearers' Accommodation Act of 1912 and under the amending Bill now before us. The most objectionable features of the Bill will be found to be the inclusion of the small holdings, the increased maximum fine proposed, and the prohibition upon justices of the peace dealing with offences under the legislation. I notice that the Bill provides that the shearers' huts must be cleansed and fumigated at least once a year. I presume the Minister is providing for the spring cleaning. Of course the shearers and the owners are brought fairly close together and for the most part are pretty friendly. People who live and work in the bush are usually friendly, and can come to terms about most matters without very much difficulty. If all workers could be on the same good terms with the employers as are the men on farms and stations, we should have mighty little trouble. In no other industry is to be found the same good feeling as prevails in the agricultural and pastoral industries. When we get out on the land we find men of bigger minds than are to be found in most other places, and certainly they exercise a spirit of fairness that can only be applauded. It would be a pity to make unnecessarily hard and fast rules for the conduct of work in those places. I hope the Minister will not find it necessary to insist upon the maximum fine or to bring small holdings within the scope

of the Bill. Men who go shearing in the North shear for many months, but not for long at one place. The climate there is trying and the conditions are not altogether pleasant, and so it is only right that those men should be properly accommodated. Amongst the smaller sheep men it is becoming the practice to take the sheep to a central depot, where they are shorn and the wool classified and packed with more satisfactory results than can be achieved on a small farm or station. I am willing to help the Minister improve the existing Act to a reasonable degree, and I hope that is all he desires. I will not offer any objection to the passing of the second reading, but I do trust that when we get into Committee, perhaps to-morrow—

The Minister for Lands: It will be to-morrow all right!

Hon. Sir JAMES MITCHELL: I hope to induce the Minister to meet us half-way. The interjection seems to carry a threat. I am paid to be here; the Minister is paid still more, and if he likes to keep us here unreasonably, it is for him to say so. No threat of his will deter me from saying what it is my duty to say about these measures.

The Minister for Lands: I am not objecting.

Hon. Sir JAMES MITCHELL: No, but I object to these threats.

The Minister for Lands: It was no threat. You suggested we might have the Committee stage to-morrow, and I remarked that it certainly would be to-morrow.

Hon. Sir JAMES MITCHELL: We must consider the Bill calmly and thoroughly, and so do our duty to those we represent. There is nothing much on the Notice Paper to justify the Minister in attempting to pass at one sitting the Bill we have passed to-day and this one also.

The Minister for Lands: It is important that we should do so.

Hon. Sir JAMES MITCHELL: The Minister cannot be accepted as the sole judge of what is important. I regard this measure as important, and I regard also my duty to the country as important. However, I will not oppose the second reading, and I hope the Minister will not expect to get this Bill into Committee to-night.

The Minister for Lands: I expect this Bill to be finished with to-night or to-morrow rather.

Hon. Sir JAMES MITCHELL: The Minister has been shown the utmost considera-

tion during the session. The threat that this Bill must go through to-night does not come very well from him now.

The Minister for Lands: I did not say to-night; I said to-morrow.

Mr. E. B. JOHNSTON (Williams-Narrogin) [10.37]: I am sorry the Minister has brought forward some of these amendments. I was in the House when the original Act was introduced by Mr. McDonald, then member for Gascoyne, a very fair-minded man with long experience of the pastoral industry. It was not his desire to include small struggling pastoralists in the North and the great majority of farmers, as the Minister now intends.

The Minister for Lands interjected.

Mr. E. B. JOHNSTON: It is not the number of sheep they have, but the place where they are shorn that is to bring the owner under the measure. It is the practice for three or four small farmers with only 200 or 300 sheep each to shear them at one spot. That spot is going to be brought within the scope of the Bill for 1,000 sheep are shorn there. If the Minister is going to meet us and not insist on the Bill going through in the form in which it has been introduced, we shall be able to rectify that. But the Bill as printed will entirely alter the spirit of the original Act brought down by Mr. McDonald. The main objection I have to the measure is the alteration of the test to determine whether or not a shearing place will come within the scope of the Bill. The original Act provides that unless eight shearers are employed at one shearing place, that place does not come within the scope of the Bill. Under that those men put on small stations in the North-West through the soldier settlement scheme were entirely excluded from the measure, as were also the ordinary farmers and the place where half a dozen small men had their sheep shorn. The amending Bill proposes to alter all that.

The Minister for Works: How many shearers would they employ?

Mr. E. B. JOHNSTON: Four at the outside.

The Minister for Works: Then they would come under the existing Act.

Mr. E. B. JOHNSTON: No, they have not been regarded as coming under the existing Act. The four would include probably only a couple of shearers and a couple of rouseabouts, who are regarded as shearers

for the purpose of the Act. In the past farmers have never been brought under the measure, and I submit that they should not come within its scope. The Minister, by this Bill, proposes to insert after the word "employer" in the interpretation the words "any place at which more than 1,000 sheep are shorn during any shearing season." Throughout the farming districts to-day it is very difficult to get sheep shorn. In the districts east of the Great Southern, although it is now late in the season, there are thousands of sheep that have not yet been shorn. Unfortunately the blade shearers seem to be dropping out; it is hard to get him, but the difficulty is being overcome by one settler in a community putting in a small plant at which his neighbours get their sheep shorn. The Agricultural Bank and private firms are giving the settlers 200 or 300 sheep; some have even fewer. Those men have not sheds or machines and they take their sheep to a neighbour to get them shorn. If this measure is passed it will mean that if the man with the machines, who may have only 400 or 500 sheep of his own, shears over 1,000 in the season, he will be compelled to provide very much more expensive buildings and conveniences for the accommodation of the men. Consequently he will not be able to do this work for his neighbours, and the present difficulty that the small men experience to get 200 or 300 sheep shorn will be very much accentuated. The legislation originally passed was suitable for the large stations and established pastoralists. Everyone agrees that the pastoralist who is on his feet should be compelled to meet the requirements of the parent Act, but I say without hesitation that the amendments now proposed are unsuited to and unnecessary in the farming areas, and will make it very difficult for the small men to get their sheep shorn. There are some settlers who have only a small house to live in.

The Minister for Agriculture: This measure applies to a man shearing over 1,000 sheep.

Mr. E. B. JOHNSTON: The Minister for Agriculture has not heard my argument. I pointed out that it is difficult to-day to get blade shearers. In the newer wheat areas it is at times impossible to get them. To meet the difficulty one man puts in a small plant, sometimes a port-

able plant, but often he does not shift t. To oblige his neighbours and without much remuneration he shears perhaps half a dozen lots of 200, 300 or 400 sheep for his neighbours. This is occurring throughout the wheat belt. Under this measure, a spot where more than 1,000 sheep are shorn in the season will have to comply with the provisions of the Act. That will mean that the smallest possible plant, capable of shearing 1,500 or 2,000 sheep in the season—and that largely to oblige neighbours—will be permitted to shear not more than 1,000 sheep in one spot without coming under the provisions of the Act. This difficulty may have been overlooked. If the Minister will meet it, it will certainly improve the Bill.

The Minister for Agriculture: On the other hand there is contract shearing by shearers who take around their own plant.

Mr. E. B. JOHNSTON: I wish the Minister could send a few of them into the Eastern wheat belt. I have just returned from the country where I received a number of complaints from people whose sheep are still unshorn, because of the difficulty of getting anyone to shear them. If they are shorn, it will be because someone with a small plant undertakes the work. Then there are small pastoral properties in the North-West to be considered. Some of the best work done by the Repatriation Department has been that of putting men on small holdings with 2,000 or 3,000 sheep. That has been done in the East Murchison, near Hamelin Pool and in the Wooramel districts. Those men are strugglers; many of them are living in pretty rough camps and are not in a position to give the shearers any better accommodation than that which they are enjoying. A man having 2,000 or 3,000 sheep, if he does not employ eight shearers, does not come under the Act, and I consider it premature to alter that provision. I hope the Minister will accept amendments and will not bring any more of the smaller properties under the Act. The spirit in which Mr. McDonald brought forward the measure in 1912 was the correct one. He desired that the man on a well-established station should provide proper accommodation for the shearers who were doing his work, and the established wool-grower could well afford to meet the requirements of the Act.

The Minister for Lands: Have not things changed since 1912?

Mr. E. B. JOHNSTON: Not very much.

The Minister for Agriculture: Of course they have.

Mr. E. B. JOHNSON: Wool is certainly more valuable to-day than it was in 1912, but we must remember that we have a lot of small men.

The Minister for Lands: Were there not more blade shearers in 1912 than there are now?

Mr. E. B. JOHNSTON: Yes. In 1912, if I remember correctly, there were far more sheep north than there were south of Geraldton. To-day, however, the position is reversed. I do not hold any brief for the man with a big pastoral property in the North-West. Such a man could and should comply with the requirements of the Act. I submit, however, that it is the policy of the State to encourage the small man with a few hundred sheep. The Agricultural Bank has made many loans for that purpose and in a large proportion of the cases the sheep are taken to one place to be shorn. I do not wish to labour the point unnecessarily, but I hope the spirit of the parent Act will be preserved so that men in the farming districts with small flocks of sheep will not be penalised by being brought under the Act. Apart from that I object to the number being fixed at 1,000. It is too few. There are men in the North-West struggling on small properties with flocks of 2,000 or 3,000 sheep. They themselves live in very poor camps. The member for Pilbara (Mr. Lamond) has travelled through properties of that kind, and he knows that those struggling men could not get their sheep shorn were it not that the shearers recognise the difficulties of the small pastoralist and meet the conditions in that fair spirit characteristic of the Australian bushman. If the Minister will approve of those conditions continuing—

Mr. Coverley: The member for Pilbara is not susceptible to flattery.

