Legislative Assembly,

Friday, 18th November, 1910.

The SPEAKER took the Chair at 10.30 a.m., and read prayers.

PAPER PRESENTED.

By the Premier: Report of the Zoological Gardens and Acclimatisation Committee for the year ended 30th June, 1910.

NOTICE PAPER NOT READY.

Mr. HOLMAN: I take strong exception to the fact that we are about to have questions answered and business done without any Notice Paper. This is a most extraordinary proceeding. It appears that there are only two Notice Papers in the House, one being in the possession of the Premier and the other in the possession of the Speaker. Members are entitled to some consideration; at any rate, they should not be asked to come here unless the Government are ready to proceed with the business. I think the Premier ought to move the adjournment of the House until the Notice Paper arrives.

Mr. SPEAKER: The Notice Papers are on their way from the printing office. I have a copy here. I would like to say, however, that I pointed out yesterday it would be quite impossible to have questions answered this morning, but hon. members persisted in giving notice of them for to-day.

Mr. BOLTON: We want to know the order of the business for to-day. Apart from the questions, we should not proceed until the Notice Papers arrive. If the Government can have one or two Notice Papers here there is no reason why they should not have 50 in the House.

The PREMIER: I regret exceedingly that the Notice Papers are not here. I assure hon. members, however, that it is the same as yesterday's Notice Paper. It is not through any fault of mine that they are not here, I do not control the printing of the Notice Paper. But they should have been here, and I understand that they are now on their way and will be here in a few minutes.

Mr. Angwin: Why not move the adjournment for half an hour?

The PREMIER: The Notice Paper is exactly the same as yesterday's. I will, however, issue instructions that men shall be kept at the printing office all night, if necessary, in order that Friday's Notice Paper shall be in the House in time for the commencement of the sitting.

Mr. BOLTON: I have not even yesterday's Notice Paper on my desk; it seems to have been removed by those who clean up over night. I do not know what the position is.

Mr. GILL: I think it would be as well for the Premier to inquire into matters generally at the Government Printing Office. I think this delay is owing to their refusal to take on men. I have heard several complaints from the railways and other departments with regard to the printing office, and it is up to the Government to take some notice of the matter. There are plenty of men available.

Mr. Jacoby: Yesterday's Notice Paper is not on my desk, but perhaps the Clerk can read the Orders of the Day.

Mr. SPEAKER: I would suggest that the Premier should move the postponement of the questions and we can proceed with the Orders of the Day.

Mr. Horan: We do not know what the Orders of the Day are.

Mr. SPEAKER: They can be read.

The PREMIER: I beg to move—

That the questions be postponed until Tuesday.

Mr. Collier: Are all the question on the Notice Paper?

Mr. SPEAKER: Yes.

Mr. Johnson: Why not postpone them until a later hour?

Mr. HOLMAN: I shall oppose that course. There is an hon. member in this Chamber who has asked a most important question; I refer to the member for Yilgarn, and I think he gave due notice that he desired to have them answered to-day. He informed the House yesterday that the questions were so important that if they could not be answered to-day it might be necessary for him to move the adjournment of the House. I strongly object to this method of carrying on business——

[At this stage the Notice Papers were brought into the Chamber.]

The PREMIER: I withdraw my motion. Those questions which we cannot answer will be postponed as we come to them.

QUESTION—CONSERVATOR OF FORESTS.

Mr. O'LOGHLEN asked the Minister for Lands: 1, Have applications been yet invited for the position of Conservator of Forests? 2, Will local applicants' claims be considered when making such appointment?

The MINISTER FOR LANDS replied: 1, No. 2, Yes.

QUESTION—RESIDENTIAL AREAS, SOUTHERN CROSS.

Mr. HORAN asked the Minister for Lands: 1, Has ground that has for years been recognised as available for residential areas on the plan of Southern Cross township been refused to applicants by the department, notwithstanding that all the conditions of the Act have been complied with? 2, Will the Minister for Lands justify the alteration of policy that has led dozens of people to be refused the privileges conferred upon them under the Goldfields Act and its regulations? 3, Is it true that an abrogation of such regulations is intended in order to put up these blocks for public auction? 4. Does the hon. Minister consider the extraordinary action is consistent with public policy?

The MINISTER FOR LANDS replied: 1, All lots set apart for residential leases and not occupied were withdrawn from residential leasing on 8th June, 1906, and since then residential leases have only been granted over lands which owing to auriferous indications or other reasons it would be inadvisable to sell. 2, Residential leases are granted under the Land Act; therefore this policy does not interfere with any privileges conferred by the Goldfields Act and regulations. 3, Yes. 4, Yes.

Mr. HORAN: The Minister in his answer has referred to leases, but it is residential areas that I am referring to, the residential areas which come under the Goldfields Act. The hon. member's reply is quite apart from the question. Following the custom of the House of Commons, and arising out of the reply given to my question by the Minister for Lands, may I ask whether the Minister will inform the House at its next sitting what action the Government intend to taken with regard to the residential areas as affecting the mines?

The Minister for Lands: Yes.

The Minister for Mines: Do you mean residence areas under the Goldfields Act?

Mr. Horan: Yes.

QUESTION — RAILWAY EXCURSIONS TO MUNDARING WEIR.

Mr. JACOBY asked the Minister for Railways: 1, How many Sunday excursion trains have been run by the Railway Department to Mundaring Weir since June 1st of this year to present date? 2, What was the average number of passengers carried per train? 3, What was the total number of passengers booked by all trains to Mundaring Weir from June 1st to November 14th, 1910, inclusive?

The MINISTER FOR RAILWAYS replied: I shall let the hon. member have the information as speedily as possible.

BILL—SOUTHERN CROSS-BULLFINCH RAILWAY.

Third Reading.

The MINISTER FOR WORKS (Hon. H. Daglish) moved—

That the Bill be read a third time.

Mr. JOHNSON (Guildford): An effort was made during the Committee stage of this Bill to draw the attention of the Government to the advisability of constructing the railway, or that portion of it outside rails and fastenings, from revenue, but it was ruled out of order. He now desired to raise the question on the third reading because, as was indicated by the Government, it was intended immediately the Bill passed to proceed with the construction of the railway. That would place hon. members in the position of having passed a Bill without opportunity of expressing an opinion as to whether the railway should be constructed from loan or from revenue. The Government would use their own judgment, and proceed straightway with the work. That was unfair. No objection would be taken to the Bill authorising the construction of the line, provided the passage of the Bill was followed by the necessary appropriation.

Mr. Scaddan: It should be in the Bill itself.

Mr. JOHNSON: That was so. It was known that the Government intended to proceed with the work without any authorisation, immediately after the passing of the Bill. His desire was, not to delay the third reading, but merely to enter a protest against the Government proceeding with the work without giving members an opportunity of expressing their opinions on the important question of financing the project. The revenue derived from the sale of land at Bullfinch had been nothing short of a windfall to the Treasurer, and it was to be remembered that the announcement of the Government's intention to construct the railway had abnormally increased the price of the blocks. Seeing it was admitted that the building of the line was largely in the nature of a gamble, the money derived from the sale of the land should go back into the railway; then, if the Bullfinch turned out well, so much the better, while if it did not and it were found necessary to remove the rails and fastenings to some other district it would be consoling to reflect that the land disposed of at Bullfinch had paid for the cost of the construction of the line. It was no innovation, this building of railways out of revenue. The Malcolm-Laverton line had been so constructed, while a proportion of the cost of the Menzies-Leonora line had been taken from revenue. Until about the year 1904 there had been a considerable annual expenditure of revenue on railways. In 1904-5 the sum of £85,000 had been put into railway construction from revenue, and that at a time when the revenue was anything but buoyant. As a matter of fact the expenditure of that £85,000 accounted for the deficiency shown on that year's operations. So hon. members would see that the expenditure of revenue on this railway would be by no means a new departure. Apart from that, it was to be recognised that admittedly the line was a business risk, indeed some thought it a bit of a gamble.