Mr. E. B. JOHNSTON: The member for Pilbara has done that very thing himself. If he as a shearer had desired to stick out for hard-and-fast rules some of the soldier settlers would have been unable to get their sheep shorn. The shearers, however met the small settlers in the right spirit. I hope the Minister

will not impose undue burdens upon pastoralists in a small way or men in the farming districts whose sheep are limited in number and whose financial resources do not enable them to install a shearing plant of their own.

MR. ANGELO (Gascoyne) [10.50]: In introducing the Bill the Minister said that the parent Act was a dead letter, and that it had been impossible to give effect to it. I agree with the Minister up to a certain point but do not agree as to the cause of its being a dead letter. The reason for its being a dead letter is that the pastoralists gladly and willingly carried out the conditions of the Act when it became enforceable. They realised they were in a better position than in the years before when the old order of things existed, that a better class of men was appearing, and that the men were entitled to better accommodation. Possibly 95 per cent. of the pastoralists carried out the provisions of the Act as soon after it was proclaimed as it was possible for them to do. This is proved by the remarks of the Minister the other evening. Referring to a chat he had with some shearers on a station in the Gascoyne, he stated that whilst they were satisfied with the accommodation on that station, they declared that the accommodation on another station was "not fit for dogs." They did not say this of several stations, but of only one.

The Minister for Works: You were there when they said it.

MR. ANGELO: Yes, but they did not attribute that state of affairs to several stations but merely to one. If there has been any backwardness in carrying out the intentions of the Act, it is not from the legislative point of view but from the administrative point of view. Possibly in some districts the constable who carried out the inspections did not properly attend to his duties. In that case the shearers should have lodged a complaint with their secretary, who could have passed it on to the Commissioner of Police, when that official would have instructed the local police officer to carry out his duty. I am certain that the police in some districts are attending carefully to the matter. Only yesterday a pastoralist told me that two years ago he sold one station and purchased another. Before he had been on the new station a week the visiting constable drew his atten-

tion to the fact that the accommodation was not as it should be, told him what was necessary, and the alterations were immediately effected. Section 17 of the Act reads—

The Governor may, subject to this Act, from time to time make regulations prescribing the nature and extent of the accommodation for shearers that may be deemed to be proper, adequate, or sufficient for the purpose of this Act, and for the maintenance of the same in a cleanly and sanitary condition, and for any purposes which in his opinion are necessary to give effect to the purposes and intentions of this Act.

I contend there is no necessity for the amending Bill. All that is needed is for the law to be tightened up a little in certain districts. This is borne out by the shearers referred to by the Minister. It is the rule for the shearing sheds to be satisfactory and in compliance with the Act. I doubt if there have been any complaints. The Minister did not say there had been any, though he referred to one isolated case. I have heard of no complaint during the nine years I have been in the House concerning any pastoralist who has not carried out the provisions of the Act. I am glad the Minister has dispelled the idea that inspectors are to be appointed. He said in the course of his remarks that a man who knew something about ventilation could do the work better than a constable.

The Minister for Works: I said I proposed to have one inspection, and to send one qualified man right through the country.

MR. ANGELO: I am glad to hear that. If complaints are received, the police should be told to cover the ground expected of them at a faster rate. I agree with the Leader of the Opposition and the member for Williams-Narrogin that the chief objection to the Bill is its extension to men with a thousand sheep. The Act operates only in cases where shearing is done by eight shearers. The usual run is that a shearers gets through about 2,000 sheep at each shed. The Bill will extend the operations of the Act to a shed running a thousand sheep. That is a drastic change. It is unnecessary and inadvisable from the point of view of the progress and development of the wool growing industry.

MR. DAVY: How many shearers would have to be employed for a thousand sheep?

MR. ANGELO: Probably two, who would do the work in five days. The application of the law to these small pastoralists would cause them to be put to the expense of erecting shearing sheds, kitchens, etc.

The Minister for Lands: If a shearer goes from one place to another, he should have some room to sleep in.

Mr. ANGELO: Yes, but on farms the occupants do not go in for palatial residences.

The Minister for Lands: This will apply to very few farms.

Mr. ANGELO: The Bill will mean that a farmer with a thousand sheep will have to provide accommodation for shearers for five or six days in the year, probably at a cost of £300 or £400. That money could better be spent in buying sheep and in assisting in the development of the industry. Australia is specially adapted for the production of wool. The population of 6,000,000 is producing 24 per cent. of the wool of the world, and 70 per cent. of all the merino produced. It may almost be said that we have a desirable monopoly of merino wool in Australia. Why, with these little pin-pricks, retard in any way the expansion of this valuable industry?

Mr. Griffiths: The expansion of the wool industry will wipe out the whole of our indebtedness.

Mr. ANGELO: I hope so. The wool and wheat industries together are going to make Western Australia the most important State of the Commonwealth. The member for Williams-Narrogin (Mr. E. B. Johnston) said the Agricultural Bank was helping certain farmers to carry sheep.

Mr. E. B. Johnston: Private firms are doing it, too.

Mr. ANGELO: Yes, and every banking and financial institution is encouraging farmers to change over from wheat only to mixed farming, because it is realised that sheep represent an important benefit to wheat growing. Everyone who sees the importance of the wheat industry and the desirability of mixed farming, the one industry assisting the other, is urging the farmers to carry a number of sheep. And the farmers have been doing it. They have been purchasing store sheep and gradually introducing the wool industry into the eastern wheat belt. The Bill, however, will represent a little handicap or obstacle to be got over. The farmer will say, "I am all right until I get 1,000 sheep, but as soon as I get over 1,000 sheep I shall have to spend money on putting up shearing sheds." The Government are adopting a wrong policy. If they ask that sheds of 5,000 or 10,000 sheep should provide accommodation for shearers,

they will not encounter the same opposition. The average cocky will be carrying a thousand sheep on his place within the next year or two, and this Bill will represent too severe a handicap on him. The Minister proposes to extend the operation of this legislation from a shed of about 15,000 sheep down to the shed of 1,000.

Mr. E. B. Johnston: And the thousand sheep might be owned by three farmers.

Mr. ANGELO: Yes. That is a highly important aspect of the matter. I did not think of it. Those three farmers would be penalised by the Bill. I fear also there will be some confusion between the Act and the Bill as regards housing of shearers. Under the Act a room can be used by four shearers; the Bill reduces the number to two. At the same time, sheds built under the provisions of the Act need not be altered. Therefore the inspector, when passing through, will want to know whether a shed was erected before or after the passing of the 1926 measure. That feature will cause not only confusion, but heart-burning as well. It is pleasant to see the Minister for Works wishing to extend the air space for shearers. I agree with him. I wish the Minister for Railways entertained the same feeling towards the unfortunate second class passengers who have to sleep on our railways. They do not get 48 feet of air space, let alone 480. I hope the policy of the Minister for Works will shortly be adopted by the Minister for Railways. No one is likely to protest against the provision for keeping Asiatics separate. In that respect no amendment of the law is needed by my district, because neither the station owners nor the shearers would tolerate anything except separate accommodation for Asiatics. The provision that only a police or resident magistrate may preside at proceedings taken under this Bill would, I fear, involve much expense and considerable loss of time. Pastoralists do not hanker after sitting on the bench. It is difficult to induce a man to become a justice of the peace in order that he may even witness documents. I know that those of my friends who are justices of the peace do not care to sit on the bench. Again, there is the provision that the cost of carrying out alterations directed by inspectors shall be a first charge on the premises. I do not know how that provision will affect existing mortgages. I hardly think it can be enforced; it seems ultra vires.

Member: Are you dealing with the Primary Producers' Bank?

Mr. ANGELO: I am talking about all banks and other institutions which lend money. In my opinion the clause cannot be made operative, because the mortgagee will have the first call. I shall be pleased if, as the result of the passing of this Bill, the conditions of shearers are improved. The shearer is a worker for whom I have the highest respect. If one class of men works hard, it is the shearer. The shearers of to-day are a very different class from those of many years ago. In the past shearers gave a good deal of trouble on slight provocation. The shearer of to-day is educated, and often he is a farmer in his own right who goes shearing up north to make a little money for the purpose of developing his property in the south. I shall vote for the second reading of the Bill, but I tell the Minister candidly that in Committee the members of this party will try hard to eliminate the clause which extends the operation of the measure to sheds of 1,000 sheep.

MR. TEESDALE (Roebourne) [11.9]: Only one or two clauses of the Bill call for comment. One provision of the Bill undoubtedly will press heavily on the small man in the chrysalis state in the North. I am not particularly concerned about the larger pastoralists, because their shed accommodation is not likely to be affected by the Bill. The accommodation already exists, and will not be interfered with as long as it is maintained in a reasonable state and according to the regulations. The northern beginner is a hard liver; he lives almost like a blackfellow. Every shilling is of the greatest importance to him. Suddenly to call upon such a man to make an expenditure of £200 or £300 is to put too heavy a tax upon him. Some of those beginners are actually in difficulties about their food. It will be almost impossible for them to comply with the provisions of the Bill, and I hope that in Committee the Minister will be induced to alter the minimum. The cubic air space to be provided represents a big item, and this may run into a large sum of money.

The Minister for Justice: That cubic air space represents only 10ft. by 10ft.