The Premier: I will bring an Appropriation Bill for it down next week.

Mr. Johnson: Before you proceed with the construction?

The PREMIER: Yes. With others he recognised the House had the command in the expenditure of money, and as the hon. member had made such a point of it he (the Premier) would bring the Appropriation Bill down on Tuesday next for the construction of the railway out of Loan Fund.

Mr. Holman: Do I understand the Premier promises not to start the construction of this line until he gets the appropriation?

The Premier: Yes, not beyond the survey.

Mr. ANGWIN: Hon. members should gravely consider the passing of the Bill.

Mr. Horan: We have considered it.

Mr. ANGWIN: It was doubtful whether this had been done. In his opinion the Government themselves had

a certain amount or irresolution as to whether they were justified in building the railway. The Minister for Works had pointed out it was necessary to build the railway as cheaply as possible, and it had been shown that if a railway of that description were put down there was a possibility of losing it. The whole project, in the first instance, had been considered as a land job. Whenever a railway was mentioned plans were prepared of the surrounding country within cooee of the line and everything was done to induce people to pay a higher price for the land to be served by the railway than the land was really worth. In this case the Government had advertised the sale of certain lots at Bullfinch, and, a week before the sale, the Minister for Mines, the Government Geologist, and the Inspector of Mines visited the locality. Following on this inspection the Minister had issued a note of warning, pointing out the necessity for caution; and the full extent of his promise was that the Government would immediately take steps to initiate a proper water supply which, as hon. members knew, was indispensable. But the Minister had also said he thought Cabinet should wait and consider before embarking on the construction of a railway from the centre until further developments were made. Coming from the Minister for Mines, immediately after an inspection of the locality, these words should have greater weight than any others spoken on this subject. However, the Cabinet had not waited and considered, for clearly there was a danger that the words uttered by the Minister for Mines might have a detrimental effect upon the Government land sale at Bullfinch, and consequently the Government had straighway introduced a Bill for the railway on the very day before the sale. The action of the Government in regard to the railway was going to do more injury to the State than any other action of theirs since occupying the Ministerial bench.

Mr. Johnson: Then it is pretty serious.

Mr. ANGWIN: It was going to assist those persons taking part in the gamble to impose on the general public. The Minister for Mines and the member for the district had both warned the public, and it was our duty as members to see that the public were protected. By the determination of the Government to build the railway many people who otherwise might have escaped would be induced to venture their money in worthless shows in the locality, and thus the Government were assisting in the swindling of innocent people.

The Premier: No.

Mr. ANGWIN: It was not intended that the Government were themselves swindling anybody.

The Premier: You have practically said that.

Mr. ANGWIN: If what he had said was objectionable to the Premier he would withdraw it; but he believed the action of the Government would have the effect of assisting those who were trying to swindle others. It was our duty to avoid that. He had no objection to prospectors or those who with their money assisted prospectors in developing the State, reaping any benefit they deserved. It was not that point. He was pleased to see that they were getting the reward they were so much entitled to, but his point of view was that the Parliament should try, if possible, to avoid any action being taken by others which might be detrimental to the State. The haste which had been shown in connection with that railway had never been equalled in this or any other State. The Premier had pointed out on the previous evening that Southern Cross, when it was first discovered, had very little to warrant the building of a railway. No doubt that was true, but Southern Cross was isolated; at that time it was some distance away, and the future prosperity of the State depended upon the development of the mineral possibilities. That being so the Parliament of the day had a right to go into a speculative scheme for the express purpose of ascertaining whether gold mines of a payable nature existed.

The Premier: We know that we have them now.

Mr. ANGWIN: It was certainly known that there were payable mining propositions, but the disability under which Southern Cross suffered in those days did not exist at the present time in connection with Bullfinch. The only argument which had been brought forward by the Minister for Works in favour of the construction of the railway—and he had been backed up by the member for Beverley who ought to know something about mining—was that there was another mining lease eight miles from the present mine. No Government should build a railway for the express purpose of suplying a mine eight miles away, because there was no necessity for taking a railway nearer to such a mine. It was to be hoped that the proposed railway would be successful. Unfortunately, no action of his would stop the Bill going through, because members claimed to have given it all the consideration that was necessary. Perhaps they would yet alter their minds and defer the construction until further development had taken place. A railway was within 20 miles of the mine which, if as rich as had been said, could not only afford to pay for the cartage of the ore, but could pay for cartage on men's backs; therefore, there was no necessity for a railway. The result of building that line must be that other railway lines in agricultural districts, lines which were a more urgent necessity than the line to Bullfinch, would not be built or would be postponed for a year or two. In those instances there was good land and known security; but the Minister who introduced the Bill had brought forward nothing to show that the Bullfinch would warrant the railway. Members should realise before voting for the third reading that they might, by their vote, do harm to Western Australia owing to introducing a certain element of speculation into railway construction where speculation was not warranted. They should take into consideration the just and wise words of warning uttered by the Minister for Mines when he visited the Bullfinch district only a few weeks ago, accompanied by his officers, and said that the line would have to wait until furthed development had been done.

Mr. HOLMAN (Murchison): There was a great deal in what the member for East Fremantle had said. That gentleman had added another word of warning to that already given by the Minister for Mines. To prove that there was a great deal in what the hon. member had said one had only to look at the market value of the Bullfinch mine at the present time. The shares, of which there were 500,000, had been rushed up to £3 each, thus giving the property a market value of £1,500,000, and that for an unimproved property was a tremendously inflated value.

Mr. Horan: It is not unimproved; it is proved.

Mr. HOLMAN: No mine was proved that had only reached a depth of 100 feet. Even had the owners been employing 200 men during the last few months the mine could not yet have been proved, but at the most they had been employing only 40 men, and it was absurd to say that the property was proved. It was significant that the shares had dropped 10s. on the preceding day, representing a reduction in one day of a quarter of a million pounds in the value of that property. When members realised that the total production of the whole of the Yilgarn field for the period of 23 years, during which it had been worked, was only £1,400,000, it would be seen that the market value of £1,500,000 given to the Bullfinch mine was very greatly inflated. Just to show the position of the Bullfinch, it might be noticed that the owners had practically robbed the workers of a few paltry shillings by already reducing their wages by about 10s. per week. He maintained that it was the duty of the Government to telegraph to London and throughout the Eastern States the total gold production of the Yilgarn goldfields, and to point out that in the face of those figures it was impossible for that mine to justify the value which had been given to it.

Mr. Gordon: Were you interested in mining properties when you were a Minister, properties at Meekatharra?

Mr. HOLMAN: It was true that he had been interested in a good many mining properties at different times, but he had not been interested in any property at Meekatharra. A member on the Government side had asked him to act as agent in buying land there, and he was to have had a share in the transaction, but he had absolutely declined to put a penny into Meekatharra, because he had felt that he could not do so and conscientiously serve the best interests of his constituents.

Mr. Gordon: By jove, that is great!

Mr. HOLMAN: Although he had been interested in mining properties all his life he had never used his Parliamentary position to push forward his own interests in mining, or in anything else. He had purposely kept out of what would have been prosperous speculations simply because he had felt that they would interfere with his duties as a member. It was a pity that every other member could not say the same. At any rate he had never had land on the Midland line, nor had he sold any.

Mr. Gordon: Oh!

Mr. HOLMAN: There had been a great deal of talk in connection with the member for Canning when he had made a land deal on the Midland line, but the deal might have been quite honest for all he knew.

Mr. SPEAKER: The hon. member is far away from the subject of the debate.