Mr. TEESDALE: I think it is a little more than that. At any rate the expenditure involved in the construction of a room 10ft. by 10ft. in the North is very expen-

sive. It means an expenditure of £26 a ton for cartage to one place that I know of. I presume these huts will have to be permanent structures. In one respect the Minister is inconsistent. In this legislation he has shown extraordinary discrimination between the worker and the owner of a station property or farm, when it comes to a question of offences. I regard it as unfair to provide in the Bill that if a worker commits an offence against the Act he shall be confronted with the possibility of having to pay a maximum penalty of £5. On the other hand if an owner commits an offence, it may mean a fine of up to £50. I intend to ask the Minister to agree to a slight reduction in the latter penalty and to make it £15 or £20. No station owner would deliberately do many of the things that are classed as offences in the Bill. For a mere trivial omission to do something, a fine of £50 is a serious matter. Why should a station owner have to pay such a fine merely because of some inadvertence on his part? Clause 10 provides that all proceedings for offences under the Act shall be heard and determined by a police or resident magistrate. I do not see how such a clause can be made workable at all. In many instances in the North the resident magistrate is about 400 miles from some of the small sheds, and in two instances that I know of, he is 240 miles away. I feel certain that the Minister does not intend to force an owner and three or four witnesses to go to the trouble and expense of travelling 400 miles from a station to the township where the magistrate sits, merely because some trivial infraction of the Act has been committed. I do not think he would ask the owner to travel 200 or 300 miles in order that he may appear before a police magistrate, when the case might be adjusted to the satisfaction of all parties by a justice of the peace. Justices of the peace have devoted a lot of time and work in the interests of the public. Both the present and the previous Government appointed justices, and I am sure they exercised considerable discretion regarding the selections made. No doubt full inquiries were made before the individuals concerned were appointed to the honourable position of justices of the peace. I ask the Minister not to reflect upon a fine body of men who have done good work for the State. I am positive that if he made full inquiries he would find that there had been very few instances where

ny partiality or favouritism had been displayed by justices. I hope the Minister will agree to remedy that clause before the Bill passes through Committee. As a further indication of how unworkable this clause will be from the point of view that the Minister has in mind apparently, I would point out that two resident magistrates I know, are pastoralists. In those circumstances the Minister might just as well agree to allow justices of peace to try cases under the Act rather than to send owners 40 or 400 miles away, merely to have their cases dealt with by resident magistrates who themselves are pastoralists!

The Minister for Works: Some of the judges are pastoralists, are they not?

Mr. TEESDALE: At any rate I am dealing with resident magistrates for the time being. Because of the facts I have mentioned, I do not think the clause will give effect to what the Minister apparently desires. I do not think it will take much time to dispose of the Bill, because the Minister has listened to the objections that have been raised to some of the clauses, and I hope he will meet the desires of members as far as possible.

MR. C. P. WANSBROUGH (Beverley 11.16): Clause 3 represents the most important part of the Bill from the standpoint of the mixed farming areas. That is the aspect of the Bill that appeals to me more particularly. If the Minister had concentrated his efforts upon improving the lot of the shearers, and restricted the operations of the Bill to the pastoral industry, I would have been inclined to help him in that direction, but I do not agree with his action in including mixed farming within the scope of the Bill. Recently we have gone very far in the farming industry by arriving at an amicable understanding with the rural workers through the negotiations in the Federal Arbitration Court. The agreement that has been arrived at is an equitable one. The restrictions provided in the award follow somewhat on the lines of the original Act, and farmers who have under a certain number of sheep to be shorn are exempt from its operations.

The Minister for Works: How many sheep were specified?

Mr. C. P. WANSBROUGH: I think the number was 6,000: I would not be sure. At any rate it is a fairly substantial number.

Apart from that limitation, we are bound by the award in every other direction. We are abiding by it right through. I am sorry that the Minister proposes to do something that will disturb the amicable relations existing at present between the mixed farmers and their employees by means of the legislation now before us. If he insists upon owners of mixed farms having to provide accommodation for shearers as outlined in the Bill, it will mean a heavy burden upon many of those people.

The Minister for Lands: Do you mean to say that many farmers have 1,000 sheep to be shorn?

Mr. C. P. WANSBROUGH: Yes, the majority of them have 1,500 or so.

The Minister for Lands: There may be an odd farmer having that number.

Mr. C. P. WANSBROUGH: I am not referring to odd farmers at all. I say that the majority of them have 1,500 sheep or more.

The Minister for Lands: Nothing of the sort.

Mr. C. P. WANSBROUGH: I know what I am talking about. I am an old shearer. I have had a lot of experience at the game myself, and I shall have some pertinent remarks to make regarding shearers later on. With a full knowledge of the business from the standpoint of a shearer, and also from the standpoint of a present owner, I assure hon. members that the existing arrangements are suitable in every sense of the word. The Minister in his desire to bring the owner of 1,000 sheep within the scope of the Bill, will materially interfere with those arrangements. Even the A.W.U. representatives are satisfied with the arrangements, and they are to-day superintending the operation of the award. Only this morning I travelled with Mr. Hegney, who is an official of the A.W.U.. I discussed some phases of the Bill with him and I agree with Mr. Hegney in his contention that the depot sheds that have been established in the country districts are doing good work. A good class of shearer is being employed. It is at this point that I desire to make the pertinent remarks that I indicated some time ago. Under the operations of the parent Act, adequate provisions are made for the protection of the workers against the employers. It is time something was done for the protection of the employers. To-day we have to put up in some instances

with very inefficient shearers, who nevertheless demand union rates. They are not efficient men in the true sense of the word. I welcome the establishment of these depots, for through them we get a better class of shearer and the wool is treated as it should be treated. On the other hand we have shearers who have no respect for the sheep nor for the wool, and even less for the owner. It is they, not the better men, who are making trouble in the country districts to-day. In the days when I was shearing I had to put up with very rough conditions, and in consequence I am sympathetic with almost any proposal for improved conditions. However, if the Minister is going to limit this to 1,000 sheep he will hit the smaller man very hard.

The Minister for Railways: Get good conditions and you will get a good class of man to take on the job.

MR. C. P. WANSBROUGH: In the agricultural districts, the shearer is taught his trade at the expense of the farmer. In those districts generally speaking the local young men are the shearers. Very few men can take up shearing and in one season be worthy of the name of shearer. Young fellows in the agricultural district never learn the trade properly: it is only in a fairly big shed that a young man can do that. The Minister desires to bring about better conditions for the men but, unfortunately, he loses sight of the other side of the question. I hope that when in Committee he will agree to raise the limit to 6,000 sheep instead of 1,000 sheep.

MR. BROWN (Pingelly) [11.23]: In my young days I travelled amongst the shearing sheds and so I have sympathy with the Bill. Still I think certain of the provisions will press very hard on the farmers and even on some of the squatters. It is absurd to have to provide a room for two shearers. I was once on a station in New South Wales where 90 odd shearers and some 70 rouseabouts were employed in the one shed. Imagine the size of building the squatter would have to put up to accommodate those men with only two in a room! As the member for Gaseoyne (Mr. Angelo) pointed out, we have not too much space in our railway carriages, and in some of the State hotels three beds are to be found in one room. The Government might well put these things in order before demanding such accommodation from the squatter. In the

agricultural districts 50 per cent. of the sheep farmers are shearing fully 1,000 sheep. Those farmers will not be able to comply with the conditions prescribed by the Bill. They have small huts in each of which several men can sleep comfortably. I think 5,000 should be the limit for the sheep. Most of the shearers in country districts are farmers' sons, and when they are round from place to place shearing, usually they are treated as guests. I know of one farmer who turned his own children out of their rooms to make accommodation for the shearers, his children having to sleep on makeshift beds. Shearing is hard work, certainly, but it is piecework and so a man need not do more than he wishes to do. The average shearer can handle 100 sheep a day, for which he gets £2 and his keep, whereas in my day we were paid £1 a hundred and had to keep ourselves.

Hon. G. Taylor: I have shorn for 100 per hundred.

MR. BROWN: Very often our tucker bill was enormous, owing to our having to feed travellers. The shearers of to-day have to do that; what they earn is clear profit. The present price of shearing is £2 a hundred, and with all this extra provision to be made for the shearers there will be very little profit for the farmer. The price of wool is high at present, but it might fall again to 1s. a pound, in which case, with the cost of production so very much increased, there will be little or nothing in the business. Again, if these offences are to be tried by a resident magistrate nothing but inconvenience and hardship will result, for we have not many police magistrates travelling about the State. If one of these cases is to be held up for months awaiting a police magistrate it will mean a great deal of hardship both for the owner and for the witnesses. We have plenty of justices prepared to do their duty without fear or favour. Still, I admit that the last thing they want to do is to try these cases. As a justice, myself have had to take disagreeable cases, but as soon as I get on the bench I always forget everything but the case before me. Under the Bill, if the shearing cases are not to be unduly held up, additional police magistrates will have to be appointed. I hope that in Committee the Minister will agree to an amendment to delete the reference to 1,000 sheep and substitute 5,000 or 6,000. Apart from that clause I have no particular objection to the Bill, though it will

and if we insist upon pastoralists providing a room for every two shearers.

MR. LAMOND (Pilbara) [11.30]: I realise that this measure is necessary as it will bring under the Act people who have been evading it for many years. The housing accommodation provided in my electorate is fairly good. There are exceptional cases where it is pretty bad, but this measure will ensure that the stations that have disregarded the law will now have to come into line with those that have observed it.

Mr. Griffiths: Are there many such stations?