Mr. HOLMAN: Interjections to which he had a right to reply had drawn him away from the subject. The fact that the Bullfinch owners had already reduced the wages of the miners by 10s. per week showed that there must be something wrong, and it was a standing disgrace to those who held an interest in that property that they should ask the miners to work for 10s. 10d. per day. They were not men, and were not worthy of assistance either by a railway or by anything else, who would stoop to such mean and contemptible actions, when they had what they claimed to be the best mining proposition ever discovered in the world. It would have been better if instead of proposing to build a railway to Bullfinch the Government had introduced a measure for the construction of a line from Broad Arrow to Ora Banda. There were better prospects there than ever the Bullfinch had, and yet the miners could not get water, and they had to carry their ore 14 miles to get it crushed. The mining industry had made Western Australia what it was, and too much encouragement could not be given to those engaged in it; and although the permanent prosperity of the State might depend to a great extent on the agricultural, pastoral, and manufacturing industries, it must be realised that it would give those industries a necessary fillip and would be in the best interests of the State if a few more discoveries better than the Bullfinch promised to be at the present time could be made. There was nothing like a good gold discovery to help a State along, for it was such discoveries which had made Western Australia in the first instance, just as they had made California. Western Australia, from being the Cinderella, was now one of the brightest stars in the Commonwealth. Instead of spending £40,000 on the railway to Bullfinch it would have been better to have spent £5,000 in the erection of a battery at Ora Banda, perhaps another £5,000 in the provision of a water supply, and a further £1,000 to put the road from Broad Arrow into proper order. Mining propositions at Ora Banda were looking first class, and had a good claim to consideration at the present time; but simply because two or three private individuals had got the ear of the Minister they could get assistance in the way of water supply, a railway, and anything else, although men at Ora Banda were so dissatisfied with the privately-owned battery there that they preferred to cart their stone 14 miles to Waverley. At the right time he would not oppose the construction of a line to Bullfinch, but the present was too soon to justify an expenditure of £46,000, especially after the statistics quoted from the

mines report. It was a fact that as soon as the railway was mooted the market for Bullfinch stocks jumped up. It was not right to encourage investors to put money into doubtful propositions. The true facts of the case should be sent to the various mining markets. In two or three months' time we would be in a better position to see if any of the other properties at Bullfinch opened up. It was said the railway would be of assistance to mining propositions beyond Bullfinch—unfortunately there were not many of them just now—but it was absurd to say the line would benefit the Corinthian mine eight miles from Southern Cross. The cartage to that mine was a trifle in comparison with the long cartage to places like Peak Hill, Wiluna, and Lawlers, where in many cases they had to contend with sandy tracks. There was a patch of spinifex on the Wiluna-road 20 miles long, and it took teams two days to cross it. The money to be spent on this railway could be better spent in assisting the outlying districts and in opening up the country generally instead of in assisting one mine. No doubt the Bullfinch mine was a fairly reasonable and promising proposition, but there were many doubtful propositions that would be helped on the market through the Government rushing this railway out to the district so rapidly. It must have a detrimental effect on the State, a point that should be taken into consideration. The member for East Fremantle had done well in urging the Government not to rush the matter too speedily. As the Premier had now promised that the Appropriation Bill would be brought down before the railway was started, there would be some opportunity of seeing whether the district developed so as to justify a line, but unless the prospects of Bullfinch were better than they now appeared outside one mine, he (Mr. Holman) would strongly protest against passing any money for building the line. More information should have been given, and it should not have been concealed that Ministers' colleagues were heavily interested in these propositions. He (Mr. Holman) was prepared to telegraph to the market in Adelaide pointing out the grave danger of buying Bullfinch shares when the Bullfinch Proprietary had a market value of £1,500,000 despite the fact that the total production of the goldfield for 23 years was only £1,400,000.

Mr. Butcher: That is no argument that the Bullfinch is a failure.

Mr. HOLMAN: It is an absolute fact.

Mr. Horan: There was no gold found in Kalgoorlie 20 years ago.

Mr. HOLMAN: It would cause people to consider before they put money into these propositions.

Mr. Horan: I am not aware that you are considered a financial or mining expert.

Mr. HOLMAN: There were many things the hon. member was not aware of. As to his (Mr. Holman's) knowledge of mining, he gave second place to no member in the Chamber. He had had 25 years' practical experience of gold mining, more experience than any member of the Assembly with the exception of the member for Collie who was brought up to coal mining.

Mr. Horan: You must admit you are talking about a mine you have never seen.

Mr. Angwin: It is not a mine yet.

Mr. HOLMAN: We could call it a mine; but since the tremendous increase in market value, the mine was closed to inspection, and that was always a very doubtful thing in mining propositions. If *Hansard* was consulted it would be seen that his criticisms in regard to other railways constructed on goldfields and copperfields contained no inaccurate statements.

Mr. Horan: I would not take the trouble to read them.

Mr. HOLMAN: The hon. member would not understand them. The hon. member had little knowledge of mining. This railway should not be built so speedily. We should have been given a fair and reasonable amount of time for discussing it, and the Government should not assist in boosting these propositions. The Government Geologist should have been sent to the district, and reports presented from the department. Ministers however relied on reports from

those heavily interested in the proposition. There was not one departmental report presented to the House except the agricultural report from Mr. Muir. In fact the railway was put before the House in an haphazard manner. There was no survey made, and no practical man with a knowledge of railway work had gone over the route. It was said it would cost £46,000, so much for earthworks, and so much for rails.

The Minister for Works: Those are your figures, not the department's. You have kept on at them, and I did not worry to correct them.

Mr. HOLMAN: I thought it was the amount the hon. member mentioned.

The Minister for Works: No, I quoted £40,000.

Mr. HOLMAN: It did not make a great deal of difference. The Government made a present of more than £6,000 to a private contractor in connection with another railway, and we did not know what they might do in this. He would not oppose the construction of any railway on the goldfields where he was satisfied it was warranted, and where full information was given to the House and ample opportunity for discussing the measure. At the same time he was not satisfied that this proposition was going to turn out as we were told by Ministers it would, nor was he satisfied that its construction in such a speedy manner was in the best interests of the State.

Mr. WALKER (Kanowna): Though recognising the wisdom of railway construction, and always having rejoiced in a mining country being opened up, and rejoicing now at the fact that the Government were turning attention to providing facilities for transit in the mining areas, he was not yet sufficiently informed on the full merits of the case to be able to decide as to the wisdom of haste in this matter, and he must protest against what seemed an unseemly rush, taking all the facts into consideration. Even with the unexampled richness of the Bullfinch mine there could be no justification for hurrying the matter along before a test had been applied to the whole field. There was a danger of making the Government endorse these speculators' claims. It was a very unwise policy to foster speculative excitement. The Government should be reticent in matters of the kind when the future welfare of the State depended upon the honourable way in which all its transactions were conducted and on the confidence the public abroad had in the management of its affairs. The Government should not join in what was considered a fever of excitement. It should keep itself free from the fever and set an example in that respect. More especially was that so when we observed the slow way in which agricultural lines were looked after and the absolute neglect of other deserving portions of the goldfields. The word neglect was used advisedly, because no other phrase would apply to the way in which other parts of the goldfields were treated with regard to communication and facilities for profitably conducting mining operations. So much had been said in protest against the unseemly haste and suspicion created that the Government had entered into a species of partnership with the speculators and had shown their sympathy, if that word might be used, for those who had the wealth with which to speculate, as in contrast with the poor working miners and agriculturists; so much had been said in protest in that respect, that he was bound to say he would support the Bill. It was an evidence of attention being given to mining matters and meant the expenditure of money upon goldfields, and the employment of workers upon the goldfields, and would possibly be a stimulus to settlement on the goldfields and contentment on the part of those who were there. He would go so far as to say that the discovery of the Bullfinch, even though it was exceptional and might not be backed up by other discoveries of equal richness in the vicinity, would create a confidence throughout the mining districts, and would make more contented the prospector, whose lot for many years past had been exceedingly hard and trying. There had been a tendency to attract from the goldfields its population to the agricultural districts.