MR. LAMOND: I am rather disappointed that the Minister has not brought down a more comprehensive measure for the accommodation of the workers in this State. This Bill applies to only one section of the workers, namely, the shearers and shed hands. I would have liked to see him introduce a measure on all fours with the Workers' Accommodation Act of Queensland which was passed in 1915. That Act provides for housing accommodation for most classes of workers, namely men employed in construction works, meat works, pastoral properties, sawmills, shearing sheds, sugar plantations, sugar works and such works as the Governor-in-Council may from time to time by Order-in-Council declare, which are situated within the limits of a district. That is the sort of measure we require in Western Australia because it would bring the greatest defaulters in the matter of providing accommodation in the North-West, namely, the Commissioner of Railways, up to the mark. The accommodation provided for fettlers and men working on the line between Port Hedland and Marble Bar is the worst, I think, in the world. I previously mentioned this matter in the House, but I regret to say that no improvement has been made. I agree that the most vital portion of the Bill and the one likely to inflict hardship on some of the smaller pastoralists is Clause 3. At the same time it is very difficult to arrive at a decision as to the owners to whom the Bill should apply. The stipulated 1,000 sheep shorn during any shearing season is altogether too small. I agree with the remarks of the member for Williams-Narrogin (Mr. E. B. Johnston). There are many small settlers in the North-West, men working under the Repatriation Board, who have 2,000 or 3,000 sheep. If this measure were

applied to their holdings, they would probably have to do their own shearing. They could not afford to provide the accommodation requisite if shearers were employed. Again, to provide that the measure should apply 5,000 sheep would create a difficulty. Shearing is usually done in runs. There may be six sheds in a run. Brown might have 20,000 sheep in his shed, Jones 15,000 and Thompson might have only 5,000, but the same number of shearers would go to all six sheds. Consequently under this measure the man with only 5,000 sheep would have to provide similar accommodation to the man having 20,000 sheep. It is difficult to fix equitable conditions. In Committee I propose to move that Clause 3 be struck out so that we shall continue the principle in the parent Act, namely that this legislation shall apply only to men employing eight shearers. The definition of shearers provides for both shearers and shed hands. Under the agreement one shearer has to be provided for each shed hand, so there would be at the outside four shearers and four shed hands. The Minister should agree to adopt this course because, if the measure were passed in its present form, it would inflict hardship upon small pastoralists in the North, particularly returned soldiers. The North is quite a different proposition from the South. I gather from the speeches made that a man with 1,000 sheep would employ two or three shearers. For four years I shored 4,000 sheep and at the tail end of the shearing I took another shed of between 3,000 and 4,000 sheep.

Hon. G. Taylor: It is not nice to shear single-handed.

MR. LAMOND: I shored 7,000 in the Hamelin Pool district. The North, however, is a different proposition from the South.

Mr. J. H. Smith: There would be no break on account of wet weather or anything like that.

MR. LAMOND: The Minister has a difficult task to decide how many sheep a man shall shear before this measure will apply to him, or how many shearers shall be employed. The existing Act in that respect is satisfactory. I have had pretty good experience of it in the last ten or 12 years and I have heard no complaints against it. I have not shorn sheep south of Hamelin Pool, but I have shorn them from Hamelin Pool to the Fitzroy, and it has been my experience that the small man will go out

of his way to make a shearer comfortable. It is the big stations that try to evade the Act. Some of the big stations have the worst accommodation of all, and that applies to the accommodation for station hands where the shearing shed is ten or 12 miles from the homestead. For that reason, I wish the Minister had introduced a more comprehensive measure so that station hands could have been included. The provision for a sleeping room to every two shearers is a wise one, particularly as applied to the North, where the climatic conditions are so different from those in the South. Two men in one room is ample. The putting of three or four men into a small room in a hot climate like that has been a grievance in the North-West for many years.

Mr. Angelo: Do not they generally sleep outside?

Mr. LAMOND: They do very often, but it is not pleasant to do so in a southerly "buster." In Committee perhaps the Minister will restore the provisions in the original Act.

MR. J. H. SMITH (Nelson) [11.41]: It is gratifying to hear the member for Pilbara (Mr. Lamond) speak in favour of retaining some of the provisions of the Act in this Bill. They should not be applied to persons shearing so few as a thousand sheep. I have had a varied experience of shearing. Some 28 years ago the father of the member for Kimberley shore for Mr. Hassell at Kendenup, where the conditions were fairly good. I was only a small boy then. I gained experience as a picker-up, and in finishing off sheep when the bell had rung. With the father of the member for Kimberley and another man I again went shearing. We rode from Bridgetown on that occasion, about 100 miles. When we reached the place we found a number of Chinamen and gins there. We were expected to have our meals with those people, but we objected, and left the place. On another occasion I went to Jays. I was a rouseabout then. In those days it was considered wonderful for a man to shear 120 sheep with the blades. After 2½ months there, as a rouseabout, I drew a bigger cheque than any of the men. It is going too far to insist that the owner of a property shall furnish certain accommodation in connection with the shearing of 1,000 sheep. I would be in favour of a limit of 3,000, but

not less than that. The shearers are a fine body of men, and are scientists at their work. Nothing is too good for them. Nature certainly provides the grass for the sheep to live on, but it is the shearer who gets the wool for the owner, and who is most necessary to the welfare of the country. I want to see the shearers get a fair deal. It will be a hard task for the Minister, to legislate with regard to the housing accommodation. I do not want any hardship to be imposed upon the cockie. The Bill should apply only to a decent shed of, say, 3,000 sheep. That would impose no hardship upon the station owner. I know that shearers in the South-West have had to wait a week before they could put a blade into a sheep. Such conditions do not apply in the North-West. I the member for Pilbara will move an amendment along the lines he has indicated I will support it.

MR. GRIFFITHS (Avon) [11.48]: After hearing the member for Pilbara I wonder why the Minister brought down this Bill. There appear to have been very few complaints against existing conditions, which seem to be working very well. The Minister stated that because of the enormous area to be covered, and the great expense entailed in enforcing the provisions of the Act, it was time these were altered. We pass Acts of all kinds, and impose vexatious conditions in all directions, and I sometimes wonder whether we should not stop this over-legislation. Everyone seems anxious that the Government should do something, but I begin to doubt the wisdom of allowing the Government to do anything. Things were very different in the old days. If a person had a bump raised on his forehead he applied a cold water compress to the injured part. If a girl was jilted she invoked the aid of her brother to use a brick upon her defaulting lover. Despite what the Minister for Lands says, this Bill will affect a number of farmers. In my electorate there are many farmers who are running nearly 1,000 sheep. As the Opposition Leader and other members have said, the Bill will entail hardship upon many farmers who to-day are able to accommodate one or two shearers, treating them as guests of the family. I do not think the Minister desires to cause hardship. Those members who know the North-West say that the provision as to air space is well justified, the

imate being altogether different from that in the south. The member for Pilbara (Mr. Hammond) can no doubt speak feelingly on that aspect. The point I wish to emphasise, however, is that the Bill will press unduly on the small sheep owner in the agricultural areas.

HON. G. TAYLOR (Mt. Margaret 11.51): I am indeed pleased that this Bill as come before the Chamber, but I am equally sorry that a measure attempting to handle such an important industry as wool growing should come up for its second reading towards midnight, accompanied by the threat that it must be passed before the House rises. I do not know that such a procedure does justice to those engaged in the industry. In my opinion it cannot be justified from the standpoint of either the employers or the shearers. The Minister for Works has pointed out that the measure enacted in 1912 has been almost inoperative. The matter having waited so long, it can scarcely be claimed that the urgency of the present Bill is a reason for dealing with it in the small hours. The Government, while actuated by every desire to make laws for the protection of the workers, have left the isolated shearers in the back country to receive attention last of all. We know that shearers do not live in thickly populated areas. It is difficult for their names to remain on the electoral roll. They can scarcely have an effective voice in this House, owing to the franchise arrangements. Their calling prevents them from remaining in one district long enough to enable their names to appear on the electoral roll. I do not know whether that fact has anything to do with the neglect which is evidenced in the bringing forward of this Bill at midnight. I know how serious the Minister is.

Mr. Lutey: I know how serious you are.

Hon. G. TAYLOR: The hon. member interjecting was serious at that meeting in Boulder, from which he was sent back to Perth with a flea in his ear. However, that is beside the present question. I may point out that no law for improving the conditions of workers in Boulder and Kalgoorlie would be left over for discussion at midnight. It seems quite right, on the other hand, to neglect the conditions of men in outlying districts. How shearers are situated as regards accommodation in this State I cannot say, but I have some knowledge of what the early pastoralists in Eastern Aus-

tralia arranged for their shearers. Still, that, is many years ago, and most of the Eastern States now have legislation dealing with accommodation for shearers. I believe that in this respect conditions in the East are far better than those in Western Australia. I was pleased to hear the Minister say that during his trip through the Kimberleys and the North-West he discovered only isolated cases where the employers had failed to make adequate accommodation for shearers. I am pleased that such a state of things should have come about while the legislation on the subject has not been in operation. The Bill aims at improving the conditions of shearers working south of Geraldton rather than north of that port. That being so, there must be some force in the arguments advanced by members on both sides of the Chamber that hardship is likely to be created by Clause 3. The Bill is to be applicable to sheds of 1,000 sheep. In my day a place with 1,000 sheep would not have been bothered about. I remember a story told in many shearers' huts in New South Wales and Queensland about an old shearer in New England named Andy Rea, an Irishman of humorous disposition. He used to leave New England during the early part of the season, shear on the Darling, and work back to New England for the late shearing. He had been accustomed to shear in large sheds of 30 to 40 shearers. Once with his mate he was camped on the Liverpool Plains, near a small settler's place. The settler came to the camp just before breakfast, and knowing by their pack horses that they were shearers he asked them whether they would come up to his place and shear for him. Rea said, "How many sheep have you got?" The reply was, "Three thousand." "All right." Andy said, "I will come up and shear them while my mate goes out and brings in the horses and rolls up the swags." In those days shearers treated a man with 3,000 sheep rather contemptuously. It has been pointed out that the Bill will bear heavily upon men who have only small numbers of sheep. To those who shear at depôts it will not make any difference, but if the man with 1,000 or 1,500 sheep is to furnish the accommodation specified in the Bill, he will find himself in difficulties, more especially if he has to set aside a hut for the accommodation of shearers. Under the Bill, sleeping accommodation must be separate from cooking accommodation. If those arrangements have

to be made for two shearers, the expense will be altogether disproportionate. A man with 1,000 sheep would not expect more than one shearer, or at most two, to take on the shearing. I understand that shearers are now shearing more sheep in the aggregate than they did in the old days with the blades. However, I speak subject to correction.

Mr. Brown: The average is higher now.

Hon. G. TAYLOR: In the old days a man who could not shear 800 sheep per week was not considered much of a shearer. In fact, he was not regarded as a "ringer" if he sheared 1,000 sheep in 5½ days with the blades. Men who sheared from 200 to 220 sheep in a day were quite common. It was not uncommon, either, for men to average 150 to 160 sheep during the warm part of the season, say from September or October onwards. In the shorter days of winter the tallies were smaller.

Mr. Brown: Not many sheds will do that.

Hon. G. TAYLOR: I have been referring to Queensland sheds.

Hon. Sir James Mitchell: They got good tallies.

Hon. G. TAYLOR: Yes, but not the wool they get to-day. Hon. members will realise, if they remember the prices obtained for wool in the years between 1880 and 1890, that large flocks were raised in Queensland and New Zealand, when wool in the grease was sold at 7d. a lb. and washed wool brought 1s. 5d. and 1s. 6d. per lb. That wool has since brought up to as much as 3s. a lb. There were over 60 million sheep in New South Wales 25 years ago, but there is nothing like that number now. On the other hand, more wool is shipped nowadays than in the earlier years I mention, because the breed of sheep has been improved. Some sheep give a fleece up to 9 lbs. in weight.

Mr. Chesson: Some sheep on the Murchison cut over 10 lbs.

Hon. G. TAYLOR: In my days the ordinary type of ewe, with lamb at foot, would average between 3 and 4 lbs. of wool. Wethers would go about the same weight and 6 or 7 lbs. weight would be regarded as a good clip. Now they get up to 8 and 10 lbs. from wethers.

Mr. Lutey: The average in Leonora this year was 11 lbs.

Hon. G. TAYLOR: I have heard of a fleece going up to 20 lbs. in weight.

Mr. Lamond: I have seen sheep cutting over 30 lbs. in weight.

Hon. G. TAYLOR: Of course, a man cannot shear as many sheep if the fleece cuts out at 11 lbs. in weight, as he could sheep whose fleece weighed only 6 lbs. On the other hand, the conditions under which shearing is done nowadays show a considerable improvement on those obtaining when I was following the game.

Mr. Lamond: The quantity of wool on sheep's back does not always govern that it is the way the wool cuts that counts.

Hon. G. TAYLOR: I do not know the effect of machine clipping when dealing with big fleeces and with wool at the toes, which necessitates a lot of trimming. I take it that shearing under those conditions stops the big tallies. I realise that we should make the conditions for shearers as satisfactory as possible without overloading the industry. When we come to dealing with the big stations where large numbers of sheep have to be shorn, any conditions which like to impose will not make an unfair case upon the squatters because they can well afford to provide them. At the last she at which I shore, there were 96 shearers on the board. When so many men are employed, it means that the owner has so many sheep to be dealt with that it would not be inflicting a hardship if he were required to provide accommodation. In that instance between 250,000 and 260,000 sheep were shorn.

Mr. Lamond: I do not think any station now employs more than 20 men.

Hon. G. TAYLOR: In my days a station employing only 20 men would be regarded as a small station. If station owners were shearing anything between 30,000 and 70,000 sheep, we could not impose any conditions that would represent a hardship to those people, because they would be able to undertake the necessary expense. On the other hand, owners who are shearing only a few sheep could not shoulder much expenditure in the provision of accommodation. If the Minister will listen to the objections that have been raised regarding the inclusion of the smaller man within the scope of the measure, and acts accordingly I believe we shall be able to pass the Bill in a form that will be of distinct value to the shearers. I am pleased to see that provision has been made for Asiatics having separate accommodation.

Mr. Lamond: I do not think any are employed in the industry, but at any rate the Minister said he would delete that provision.

Hon. G. TAYLOR: If there are any Asiatics employed, the clause is a wise one, but if there is no necessity for it, it would be better for the clause to be omitted.

MR. COVERLEY (Kimberley) [12.5]: At this early hour of the morning, another three or four minutes of talk will not do any harm. No criticism has been levelled at the Bill apart from Clause 3, and the Minister has intimated that he will agree to amend during the Committee stage. My object in rising to speak is to indicate that I am dissatisfied with the Bill, because I would have preferred a more comprehensive measure. While the Bill provides much needed amendments to the Shearers' Accommodation Act, its effect would have been more appreciated if it had included all the pastoral workers. The majority of the stations in my electorate have little accommodation. At one big cattle station there is no room provided for the employees to hang their clothes in when they are about to engage upon mustering. The men have to bundle up their clothes which are kept in the store-room until they return. I would like to see a Bill introduced that would be more applicable to the pastoral industry as a whole, much along the lines of the comprehensive legislation enacted in New Zealand, wherein revisions are made to cover both agricultural and pastoral employees.

THE MINISTER FOR WORKS (Hon. J. McCallum—South Fremantle—in reply) [12.8]: I wish to assure the Leader of the Opposition that he was quite mistaken when he said it was my intention to appoint a special inspector to undertake work arising out of the operation of the Bill. I did not make any such statement, and never entertained any such idea. What I said was that it was my intention to have an inspection made. I pointed out that there had been no inspection other than that carried out by local policemen. I pointed out too, that the official charged with the administration of the Act had not been able to send an officer through the pastoral districts to report upon the conditions generally.

Hon. G. Taylor: I do not think you ought to send the police around the wool sheds.

THE MINISTER FOR WORKS: I did say I proposed to have an inspection made,

and to do it this season if it could be arranged. But it is a big distance to cover and it involves a lot of expense. Still I think it desirable that a qualified inspector should go through and report to head office. That is one of the reasons why I have confined the Bill to shearers and have not included the station hands; for the department has no information other than that sent down by the police, and I felt it would be better to send up an inspector to have a general look through and see what the accommodation really is. Then we would be in a better position to frame a measure somewhat on the lines of the New Zealand Act or the Queensland Act. But as our Act is a dead letter we thought it would be better to bring it up to date than to attempt to launch out any further. The proposed inspection will give us information on which to frame a more comprehensive measure.

Hon. Sir James Mitchell: Whom do you propose to send out as inspector?

THE MINISTER FOR WORKS: One of the qualified factory inspectors, a man with considerable experience of ventilation, sanitation, and allied subjects. The only clause to which serious exception has been taken is that dealing with the alteration in the size of the shed to which the Act will be applicable. The existing Act applies to a shed employing eight shearers, whereas the Bill alters the basis and makes the Act apply to sheds in which over 1,000 sheep are shorn. In view of the remarks made by the member for Pilbara (Mr. Lamond) I now doubt the wisdom of changing the basis from number of men to number of sheep. I can now see that if a gang of men are engaged to go through on contract from station to station, an owner with a smaller number of sheep would actually have the same number of men employed as would a larger owner; so perhaps it would be better if we left the basis as at present, the number of shearers instead of the number of sheep. However, I still think that eight shearers is too high a limit. I saw very big holdings in the North employing only eight shearers. When in Committee I will agree to alter the basis from number of sheep to number of shearers, and I think if we adopt the New Zealand standard of six shearers it will be a fair compromise.

Question put and passed.

Bill read a second time.

As to Committee Stage.

The MINISTER FOR WORKS: I move:

That you, Sir, do now leave the Chair and the House resolve itself into Committee for consideration of the Bill.

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

Ayes	..	..	..	21
Noes	..	..	..	12

Majority for .. 9

AYES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Pantoa
Mr. Cunningham	Mr. Sleeman
Mr. Heron	Mr. Troy
Miss Holman	Mr. Willcock
Mr. Kennedy	Mr. Withers
Mr. Lambert	Mr. Wilson
Mr. Lamond	

(Teller.)

NOES.

Mr. Angelo	Sir James Mitchell
Mr. Barnard	Mr. J. H. Smith
Mr. Brown	Mr. Taylor
Mr. Davy	Mr. Teesdale
Mr. Griffiths	Mr. C. F. Wansbrough
Mr. E. B. Johnston	Mr. Richardson

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Collier	Mr. Denton
Mr. Hughes	Mr. Latham
Mr. W. D. Johnson	Mr. Maley
Mr. Munster	Mr. J. M. Smith
Mr. A. Wansbrough	Mr. Thomson

Question thus passed.

In Committee.

Mr. Lutey in the Chair; the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 2:

The MINISTER FOR WORKS: I move an amendment—

That all words after “of” in line 2 be struck out.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That the following words be inserted in lieu:—“the word ‘eight,’ in line three of paragraph (i), and the insertion of the word ‘six.’”

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

Clause 3—Amendment of Section 3:

The MINISTER FOR WORKS: I move an amendment—

That the words “and the insertion of the words ‘at which more than 1,000 sheep are shorn during any shearing season’ after the word ‘shearing shed’” be struck out.