Some of the recent settlers were undoubtedly men who had spent many years in mining upon the goldfields, and it would be a pity to deplete one industry in order to strengthen another. He was in hopes that the two might be collaterally successful, and in order that we might do this we should provide further sources of encouragement to the miners who were still upon the fields and whose lot there had been very hard of late. On that score he would vote for the passage of the Bill.

Mr. Collier: How is it going to get on in that institution which checks hasty legislation?

Mr. WALKER: Wherever speculators were concerned there was no Chamber more hasty than the other place referred to by the hon. member.

Mr. Underwood: We are the people who stop hasty legislation.

Mr. WALKER: There was a further reason why he would vote on this occasion in favour of the Bill, and that was that it would surely be a precedent for the consideration of other deserving cases on the goldfields. After passing the measure with such unseemly haste and in what might appear to be a sort of atmosphere of suspicion, when facts were laid open and good cases were made self-evident, surely the Government would not withhold proper communication and facilities for mining in the outback districts.

Question put and passed.

Bill read a third time, and transmitted to the Legislative Council.

BILL—HEALTH.

In Committee.

Resumed from the 11th November; Mr. Taylor in the Chair, the Minister for Mines in charge of the Bill.

Clause 255—Local authority may make by-laws for private hospitals:

The MINISTER FOR WORKS: Before the Committee reported progress on the last occasion the member for Perth moved an amendment with regard to private hospitals and their distance from adjoining premises. This amendment was negatived. At that time he (the Minister) objected to the amendment in that it would have operated against existing institutions by reason of its retrospective effect. Since then the member for West Perth had put an amendment on the Notice Paper and he (the Minister) had informed the member for Perth that he was willing to accept it on behalf of the Minister in charge of the Bill. The member for West Perth, who was not present, had asked him (the Minister) to move this amendment; he, therefore, moved—

That the following be added as a proviso:—"*Provided that no premises which are not registered as a private hospital at the time of the passing of this Act shall be registered after such time as a private hospital unless such premises are at least 15 feet from the nearest boundary of the land of any adjoining owner or occupier.*"

Mr. ANGWIN: The Minister in accepting this amendment showed a certain amount of inconsistency.

The Minister for Works: I offered to accept the other amendment if it were not made retrospective.

Mr. ANGWIN: If there was a danger in this respect in connection with hospitals that might be erected in the future surely there was a danger as far as existing ones were concerned, and if they were a menace they should be removed. Hardship would certainly follow in the case of one or two people, but he had been informed that only one hospital in Perth would have been affected if the former amendment had been carried. The amendment was a wise one and should apply to all private hospitals which were in existence. There was no member in the Chamber who would like a private hospital close up against the building in which he was living.

Mr. Heitmann: What is the danger?

Mr. ANGWIN: There might be danger in diphtheria.

Mr. Heitmann: They are not allowed to take diphtheria cases in those hospitals.

Mr. ANGWIN: It was his intention to move an amendment which would have the effect of providing that the hospital should be at least 15 feet from the

nearest boundary of the "premises" instead of the nearest boundary of the "land."

The Minister for Works: It is exactly the same thing.

Mr. ANGWIN: It might mean exactly the same thing, but his desire was that the hospital should be 15 feet from the nearest building and not the land. He moved an amendment on the amendment—

That in line six the word "land" be struck out and "building" inserted in lieu.

The Minister would agree that the amendment moved by the member for West Perth was really more stringent than that previously moved by the member for Perth. Under this the only persons released would be those registered at the present time, whereas under the previous amendment persons other than those registered at the present time would have been released if the adjoining owners had consented to their carrying on a hospital.

Mr. BOLTON: The proviso itself was unnecessary. If it had been necessary those responsible for the drafting of the Bill would certainly have put it in. The Government had taken a decided stand against the amendment moved by the member for Perth, but they had not, by their vote on that amendment, decided that there was any harm in a hospital being within 10 feet of an existing dwelling. If the Minister had thought it necessary that a private hospital should be removed more than 10 feet from the adjoining premises why had the provision not been put in the Bill? The amendment moved by the member for East Fremantle would scarcely serve that member's purpose, because while a dwelling could be in the centre of a large piece of land, the provision could also be used in regard to a woodhouse, washhouse, or some other outhouse close to the boundary. If the distance of 15 feet was to apply to the nearest boundary, it followed it would not apply to buildings upon the adjoining land, and therefore the proviso was not necessary. He could not believe that licenses would be issued to premises too close to the next dwelling. The precautions taken by a private hospital to prevent the spread of contagion were in themselves a safeguard to the neighbourhood. There was as much or more danger in a private dwelling when there was in that dwelling a case of sickness.

Mr. Heitmann: Or in fact in many private houses without sickness.

Mr. BOLTON: The matter ought to be left in the hands of the authorities who would have to issue the licenses.

Mr. Underwood: They may have a friend wanting a license.

Mr. BOLTON: In any case he believed the authorities would visit the site, and if found undesirable to issue a license, no license would be issued. The proviso was not necessary.

Mr. UNDERWOOD: Too much attention ought not to be paid to the statement that a private hospital was dangerous to those living alongside of it; at the same time there might possibly be an element of danger of infection from these institutions. However that might be, he held that in a wide country with only a few people, we could afford to build our houses, and hospitals particularly, well within their own grounds. For his part he would like to lay it down that no house at all should be built within 15 feet of another. A hospital should be built on the healthiest plan, which should certainly embrace the provision of air all round the building. The space of 15 feet seemed to be a fair proposition. At a previous stage we had discussed the advisability of stating definitely in the Bill what we required, or, alternatively, leaving it largely to the discretion of the officials. He held that we should put in the Bill precisely what we desired should prevail, and remove as far as possible the discretionary powers of the officials administering the measure. For that reason he intended to support the amendment of the member for West Perth.

Mr. WALKER: Although he had supported the amendment moved by the member for Perth when before the Committee, before voting now on the amendment moved by the member for West Perth he would like to have some incon-

sistencies explained by the Minister in charge of the Bill. In the first place the member for Perth had moved that a license should not be granted to a private hospital which was within 10ft. of any other place, without the consent of the adjoining owners or occupiers. The member for West Perth had now moved an amendment providing that no license should be issued to any premises within 15ft. of the boundary of those adjoining. It did seem a grave inconsistency to object to 10ft. and vote against it, and now to accept the greater distance of 15ft. Why that sudden change of front on the part of the Minister? How could he reconcile his vote on the previous amendment with the position he was now taking up? Was it because one amendment had been moved by the member for Perth, and the other by the member for West Perth?

Mr. Angwin: The member for Perth said that he was sick of the Government.

Mr. WALKER: It would be a pity to think that there was any reason of that kind actuating the Minister—that because one member, who might not be *persona grata* with the Minister, moved an amendment the Committee were to be invited to vote against it, but as soon as an ardent and ready supporter, who was grateful to the Minister, moved another amendment having even more objectionable features from the Government standpoint, the Minister not only accepted it, but moved it. It seemed as if legislation was to be run on purely personal lines. Then there was the position that the Committee had already dealt with that question in the main. The time to have moved the present amendment was when the member for Perth had moved his. They were identical so far as the principle was concerned; the essentials in each were the same, and were the Committee to go back on their decision because a prominent member, who was in favour with the Government, moved the second one? If the Minister was in favour of the amendment now before the Committee his opportunity had been when the first amendment had been under consideration. Now it was too late, for the principle had been decided; the Committee had practically decided on registration no matter what the proximity to other premises might be.

Mr. Heitmann: We certainly dealt with the question.

Mr. WALKER: The Committee had actually decided the question, and the point was whether it could be dealt with again except on recommittal. If the present amendment was in order it meant that if 15 feet was defeated one day a member could next week bring in a further amendment to insert 20 feet, and so on *ad infinitum*. The rules of debate were decidedly against that, but he was not taking the point at that moment, because he would require some readiness with the authorities which he did not possess at the moment. There were also objections to the adoption of the amendment. A building or dwelling-house might to-day be 15 feet from the site of a proposed hospital; but it might be in the centre of the block, and between that building and the hospital the landlord might find room to put up another building. If he did erect that other building did the cancellation of the registration of the existing hospital follow? The hospital, when erected, was the prescribed distance from a building or dwelling-house, but within six months afterwards a wooden shanty was erected, which diminshed the space, and the question to which the Committee would like an answer was whether that would necessitate the cancellation of the registration. Those points must be considered, and it showed how loosely we were dealing with the rights of citizens when a phenomenon, such as that amendment, could be brought up again within a week of the defeat of an absolutely similar amendment. No protection was given to the persons conducting hospitals. They must be protected as well as those who owned the adjoining land, and the Committee must deal with two sets of rights when they conflicted, so that injury should not be done to either. In the amendment proposed by the Minister there was the possibility of doing irreparable injury. It was also unfair to make a distinction between existing hospitals and those to be established in the future. If it were to be for health purposes that provi-

sion was made there should be no monopoly, no exclusiveness, and no privileges. It was not an argument that because some hospitals were already in existence they should have the exclusive right to continue under registration; whereas others under similar conditions should be excluded from that right. The broad principle was that a hospital situated too close to a dwelling might possibly do an injury to the health of the inmates, and it made no difference to that principle whether the hospital was old or newly erected; therefore, there was every justice in a retrospective clause, and it seemed that the amendment moved by the member for Perth was infinitely more just to the whole public than the amendment substituted by the member for West Perth. It was an extraordinary thing that the Minister to whom those points had been raised, and the Minister who had moved the amendment should, at the stage when he (Mr. Walker) was concluding his remarks, leave his chair, and that the Minister, who had heard none of the arguments and scarcely was able to know the points that had been raised, should be left to reply to him.

Mr. HEITMANN: The point raised by the member for Kanowna should be dealt with by the Minister. When the department, considering the health of the whole community, failed to make provision in the Bill, such as was now asked for, certainly some reason should be given from the Minister moving the amendment on behalf of the member for West Perth as to why it was necessary. It would be unfair to have a set rule in connection with the matter. Discretion should be allowed to those in charge of health matters as to whether any building would be objectionable to the community or a source of danger or nuisance in any way. The hospital alluded to by the member for North Fremantle was less danger to the community than many of the houses adjacent to it. If it was not good to have a hospital in the future within 15 feet of the grounds of the adjoining building, why not apply the rule to hospitals already in existence? It would seem the proviso was brought in simply to meet the demand of one member of the House. That hon. member (Mr. Draper) became very vexed with some of the Government members when the amendment moved by the member for Perth (Mr. Brown) was defeated. Certainly the member for West Perth had every right to get an amendment included in the Bill which, although it might be for a particular end, might be very necessary, yet the hon. member should give reasons why the amendment was needed. It would be good to provide that all hospitals or private homes should be a certain distance from each other.

The Minister for Mines: You would sooner have it for hospitals than for other buildings.

Mr. HEITMANN: There was no great difference between private hospitals and private buildings in Perth. If there were complaints about the conduct of these hospitals and about the danger they were to the community or to buildings surrounding them, then it was right the Committee should be informed. The Waverley Hospital in Perth was an attached dwelling. If there was any danger in that, we should have power to cancel the registration of the hospital. Power should be given to the local authorities, as to a certain extent it now existed in the Act, to say whether the circumstances surrounding any particular case warranted the refusal of a registration. As to the broad principle of the necessity for a certain amount of space between hospitals and other buildings we could have that, but one particular case was not sufficient to warrant the Committee approving of the hon. member's amendment.

The MINISTER FOR MINES: There was nothing vacillating in the policy of the Minister for Works in connection with this clause. The Minister had opposed the amendment moved by the member for Perth at the previous sitting of the Committee, because, as the hon. member wanted to make it retrospective, it would prove an injury to persons already registered; and the Committee supported the Minister; but the Minister had said he would support an amendment in this direction if it was made to come into force at the same time that the Act came into force. Full power would be given to the local and central authorities in regard to

existing registrations. These could be cancelled if it should be thought that the condition of the buildings was a menace to public health, or to the buildings alongside, or even to the patients going into the private hospitals. But in regard to future registrations only those fulfilling the conditions should be licensed. More particularly in the metropolitan area, there should be no building closely adjacent to a private hospital especially in the interest of convalescents. Some of the local authorities, without reflecting on them, might not be particular as to the class of building that should be registered, so it was stipulated that in future, although power was given to revoke licenses already granted, it should be compulsory that there must be a certain space between the hospital and the adjoining land.

Point of Order.

Mr. Angwin: Would the Chairman say whether the amendment was in order, seeing that the principle had already been decided by vote of the Committee.

The Chairman: The proviso moved by the Minister was in order. The amendment moved by the member for Perth and negatived was to add these words—

> but in no case shall a license be granted to a private hospital which is within ten feet of another dwelling without the consent in writing of the adjoining owners and occupiers.

The amendment now moved by the Minister provided that no premises not registered as a private hospital at the time of the passing of the Act, should be registered after the passing of the Act as a private hospital unless such premises were beyond 15 feet from the nearest boundary of the land of any adjoining owner or occupier. The amendment now before the Committee was mandatory, but was not retrospective in any way, and therefore was in order.

Mr. Walker: The object of the original amendment was to assert a principle. The principle involved in any proposal was the kernel of the thing. Details as to how it should be done or effected were such as could be and should be dealt with when the matter was under consideration. The principle involved was whether a private hospital should be able to go right up against a neighbouring building, or whether it must be built some distance off.

The Chairman: Not from the building, but from the boundary.

Mr. Walker: Whether there was to be no distance or any distance from the boundary was the principle, but whether it was to operate in future or immediately and affect all existing premises was a matter of detail, and even the consent in writing of the owner was a matter for amendment. The principle only was involved. All the other details could have been amended when the clause was under discussion. It was no new matter, it was only a different application of the matter. The amendment of the member for Perth was, "In no case was a license to be granted to a private hospital." That hon. member's amendment could have been amended when the clause was before the Committee; it was open then to the Minister to move an amendment. There was no new feature now; it was only an amendment of a resolution the Committee had previously carried. As to 15 feet or 10 feet, it was obvious that was an amendment of a detail of the principle. Clearly 10 feet could have been omitted and 15 feet substituted. The point to which the Chairman had drawn the attention of the Committee was that the original motion of the member for Perth made it dependent upon the consent in writing of the adjoining owners and occupiers. Could not any member of the Committee when that was before the Committee have moved that those words be deleted from the clause, which would have made the clause of the original mover identical with the amendment now before the Committee. If the present amendment went on he (Mr. Walker) was not quite sure whether he should not have to move the admission of the words into the amendment redrafted by the member for West Perth. There was no distinction in principle. The principle was the removal of dwellings some distance from a private hospital, all the rest were details of its application, matters subject to amendment, which amendment should have been considered and

dealt with when the matter was first moved by the member for Perth. Having negatived that, the Committee had dealt with the subject, and could not restore the subject so as to amend it now. We had disposed of it. There was a way of doing it and it should be done in that way. The Government should ask for a recommittal of the Bill. By all means we should keep in order in doing business.

Mr. Draper: The argument of the member for Kanowna could not be followed.

Mr. Holman drew attention to the state of the House.

Bells rung, and a quorum formed.