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

Clause 4—Amendment of Section 6:

Hon. Sir JAMES MITCHELL: Subclause 3 provides that sleeping rooms must not adjoin rooms used for cooking meals. Almost everywhere the sleeping rooms adjoin rooms used for cooking meals. What is the Minister's object? Does he mean that there must be separate buildings?

The MINISTER FOR WORKS: In no climates it is desirable that the kitchen should not be connected with the sleeping rooms or the eating rooms. That is the general practice in the North. The cook begins his work early in the morning and the shearers do not want to be disturbed by his preparations for breakfast.

Hon. Sir JAMES MITCHELL: Paragraph (xiii.) of Subclause 6 provides that Asiatics must be provided with separate sleeping accommodation. What is the object of including that paragraph?

The MINISTER FOR WORKS: I move an amendment—

That paragraphs (xiii.) and (xiv.) of Subclause (6) be struck out.

Both those paragraphs relate to Asiatics. So far as I am aware no Asiatics are employed in the industry, and I fear that if those paragraphs are retained, they may be construed into approval of Asiatics entering the industry.

Amendment put and passed.

Mr. ANGELO: Paragraph (xv.) of Subclause 6 provides that proper and sufficient drainage shall be constructed to the satisfaction of the inspector. That might involve considerable work. What does the Minister contemplate?

The MINISTER FOR WORKS: That is the just necessary drainage from the bathroom and for slops, etc.

Clause, as previously amended, agreed to. Clauses 5 and 6—agreed to.

Clause 7—Amendment of Section 12:

Hon. Sir JAMES MITCHELL: The proposed new Subsection 1 provides that when an inspector “has reason to believe” that the requirements of the measure have not

been complied with he shall do certain things. Why should the inspector merely have reason to believe? The inspector should know if there was anything to complain about.

The Minister for Works: Some of the shearers might lodge a complaint, but no action would be taken until the inspector had satisfied himself upon the point.

Hon. Sir JAMES MITCHELL: The inspector ought to know of his own knowledge what the conditions are before sending any notice to the employer.

The MINISTER FOR WORKS: No notice will be sent until the inspector is satisfied that the requirements of the Act are not being complied with. He could act upon the information that had been lodged by some shearers who had been on the station, but no definite case would be taken until the inspector had made sure of the position.

Hon. G. TAYLOR: Once the stations have been placed in proper order the whole matter will be done with, except for the annual inspections, and for the possibility of any complaint being made through the huts being left in a dirty condition at the time of the next visit of the shearers. When the Act has been definitely complied with the whole trouble will be over.

Clause put and passed.

Clause 8—Amendment of Section 13:

Hon. Sir JAMES MITCHELL: If an employer neglects some minor detail the inspector may summon him before a magistrate, who may be stationed several hundreds of miles away. I know the Minister does not like justices of the peace, and does not appear to trust them, because some of them may be squatters themselves. In the circumstances, however, he could well provide that in minor matters the station owners might be brought before a local justice. I trust members representing the northern electorates will show their resentment towards this clause. In other matters a justice of the peace is deemed to be quite competent to do the work.

The Minister for Lands: The parties would have to come to the same court, whether it consisted of a resident magistrate or honorary justices.

Hon. Sir JAMES MITCHELL: These are minor offences, and justices of the peace who try serious cases should be capable of trying cases under the Bill. It is wrong to cast reflections on the justices, and the

Committee should not allow such reflections to pass unchallenged. I suppose the idea at the back of this provision is that a couple of squatters might sit on the bench.

The Minister for Works: We might make all the shearers justices. How would you like that?

Hon. Sir JAMES MITCHELL: I dare say many of them are justices. Many working men were made justices of the peace by my Government. I hope the Committee will reject the clause.

Mr. TEESDALE: Would the Minister agree to impose a mileage limit on the distance defendants may be called upon to travel? A man should not have to journey 300 miles in order to be tried for a trivial offence. I may mention that on the coast of my district there are two resident magistrates, both of them owning stations.

Mr. ANGELO: The clause deals only with the employer who neglects or refuses to do certain things, and not with the employee. According to the old saying, a man should be judged by his peers. Surely, in the absence of a police or resident magistrate, two justices of the peace could hear cases arising from this legislation. I would suggest that after "magistrate," in the third line, there should be inserted "or in his absence two justices of the peace."

Hon. Sir James Mitchell: That is the law now.

Mr. ANGELO: Let the carrying out of work which is ordered be enforced either by a stipendiary magistrate or by two honorary justices. In order to save expense and delay, two justices could no doubt be induced to sit in the absence of a police or resident magistrate, though the latter would have the first chance of hearing the case. To omit the justices altogether is to cast a reflection on them.

Mr. LAMOND: The clause will meet with the approval of pastoralists in the North. Most justices of the peace in the North are either station owners or station managers, and have no particular desire to try cases under this legislation. Within the last two or three days I had the opinion of two pastoralists, and they told me that they welcomed the clause, as they did not want to try these cases.

Hon. Sir James Mitchell: What are the names of those pastoralists?

The Minister for Works: Don't give the names!

Mr. LAMOND: It has been suggested that station owners may have to travel long dis-

tances if they are required to appear before police or resident magistrates, and that, therefore, the services of justices of the peace should be utilised. If that were done it would merely be providing facilities for the station owners to break the law.

Mr. Teesdale: Why?

Mr. LAMOND: Because the suggestion is that if the station owners knew they were liable to have to travel up to 400 miles to attend a court before a magistrate, they would not be inclined to commit offences.

Hon. G. TAYLOR: Then we should insist upon them coming to Perth and make sure of no breaches.

Mr. LAMOND: I can assure hon. members that these men do not want cases to come before them. They would like the responsibility to be given to others, particularly in respect of matters that really concern themselves.

Hon. G. TAYLOR: I am surprised at the support extended to the clause. I have had personal experience in these matters.

The Minister for Lands: You did not get much sympathy from justices of the peace.

Hon. G. TAYLOR: I have received more injustice from stipendiary magistrates, juries and judges than I could possibly have received from justices of the peace.

The Minister for Lands: Yes, because justices did not have the power to deal with you.

Hon. G. TAYLOR: In the cases I was concerned in I believe the justices would have dealt with me more fairly. In my opinion, it is an insult to justices of the peace to say that because they are squatters or business people, they would not deal fairly with the workers.

Mr. Lamond: No one said that.

Hon. G. TAYLOR: That was the argument in a nutshell.

Mr. Lamond: They want to be struck off this work.

Hon. Sir James Mitchell: They do not.

Mr. Lamond: They do; they want to get away from the responsibility.

Hon. G. TAYLOR: Then those people should be struck off the roll. I believe that irrespective of whether they be squatters, shearers, workers, or storekeepers, justices of the peace would decide cases merely on the evidence presented to them and on the merits generally. Once we place men in positions of responsibility; they will carry out their duties in a fair and impartial manner in 99 cases out of a hundred. Though their lean-

ings and sympathies might be in one direction or another, there is no reason for suggesting that there would be a gross miscarriage of justice. The statement of the member for Pilbara regarding justices or magistrates was extraordinary.

The Minister for Lands: How does the question of distance affect the position, seeing that the men would have to go to court to be dealt with by a justice of the peace or by a magistrate?

Hon. G. TAYLOR: There are courts available.

Mr. Teesdale: Courts are held at the houses.

The Minister for Works: No, they cannot be held there.

Mr. Lamond: Certainly not.

Mr. Teesdale: You do not know anything about it.

Mr. Lamond: Nor do you.

Hon. G. TAYLOR: The argument is that it is not safe to leave matters in their hands, and in fact, according to the hon. member, they do not want to take these cases. He is not prepared to trust them.

Mr. Lamond: I did not say that. I ask that the hon. member withdraw that lying statement.

The CHAIRMAN: Order! The hon. member has taken exception to a statement made by the member for Mt. Margaret.

Hon. G. TAYLOR: Which statement?

Mr. Lamond: That I said I could not trust the pastoralists.

Hon. G. TAYLOR: Very well, I will withdraw, as I do not want to cause any trouble. I said that the member for Pilbara stated that justices of the peace informed him they did not want to try these cases.

Mr. Lamond: I said that pastoralists had told me that within the last few days.

Hon. Sir James Mitchell: Were they justices of the peace?

Mr. Lamond: Yes.

Hon. G. TAYLOR: The hon. member said that the justices of the peace were from the North-West.

Mr. Lamond: You are making more incorrect statements. You are not capable of doing anything else.

The CHAIRMAN: Order! The hon. member must keep order.

Hon. G. TAYLOR: At any rate, we are not dealing with the North-West only. The question is one of driving people 200 or

300 miles to a court. It is no good the member for Pilbara backing and filling.

Mr. Lamond: I have never backed or filled from you.

Hon. G. TAYLOR: The hon. member said that those men did not want to try the cases referred to.

Mr. Lamond: You have never in your life stood by the statements you have made. You are not man enough.

Hon. G. TAYLOR: The hon. member said it.

Mr. Lamond: I will tell you what I said directly.

The CHAIRMAN: Order! The hon. member will have his opportunity to speak later on.

Hon. G. TAYLOR: These justices of the peace are quite capable of trying the cases that will arise under the Act. It is an insult to say otherwise. If we do not consider they are capable of trying any cases that may come before them, they should be struck off the rolls, whether they be squatters or anyone else.

Mr. LAMOND: The member for Mt. Margaret has been trying to tell the people of the North-West that I said that justices of the peace in the North, who are mostly pastoralists, are not capable and honest enough to try these cases. That was a wrong statement.