Mr. Draper: The argument of the member for Kanowna was not correct. Even adopting the argument which he (Mr. Draper) did not admit, that the guiding thing for the Chairman to consider was whether the same principle that was involved in the amendment of the member for Perth was in the amendment which was proposed now—assuming that to be the guiding principle, then it did not apply, because there was one principle in the amendment proposed by the member for Perth which was a very different principle from that in the amendment now before the Committee. The amendment of the member for Perth sought to protect the adjoining owner or occupier, the object being that the property might not be injured; that was the express purpose of it; it was not founded on the interests of public health at all. No matter whether it be in the interests of publice health that a hospital should not be immediately adjoining another dwelling house, the amendment of the member for Perth did not protect the health in the slightest degree. All that one would have had to do would have been to go to the owner and say, "Do you consent," and receive the reply, "I consent." The health of the community was utterly disregarded. His (Mr. Draper's) amendment was based upon a very different principle, namely, the necessity for protecting the health of the community, because it was immaterial in the amendment now before the Committee whether the owner of the adjoining property consented or not. The present amendment laid it down that in no circumstances in the future should a private hospital be licensed which was not at least 15 feet from the nearest boundary of the adjoining owner or occupier. That was where the two principles differed, and upon that substantial ground alone he should be allowed to place the amendment in the Bill.

Mr. Walker: While agreeing with every word of the hon. member he (Mr. Walker) still insisted that the amendment was out of order. The provision the hon. member now sought to have embodied in the Bill was contained in the amendment moved by the member for Perth.

Mr. Draper: By striking it out and substituting another.

Mr. Walker: No; what had the hon. member made his principle test? That the motion of the member for Perth was to protect the property owners and that it did not have within its purview the protection of the general public health, and that the consent of the owner could not be obtained. Now the hon. member maintained that the principle was entirely altered, because if the Committee carried the amendment the land owners would not be consulted at all. Could we have obtained that before under the amendment moved by the member for Perth? All we would have to do would have been to take out of the member for Perth's motion these words, "With the consent in writing of the adjoining owners or occupiers." The test was that the object sought by the amendment could have been obtained by a simple amendment on the amendment moved by the member for Perth. There was nothing in the amendment which we had not previously discussed, and if such an amendment were in order there was nothing to prevent us rediscussing the whole of the Bill. The amendment had already been dealt with and was consequently out of order.

The Minister for Mines: The very first words of the amendment moved by the member for Perth were "In no case shall a license be granted."

Mr. Walker: Well, insert the words "in future" and you have it.

The Minister for Mines: But these licenses were granted annually. He was of opinion that the amendment under consideration was entirely different from that moved by the member for Perth, and consequently was in order.

The Chairman: On the point of order raised by the member for East Fremantle as to whether the amendment was in order, he (the Chairman) was of opinion that there were several points of difference on which the amendment could be admitted. He therefore ruled the amendment in order.

Dissent from Chairman's Ruling.

Mr. Walker: With all due deference I must have this on record, and consequently I move—

That the ruling of the Chairman be dissented from.

I do this on the ground that the amendment moved by the member for West Perth is only an amendment on the amendment moved by the member for Perth on Friday, 11th November, and has, therefore, already been disposed of by the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that an amendment to Clause 255 had been moved by the member for West Perth which he (the Chairman) had accepted, and that ruling had been dissented from by the member for Kanowna on the ground that the amendment was only an amendment on the amendment moved by the member for Perth, which had already been disposed of.

Mr. Walker: I have raised this point of order because I think it is important we should adhere strictly to one of the fundamental rules which govern debate, namely, that we shall not twice discuss the same matter during the same session, and that a matter already disposed of shall not be restored under any pretext in any form. A departure from that rule would lead us into chaos very quickly. A week ago there was discussed in Committee a resolution in the form of an amendment by the member for Perth, which he intended to add as a proviso to Clause 255 dealing with the erection and management of private hospitals. He desired to there add these words: "But in no case shall a license be granted to a private hospital which is within ten fet of any other dwelling, without the consent in writing of the joint owners and occupiers." During that discussion certain points were raised, amongst others being that the amendment moved by the member for Perth was objectionable on the score that it was of a retrospective nature; and the member for Perth even then said he would be prepared to accept an amendment providing "after to-day." So attention was drawn to that point of distinction or difference between the amendment moved then and that moved now. It was under consideration of the Committee at the time and by a reference to page 1446 of *Hansard* it will be seen that the member for Perth drew attention to it. The Minister for Works himself had drawn attention to the retrospective character of the amendment as worded, and it was considered by the Committee; and the member for Perth distinctly declared he was willing to accept an amendment. Now the point I wish you to observe is that the object of that amendment moved by the member for Perth was to separate private hospitals from other buildings; they were to be ten feet away. Now what was the object of that? Whether to protect private owners of other property or to protect the public health it matters not; that was the chief feature of the amendment, namely, to see that they were removed by ten fet. All other distances are, I submit, amendments of that amendment. Let us see the resolution now submitted by the member for West Perth. He says: "Provided that no premises which are not registered—" We have simply a substitution of "registration" for "license," an amendment which could have been made then. Then we get "at the time of the passing of this Act." So, Mr. Speaker, he debates what the member for Perth then said he was ready to accept, namely "after to-day." This is putting it in other language, but it

means the same, and was considered by the Committee last week. Then we have "unless such premises are at least 15 feet from the nearest boundary." Now, sir, in the amendment moved by the member for Perth the distance was 10 feet, while in this it is 15 feet. That 15 feet should have been substituted for 10 feet when the matter was under discussion before. I do not know that the point was raised then, but now it is raised and it is simply an amendment on the amendment which the Committee rejected. Then we have "from the nearest boundary line of the land of any adjoining owner or occupier." It is only a difference in wording. It is "10 feet of another dwelling" in the amendment of the member for Perth, and it is "15 feet from the boundary line" in the amendment of the member for West Perth. But if you turn to the interpretation clause of the Bill you will see that it is only a distinction in wording and not in fact, because in that interpretation clause "boundaries of land" is equivalent to "dwelling."

Sitting suspended from 1 to 2.30 p.m.

Mr. Walker: I was pointing out that the amendment moved by the member for West Perth was in substance the amendment moved by the member for Perth, on which the Committee have voted. The substance is the same in both, although there are differences added to the renovated amendment. I was analysing it, and showing that there was nothing that was contended for in any way different in the amendment of the member for West Perth that could not have been attained on the amendment of the member for Perth. One strong argument made in Committee was that the motion of the member for West Perth makes it commence from the passing of the Act, and does not make the motion retrospective; but I may remind the Committee that that point was actually discussed when the motion of the member for Perth was on, and we had agreed to make the amendment that was requested to effect the alteration now embodied in the proposal of the member for West Perth. I have submitted that the alteration from 10 feet to 15 feet is obviously an alteration that should have been effected when the matter was under discussion a week ago, and that the difference between boundary and dwelling house is one in words and not in substance. There was also a proposal that the consent in writing of the adjoining occupier should be obtained, making it optional on that consent whether there should be a hospital or not; but the fact that these words were in the member for Perth's amendment and are omitted to-day is immaterial, because they could have been omitted at that particular time. The member for East Fremantle has drawn attention to the exact difference between the words, and shown how they could have been altered in Committee. The motion of the member for Perth read—

> but in no case shall a license be granted to a private hospital——

The word "license" in the motion of the member for Perth is replaced now by the word "registration," which is a difference only in words. The motion continues—

> which is within 10 feet of another dwelling without the consent in writing of the adjoining owners and occupiers.

If we alter the word "license" to "registration" and omit the words regarding the owner's and occupier's consent, you will see that the amendment is precisely on all-fours with the amendment by the member for West Perth, which would then read—

> But in no case shall registration be granted to a private hospital unless such premises are at least 15 feet from the nearest boundary of the land of any adjoining owner or occupier, provided that this shall not apply to any premises registered at the time of the passing of this Act.

This amendment could easily have been effected when the matter was under discussion. Some of these amendments were debated and considered, and the member for Perth offered to accept one of them when it was under discussion. It was rejected then, and last Friday we came to a decision by 15 votes to 23, and the question was decided in the negative.