Hon. G. Taylor: Why don't you let them try them?

Mr. LAMOND: The statement was most inaccurate, and of course coincides with the statements he usually makes. What I said was that the pastoralists who are justices of the peace are very pleased with this.

One o'clock a.m.

Mr. Teesdale: You speak for your own electorate. You know nothing of the North-West.

Mr. LAMOND: I know more than you do. This will take the responsibility off the shoulders of those people. They have no desire to try such cases. The member for Mt. Margaret conveyed the impression that it would be of advantage to those justices to try those cases. It is not so. They are far too honourable to take advantage of the position. This provision will relieve them of the responsibility.

Mr. TEESDALE: In contradistinction to what the member for Pilbara has said, the member for Gascoyne and I met delegates

from the largest pastoralists' association in Western Australia, and we were particularly asked to get this amendment. I am speaking only for my own district, not, as some members profess to do, for the whole of the North.

Mr. BROWN: The reason why I advocated that justices should try these cases was for the sake of saving time and expense. I have often sat on the bench and tried cases that should have been tried by a police magistrate. The magistrate thought the cases were too trivial for him to travel a couple of hundred miles to take. If these shearing cases are not left to the justices, they may be held up for weeks awaiting a magistrate. Police magistrates place on justices a lot of work that ought not to be left to justices. Probably the same thing obtains in the North-West. Why should not the shearing cases be tried by justices, who are appointed for the convenience of the public?

The MINISTER FOR WORKS: If I thought this provision would inflict avoidable hardship I would not insist upon it. But the court has to sit in a courthouse, no matter who presides, and the parties must go to the courthouse.

Mr. Angelo: But some cases are tried in the police court.

Mr. Teesdale: Some are tried in road board offices.

The MINISTER FOR WORKS: Before a case could be taken in a road board office that office must have been declared a court. There must be a court for the hearing of cases. A magistrate cannot sit anywhere where a justice cannot sit.

Mr. Brown: A justice can try a case in gaol. Of course the case I have in mind was only a trivial one.

The MINISTER FOR WORKS: Yes, some formal matter, such as a question of remand.

Hon. Sir James Mitchell: Where are the courts fixed by Act of Parliament?

The MINISTER FOR WORKS: Courts can sit only in courthouses. That point is quite clear. There is nothing gained by saying that a justice can save travelling, that he can sit and hear a case where a magistrate cannot. The only other point is as to whether it would mean delay and the parties would be put to inconvenience. The magistrate who has big distances to cover goes around to an itinerary, and all his cases are listed accordingly.

Hon. G. Taylor: Some stations are 200 miles from the nearest town.

The MINISTER FOR WORKS: Well, the parties will have to travel that 200 miles to get a justice to hear the case. A case cannot be taken under a tree or behind a log.

Hon. Sir James Mitchell: There is a courthouse at Marble Bar and another at Hedland, while the magistrate is stationed at Hedland.

The MINISTER FOR WORKS: And there is at Marble Bar a warden also. Magistrates have to travel greater distances than that between Hedland and Marble Bar. As to the point that we are offering a slight to justices by debarring them from hearing these cases, if this were singular there might be something in it; but there are long lists of cases that cannot be taken by justices, that are reserved for magistrates.

Hon. G. Taylor: Justices may try a man for most breaches of the law.

The MINISTER FOR WORKS: If a big penalty is involved, justices cannot hear the case.

Hon. G. Taylor: A prima facie case for murder can be made out before justices.

The MINISTER FOR WORKS: There are many cases on which justices of the peace cannot adjudicate. No slight is intended. Neglect to provide proper accommodation is not altogether a trivial matter.

Hon. Sir JAMES MITCHELL: I am sorry the Minister considers it necessary to preclude justices from the courts that are to try cases under this measure. Justices do sit on serious cases. This provision is a reflection on them, and I hope they will realise it.

Mr. Teesdale: We shall see that they realise it.

Hon. G. TAYLOR: If a man stole a horse from a squatter and was brought before two justices, provided a prima facie case was made out, he could be committed for trial and might receive five years' imprisonment. For any breach of the law a man may be brought before two justices in the absence of a magistrate. There can be no argument about the seriousness of offences under this measure as compared with a charge that might deprive a man of his liberty for five years. Members wish to preclude decent self-respecting justices from adjudicating on cases in which they would act fairly to both parties. I hope that the stigma will be removed, or that if justices

are as bad as the Government consider them to be, they will be struck off the roll.

Mr. ANGELO: Subclause 2 of Clause 8 provides that all expenses shall be a first charge upon the premises of the employer notwithstanding any change that may take place in the ownership of the premises. That applies to work carried out by order of the court. I think the subclause is ultra vires. Under the Transfer of Land Act a mortgage can be given and registered, creating a first charge on property, but I do not think any Act can set that aside and create some other first charge.

The Minister for Lands: Of course it can.

Mr. ANGELO: Then it would be dangerous legislation liable to create distrust and suspicion. If the Minister provided that the expenses incurred by order of the court might be a charge against the premises of the employer instead of a first charge, it would meet the case. Financial institutions will not like the provision in its present form and it certainly is not necessary.

The MINISTER FOR LANDS: If a magistrate decided that accommodation was not up to standard and ordered alterations to the value of £700, they would be carried out by the inspector on behalf of the State. The value of the property would be increased by that amount, and consequently it would be necessary to protect such expenditure. The measure dealing with wire netting is on the same basis.

Mr. Angelo: You will not get that until the first mortgagee consents to your getting the first charge.

The MINISTER FOR LANDS: I do not want it because the banks—I think there is only one exception—agree. No document can override an Act of Parliament.

Mr. Angelo: I do not know that you would be able to get such a measure through Parliament.

The MINISTER FOR LANDS: I think we would. Under this measure such expense would be incurred only by order of the court.

Mr. E. B. JOHNSTON: I support the contention of the member for Gascoyne. It is a bad principle to adopt in respect of any charge of this description.

The Minister for Lands: It is in the Road Districts Act and the Municipal Corporations Act as applied to fencing, etc.

Mr. Angelo: But in this instance the expenditure may run into hundreds of pounds.

Mr. E. B. JOHNSTON: There is no provision for notification of recording this charge against the title. I do not consider it would be wise to direct an inspector to carry out the work.

The Minister for Lands: It is an order by the court.

Mr. E. B. JOHNSTON: Why not put the employer under a penalty of so much a day until the work is done?

Hon. Sir James Mitchell: The wool may have to be left on the sheep's back.

Mr. E. B. JOHNSTON: It is a mistake to make a cost of this nature a first charge upon the property, when other people may have advanced money upon it in good faith.

Clause put and passed.

Clause 9—Amendment of Section 14:

Hon. Sir JAMES MITCHELL: It is proposed in this case to increase the penalty from £5 to £50. It is a pretty stiff fine to impose for some small offence. I hope the Minister will agree to the deletion of the clause.

The Minister for Lands: We have to deal with the bad man; not the good station owner.

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

Ayes	..	..	20
Noes	..	..	11

Majority for .. 9

AYES.

Mr. Angwin	Mr. Lamond
Mr. Chesson	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Pantou
Mr. Cunningham	Mr. Steeman
Mr. Heron	Mr. Troy
Miss Holman	Mr. Willcock
Mr. Kennedy	Mr. Withers
Mr. Lambert	Mr. Wilson

(Teller.)

NOES

Mr. Angelo	Mr. J. H. Smith
Mr. Brown	Mr. Taylor
Mr. Davy	Mr. Teesdale
Mr. Griffiths	Mr. C. F. Wansbrough
Mr. E. B. Johnston	Mr. Richardson
Sir James Mitchell	

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Collier	Mr. Latham
Mr. Hughes	Mr. Thomson
Mr. W. D. Johnson	Mr. Denton
Mr. Munste	Mr. J. M. Smith
Mr. A. Wansbrough	Mr. Maley

Clause thus passed.

Clause 10—Repeal of Section 16:

Mr. DAVY: This seems to be a preferential kind of clause. I appeared before the Supreme Court to-day in the case of a man who had been found guilty of an offence by two justices of the peace, and given six months' imprisonment. The Minister proposes that if a man commits the heinous offence of being a pastoralist, and refrain from supplying a fly-proof safe of suitable dimensions, he shall be obliged to travel 250 miles in order to appear before a police or resident magistrate. This is rather like cracking eggs with a steam roller. A man's liberty may be taken from him by justices of the peace, and yet they are not to be allowed to try a pastoralist for some minor offence. The Minister may fear that the station owner may be tried by a brother pastoralist acting as a justice. If so, it could be arranged that suitable justices who may not have any sympathy with pastoralists, would be selected for the work.

The Minister for Mines: The present Government do not do that sort of thing.

Mr. DAVY: I do not suppose so. However, if there is that fear of bias, the matter can be remedied. If there is no fear of bias there can be no excuse for this provision. A man should not be dragged hundreds of miles to be tried before a police or resident magistrate.

The Minister for Lands: A court cannot be held anywhere: it must be held in a courthouse.

Mr. DAVY: I know of no law which prevents a police or resident magistrate, or two justices of the peace, from sitting anywhere they think fit. There may be such a law.

The Minister for Lands: The hon. member, for instance, could not hold a court in his residence.

Mr. DAVY: I fancy a magistrate can sit anywhere he likes—under a tree, if he pleases. There is an authentic case of a magistrate who, being unable to get across a river, tried a defendant who was on the other side of it. This clause would create an absurd anomaly.