I submit that the matter cannot now be brought up under the disguise of different verbiage, when details are altered but the substance is exactly the same.

Mr. Speaker: If the hon. member will pardon me, I intend to rule in his favour, and it will, perhaps, save a little time if he will finish his speech and I give my ruling.

Mr. Walker: I do not intend to waste time, and it is always the custom not to say more when Mr. Speaker is decided in his own mind.

Mr. Speaker: I will admit at once that I have had great difficulty in coming to a conclusion. The point is a very fine one, but I am satisfied in my own mind that the effect would be the same, and, therefore, I uphold the contention of the member for Kanowna. I may also add that the member for West Perth will have the opportunity, if he thinks fit to do so, to move for recommittal.

Committee resumed.

The CHAIRMAN: In accordance with Mr. Speaker's decision the amendment was out of order.

Clause put and passed.

Clause 256—The Nurses' Registration Board:

The MINISTER FOR MINES: Hon. members would see that the clause originally drafted had provided for a board of three members, comprising the commissioner as chairman, and two medical practitioners; but owing to representations which had been made by the nurses' association and their desire to have representation upon the board, it had been thought that it would be only fair that they should be allowed such representation, seeing that the purpose of the board was to frame regulations for midwives and nurses. The Colonial Secretary had concurred in the request of the nurses, and had agreed, with the consent of the Committee, that the board should consist of five members, including two matrons. It was proposed to add a new subclause which would define what would constitute a matron.

Mr. HEITMANN had a prior amendment. He moved—

That in line 2 of Subclause 1 the word "nurses" be struck out and "midwives" inserted in lieu.

The object of the amendment was to give the board its proper title. The Bill contained two or three clauses dealing with the registration of nurses, but more particularly with the registration of midwives. In Clause 269 provision was made for the making of regulations dealing with the registration of nurses. That was a question which was altogether too great to be provided for simply by a clause of that sort; it was a matter that should have been the subject of a separate Bill. In all the other States, those who had taken an interest in this matter and had thought fit to register nurses, had gone to the extent of introducing a Bill specially dealing with the subject, and anyone reading the New Zealand Act, or the Bill introduced two years ago in New South Wales, would recognise the comprehensiveness of those measures, showing the recognition of the great importance of the question. It was a matter altogether too important to be dealt with in that Bill by simply giving the board power to make regulations. The practice of doing this was altogether too frequent in our legislation. The registration of midwives was a very urgent matter; but though there was also some degree of urgency in connection with the registration of general nurses, there was not that urgency that would justify dealing with the matter simply by regulation. The best way was just now to deal only with midwives, so as to overcome the difficulty of registration, and then later to bring in a measure for the registration of nurses generally, and include the provisions from this Bill with regard to the registration of midwives, and thus have one comprehensive measure dealing with nursing. All recognised the need for raising the standard of midwives and the danger experienced in the past through having inexperienced people practising as midwives.

Mr. ANGWIN: Would the board proposed by the hon. member also make regu-

lations under Clause 269 dealing with general nurses?

Mr. HEITMANN: Clause 269 was the only one that dealt with general nurses. If the amendment were carried Clause 269 would need to be struck out, the idea being that general nursing should be dealt with in a separate measure.

The MINISTER FOR MINES: It would be a mistake to alter the name of the board unless Clause 269 dealing with general nurses was struck out. Of course if the Committee thought it would be wise not to provide now for the registration of nurses generally, the clause would have to be struck out. It must be clearly understood that the carrying of this amendment would mean the wiping out of the provision for the registration of nurses generally. Clause 269 did not make it compulsory for all nurses to be registered. It simply provided a scheme to enable general nurses to be registered, and to advertise that fact. A midwife was a nurse. The term "Nurses Registration Board" would cover the registration of midwives, so that there was hardly need for the amendment. It would not be wise to refuse what was asked in Clause 269, simply giving nurses the power to register. It would certainly be going too far just at present to say that no person should practise as a nurse unless she was registered, but in regard to midwives the Bill provided they were not to be allowed to practise unless under certain specified terms.

Mr. Angwin: Why make a difference?

The MINISTER FOR MINES: Because the risk was greater in regard to midwives. Dealing with nursing generally there would be great danger if only registered nurses were allowed to practise; it would fall very heavily on the poorer classes of the community. We might come to a time of very high fees.

Mr. Angwin: The same thing applies in regard to midwives.

The MINISTER FOR MINES: But the danger was far greater in connection with midwifery. The conditions under which midwives who were not registered could practise were very strict. The provision to allow general nurses to register should be retained. There was to be no compulsion.

Mr. BROWN: The Minister should accept the amendment. The trained nurses did not ask for registration. Before a trained nurse could get a certificate she must serve three years in a hospital with not less than 40 beds and pass three examinations. It would be quite sufficient at the present time to limit the provisions relating to registration to midwives.

Mr. ANGWIN: If it was necessary to bring in a separate Bill to deal with general nurses, it should also be necessary to have one to deal with midwives.

Mr. Heitmann: One is more urgent than the other.

Mr. ANGWIN: That was doubtful. Among the working classes the midwife was wanted more often than the trained nurse. The Minister would agree that it was necessary to have a limit in regard to trained nurses on account of the cost; it would be necessary also to place a limit on the cost of midwifery nurses.

Mr. Scaddan: You will get a cheap article and very little good.

Mr. ANGWIN: There was a possibility of getting cheap general nurses as well as cheap midwives. He did not take the stand that one should have any advantage over the other; but if it was necessary that all nurses should go into a hospital before being allowed to act as nurses, the cost would be so great to the workers of the State that it would be impossible for them to engage nurses. We should not pass a law that would be likely to be a burden on the majority of the people of the State. It was said that when a general nurse was engaged it was necessary to engage a servant to look after the nurse. Of course the patients could go to the hospitals; but sometimes, owing to the drastic actions of the hospital boards, it was necessary for a mother to nurse her own child, and that was detrimental to the health of the mother. He was speaking of the working classes, not of workers who earned from five to six hundred pounds a year. If the board was called a Midwifery and General Nurses Registration Board one could support an amendment in that direction, but the

amendment moved by the hon. member could not be supported, because if it was necessary to register midwives, it should be equally necessary to register general nurses.

Mr. HEITMANN: There was really no comparison between the duties that had to be performed by the nurses and the midwives, and there was really not the same risk to be taken by the general nurses. In connection with midwifery work it was well known that a very grave danger indeed existed, and having looked into the matter a little he was surprised that we in our community had not lost a greater number of our women. To show the danger that existed it was only necessary to refer to Dr. Hope's report. This proved that in 1899 there was one death in 165 births; in 1898, one in 143; and in 1897, one in 167. An idea of the mortality rate where good nursing existed might also be given. In the British Lying-in Hospital out of over 30,000 cases which had been treated there had been only three deaths, while our latest figures showed one out of 143. There was a vast difference in the risk in connection with the two branches of nursing. We were not placing an obligation on the nurses to register, but this was a reason why we should endeavour to induce the Government to bring in a comprehensive measure to compel them to register.

The Minister for Mines: You wish to make the registration of all nurses compulsory?

Mr. HEITMANN: Yes; but this clause did not do that. If a Bill were brought down making it compulsory he would be prepared to support it.

Mr. Collier: They must register under this clause.

Mr. HEITMANN: The clause provided that unless they registered they would not be able to display a brass plate or advertise. Most of the nurses who followed this profession in the State were engaged from nursing homes and did not advertise. In New Zealand there was an Act of some 40 or 50 sections dealing with this question of general nurses, and there was a special Act also dealing with midwives. In New South Wales a Bill not long ago went through the Lower House, but it failed to go through the Legislative Council, dealing in a much more comprehensive way than even we were dealing with midwifery. There was great necessity for the registration of midwives and he would not be prepared to withdraw his amendment, rather would he like to see it carried and see the Government at a future date bring in a comprehensive measure. In no part of the world had the question of nursing been dealt with in a Bill such as the one before the Committee.