Hon. G. TAYLOR: Proposed Section 16 shows that in the opinion of its supporters no trust can be put in pastoralists. Justices of the peace, however, may be storekeepers or shearers, or of any other trade or occupation. It is a disgrace for this Committee to cast slurs upon the pastoralists who

have done so much to open up Western Australia. The proposed section says, in effect, that they are not fit to try another pastoralist on a charge of failing to put up a fly-proof safe; and yet they can hear serious charges, such as horse stealing. I would not be afraid to go before a justice of the peace who was a pastoralist. The clause should be struck out. Any man placed in a responsible position will judge on the evidence given before him. Indeed, it is a scandal that the Committee should discuss such a provision.

Mr. DAVY: I move an amendment—

That all the words after "repealed" in line 2 be struck out.

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

Ayes	11
Noes	19

Majority against	..	8
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AYES.

Mr. Angelo	Mr. J. H. Smith
Mr. Brown	Mr. Taylor
Mr. Davy	Mr. Teesdale
Mr. Griffiths	Mr. C. P. Wansbrough
Mr. E. B. Johnston	Mr. Richardson
Sir James Mitchell	(Teller.)

NOES.

Mr. Angwin	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Panton
Mr. Cunningham	Mr. Sleeman
Mr. Heron	Mr. Troy
Miss Holman	Mr. Willcock
Mr. Kennedy	Mr. Withers
Mr. Lambert	Mr. Wilson
Mr. Lamond	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Latham	Mr. Collier
Mr. Thomson	Mr. Hughes
Mr. Denton	Mr. W. D. Johnson
Mr. J. M. Smith	Mr. Munsie
Mr. Maley	Mr. A. Wansbrough

Amendment thus negatived.

Mr. ANGELO: I move an amendment—

That the following words be added to the clause:—"or in the absence of a police or resident magistrate, by two justices of the peace."

The inclusion of the words I suggest will provide for what the Minister desires. Cases will be tried by a police or resident magistrate, but if such an official is not available, the business can be dealt with by two justices of the peace. For instance, in my electorate

the magistrate may have to visit Shark Bay and that involves an absence from Carnarvon of a fortnight. During his absence, cases can be dealt with in Carnarvon by justices, who are mostly townspeople.

The Minister for Lands: That is a silly amendment.

Mr. DAVY: I am not afraid to support the amendment even if the Minister for Lands says it is silly. It is preferable to the state of affairs that will exist if the clause be agreed to as it stands. It is almost outrageous for the Minister for Works to regard as a more serious and more heinous offence, the neglect of a pastoralist to provide a fly-proof safe in his kitchen, than offences under the Criminal Code, such as that referred to in Section 465 under which an offender may be imprisoned for three years with hard labour. Yet two justices of the peace may try and convict a man and send him to gaol for three years hard labour! But when it comes to a matter of neglecting to provide a fly-proof safe in the kitchen, no ordinary justice of the peace must deal with it, but the case must go before a magistrate! The Minister is showing a lack of proportion in desiring that such cases shall be dealt with in that way. I would prefer to wipe out the whole clause, but if that is not possible I will support the amendment.

Mr. PANTON: I would like the member for Gascoyne to explain whether he intends to have a senior and a junior justice of the peace. It is possible that two justices may disagree, and what will happen then?

Mr. Davy: Even juries have been known to disagree sometimes.

Mr. PANTON: In that event the cases have to be tried over again. What would happen in this instance? Will the two justices deal with the case again, or will they have to wait for a magistrate or somebody else? I understood that the objection was on the score of saving expense. What is interesting me is the fact that we have the member for West Perth and the member for Mount Margaret making a lot of the fly-proof safes. The most interesting part of it is that when we have a Bill like this for improving conditions for the worker we are told that any offence under such a measure is merely trivial, whereas offences against property are terrible and deserving of three years' imprisonment. It does not matter whether it be a question of installing a fly-proof

safe or of putting three men in a room, if it is a breach of this measure it is something against the law; and the members for West Perth and for Mt. Margaret have no more right to ridicule a breach of this measure than they have to ridicule a breach of some existing Act dealing with property.

Mr. DAVY: Well, is it not frivolous to say that an offence against this measure, for which a man may be merely fined, has to be tried by a special tribunal, whereas under common law a man committing an offence for which he may be sent to gaol for three years may be tried by two justices? Would the hon. member like to so amend the Bill as to make the neglect to provide a fly-proof safe in the kitchen an offence punishable by three years' imprisonment with hard labour? Does he want to move such an amendment and see it recorded in "Hansard"? I do not wish to cast ridicule on anything that any Minister may bring down here, but I do say that the Minister for Works has made a mistake, that the introduction of this distinction into the Bill is wrong and will create an anomalous and unjust position.

Hon. G. TAYLOR: The member for Menzies must realise that offences against this measure carry only a fine, and that under existing conditions justices can try any of their employees who, committing a breach of some other Act, render themselves liable to imprisonment for a term of years. Yet those justices are not to be allowed to try breaches of this measure, because those justices are squatters and the offending shearers will be the employees of other squatters, and so the fellow feeling of the justices for their brother squatters will render them incapable of arriving at a fair decision! I wonder whether those justices are going to remain on the roll. I feel sure that if they could hear this debate to-night they would all resign to-morrow. Because those justices are themselves employers, the Government will not allow them to try cases in which the employees of other squatters are concerned! On the other hand a justice can commit a man for trial on a charge of murder. Even at this late hour I hope the Minister will beat a retreat, for his attitude constitutes an insult to the justices.

2 o'clock a.m.

Mr. LAMBERT: This provision remove the responsibility from justices and, I

think, rightly so. The squatter-justices would prefer to see a resident magistrate try these cases rather than have to take the responsibility themselves. It is only fair.

Hon. G. Taylor: You do not know what fair play is; it is foreign to you.

Mr. LAMBERT: The member for Mt. Margaret will admit there is no desire on the part of the Government to cast any aspersion upon justices. The whole question is whether it would be in the interests of justice that these cases should be tried by a resident magistrate.

Hon. G. Taylor: They single out this particular Bill though justices may hear all other cases.

Mr. LAMBERT: Most of the justices concerned would be interested and would prefer that such cases be tried by someone else. There might be some hardship in bringing men a distance to be tried for an offence, but such cases must occur from time to time. Recently a man was brought from Laverton to Perth for trial and the case was dismissed, but the man had no redress. Judging from the remarks of the member for Mt. Margaret anyone would think there was a conspiracy against justices.

Hon. G. Taylor: There is no doubt about it.

Mr. Davy: A lack of proportion.

Mr. LAMBERT: It is commendable to provide that where justices may be interested the onus of trying the case should be removed from them.

Mr. BROWN: I trust that the Minister will accept the amendment. If two justices were trying a case they would have the Act before them and the penalty for the offence is laid down in the Act. I would rather see the police magistrate try cases, but to insist upon that would cause great hardship in the North-West.

Mr. Lambert: The members representing the North-West are the best judges of that.

Mr. BROWN: The clause will cast a reflection on justices of the North-West, whereas the amendment will remove it.

Mr. DAVY: The objection is not to any offence being tried by a police or resident magistrate. If I had my way all offences would be tried by them. Justices are an unsatisfactory method of meting out justice.

The Minister for Lands: Do not rub it in too strongly; we are justices.

Mr. DAVY: I have the greatest respect for the honesty of purpose of every justice

in this State but most of them will admit that from experience or training they are not so well qualified to try cases as are professional men. That, however, is not the point. The point is that the Minister is attempting to make a distinction between this little piece of legislation and all other penal legislation of the country. My chief complaint against the Government is their lack of proportion. So great does this Bill loom in their minds that it has to be marked out from all other penal legislation for special treatment. Any citizen of Western Australia might be charged with an offence, tried before two justices and condemned to go to gaol for three years with penal servitude but if a man commits an offence against an Act that requires certain accommodation for shearers, he must be tried before a police or resident magistrate!

Mr. PANTON: The two justices might disagree.

Mr. DAVY: Is not that as liable to happen in other cases?

Mr. PANTON: If they travelled 200 miles and did disagree, what would happen?

Mr. DAVY: I suppose there would be another trial.

Mr. PANTON: That is how you propose to save expense.

Mr. DAVY: If a man is indicted on a capital offence and the jury disagree he is detained until the next sessions and put on trial again. An accused person may have been brought to Perth from Derby, together with 20 witnesses on each side, and he is liable to be tried again and again until the jury agree or the Crown refrain from again arraigning him. What sort of argument is it, then, that the two justices might disagree? This little measure providing for accommodation for shearers involves the only cases upon which it is so important the two justices should not disagree that such cases must not be tried by them! If we could afford it, all offences should be tried by a professional magistrate. I suggest that when the Government pick out little offences under this measure for special treatment, they show a lack of proportion. If they are not prepared to accept the humble amendment of the member for Gascoyne they show a determination to persist in their lack of proportion.

Mr. ANGELO: The Minister said he did not want justices to try these cases, because very frequently they were station owners or managers themselves or the friends of sta-

tion owners or managers. This means that a station owner or manager cannot have a friend lest the latter should be biassed in his direction. That is a reflection upon justices. If the cases were heard in Perth, as it is suggested they would be, there could be no difficulty on the score of justices being station owners.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 2.13 a.m. (Thursday).

Legislative Council,

Thursday, 21st October, 1926.

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

BILL—LAND TAX AND INCOME TAX.

Read a third time and passed.

BILLS (2)—REPORT.

- 1, Guardianship of Infants.
 - 2, Public Education Acts Amendment.
- Adopted.

BILL—TRAFFIC ACT AMENDMENT.

In Committee.

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

Clauses 1 to 6—agreed to.