Mr. UNDERWOOD: The Minister and the member for East Fremantle informed the Committee that if the midwives were registered poor people would in some way be affected.

The Minister for Mines: I was dealing more with the nurses generally.

Mr. UNDERWOOD: The desire on his part was to show that a poor person could get on with an inferior nurse.

Mr. Angwin: They have to engage inferior nurses for want of money.

Mr. UNDERWOOD: More shame on the Government that allowed it.

Mr. Angwin: I agree with you.

Mr. UNDERWOOD: The hon. member agreed to this by endeavouring to perpetuate the system. The theory had been laid down that we must look after the poor people, but it seemed that because a man had a wife and children this man was allowed to go down a mine when, perhaps, he was dying from consumption, and was permitted to disseminate the disease among his fellow men, and this was just because he was poor. This was the man whose wife and children had to be nursed by incompetent people.

Mr. Collier: If you get competent nurses he will not be able to afford to pay; his wife and family will have to go without nursing altogether.

Mr. Scaddan: Public opinion will not allow them to go without nursing.

Mr. Collier: Public opinion allows them to die from starvation every day.

Mr. UNDERWOOD: The registration would not increase the rates. There were some who were following the profession of nursing getting a living by midwifery

and were so incompetent that they could not pass an examination. If we compelled a man to pass an examination before he was allowed to drive an engine because he might be endangering his own life and the lives of others, how much more was it necessary that we should say that women should pass an examination before they engaged in midwifery cases.

Mr. COLLIER: The hon. member was labouring under a misapprehension. No one had objected to a qualified person being permitted to nurse. He (Mr. Collier) was just as anxious that persons should not be permitted to engage in the profession of nursing unless they were competent, but what he wanted to know was what sort of an examination was going to be prescribed by the board of three medical men and two matrons. This board would prescribe an examination which would prevent many women who were competent to engage in the work from obtaining a certificate of registration. The Committee should not give a free hand to the board to prescribe any stiff examination they wished. There should not be a desire to place a hurdle before the poor which they would not be able to jump over. He for one was not prepared to give the power to a board of three medical men and two matrons without having some idea of the examination to be prescribed. He agreed with the member for Cue, for he did not see that it mattered much whether the registration of general nurses was dealt with in the Bill or in another Bill by itself, so long as it was dealt with in a full comprehensive way. For that reason he would support the amendment.

Mr. SCADDAN: The Minister in charge of the Bill might give an assurance that in the event of the amendment being accepted he would not provide for the nurses' registration board being composed as proposed in the clause in conjunction with the amendment on the Notice Paper. As pointed out by the member for Boulder, there was just a possibility of a provision of this kind setting up something in the nature of a ring among nurses. In a matter of such vital importance hon. members should see to it that no ring was formed by professionals who might refuse to attend a case because somebody else had already attended it. In respect even to the Children's Hospital in Perth he knew of cases where admission had been refused on the score that a patient was in a position to pay for attendance elsewhere. What was required was a number of properly qualified midwives throughout the State who would be available to all classes of the community, and not a ring built up with prohibitive prices such as might easily come about under the system proposed in the Bill. He agreed with the member for Cue that we should have general nurses properly qualified; but in regard to midwifery what we desired was properly qualified midwives who could take a case without having to call in a doctor, except in special circumstances. Under existing conditions a doctor had to be engaged merely for safety, and had nothing to do except draw his fee. On the other hand, in a big State such as this there were annually hundreds of maternity cases never seen by a doctor. He desired that such instances should become far more common without any increased danger. A great deal was frequently said of the lack of population, but it should be realised that the fear of motherhood had a great deal to do with this, and that, in turn, this fear was to be ascribed to the existing lack of fully qualified midwives. It was well known that frequently when a woman lost her husband she pretty soon arrived at the conclusion that the best thing to do was to put on a nurses' cloak and, without any training whatever, set up as a midwife. That practice should be stopped.

Mr. Collier: Everybody is opposed to it.

Mr. SCADDAN: Yet some members seemed to think that to alter that condition would be to set up a ring among midwives.

Mr. Collier: Is it not possible under the Bill?

Mr. SCADDAN: It was possible if the board was to be constituted in the manner proposed by the Minister; but probably the Minister intended that the board should register general nurses and midwives as well. He (Mr. Scaddan) wanted to keep the registration of general nurses and of midwives as far apart as possible,

and the best way to do this would be to accept the amendment.

Mr. ANGWIN: The member for Cue had said that if the amendment were carried he would move later to insert further clauses, but that if the amendment were negatived he would not move for the addition of the clauses referred to.

Mr. Heitmann: I intended to include the whole of the New Zealand measure.

Mr. ANGWIN: The whole of a measure was to be brought down for the purpose of dealing with nurses. In other parts of the world it was deemed necessary to deal with midwives in a separate measure. There was nothing to guide members as to the nature of the examinations to be prescribed for midwives. In England a special Act had been passed in 1902 setting out the duties of the board. As far as the duties of the board were concerned, and in regard to midwives the Bill before the Committee was just as vague as it was in regard to nurses. If it was necessary to strike out the word "nurses" it was necessary to strike out the clause altogether. The Bill gave wide powers to the board, but no relief whatever was provided for midwives no matter what injustice was inflicted upon them, because the decision of the board was to be final. Additional clauses dealing with midwives were required, together with additional clauses dealing with nurses. In any case he trusted the hon. member would agree to leave in the word "nurses" in order to secure the registration of nurses.

Mr. PRICE: The leader of the Opposition had told the Committee of the harm being done by the existence of unregistered midwives in the State. He (Mr. Price) had before him a record of infantile mortality during the last ten years.

Mr. Heitmann: I was dealing with maternity rather than infantile mortality.

Mr. PRICE: But the statement made by the leader of the Opposition had been that we desired population, and inferentially, that as the result of want of proper attention the death rate among mothers was reaching alarming proportions.

Mr. Scaddan: I said the fear of motherhood was keeping back population.

Mr. PRICE: It would be found that the percentage of infantile mortality for 1899 was 13.99 whereas for 1908 it was 8.47, the general average for the ten years being 11.66. In 1909 the percentage was 7.80. So from the return it would be seen that there had been a gradual reduction in infantile mortality during the whole of the ten years. In case the hon. member might persist in his statement that the mothers were dying on account of lack of nursing it might be mentioned that during last year 46 puerperal deaths had been recorded as against 7,601 births.

Mr. Collier: That is no higher.

Mr. PRICE: As a matter of fact the number was falling year by year.

Mr. Bolton: No it is not.

Mr. PRICE: If the hon. member would read the figures he would see for himself. Whilst none of us were desirous of seeing irresponsible and incompetent women entrusted with the charge of confinement cases, we at the same time realised that if we were going to bring about such a state of affairs under which midwives would have to pass a very severe examination, the result would be that instead of reducing the infantile mortality there would be a tendency to increase it, because the wives of poor men would not be able to pay the cost that would be necessary to secure the services of highly trained and skilled midwives. How many members had been attended at their birth by such a nurse.

Mr. Troy: We do not know.

Mr. PRICE: How many members were in the habit of engaging those skilled midwives for their wives? He was not referring to the member for Mt. Magnet; and the Chairman was in the same position.

Mr. Jacoby: Is that a reflection on the Chair?

Mr. PRICE: There was a tendency to bring about a state of affairs which, however desirable in the abstract, would in practice work to the detriment of the very people whom it was desired to assist, namely the poor who could not afford to pay for the services of highly trained women.

Mr. Heitmann: You have not shown us that it is going to be more expensive with registration than without.

Mr. PRICE: If the Committee could know the terms of the examination which midwives would have to undergo before being licensed he might be prepared to consider the amendment. There was to-day a highly fictitious system of examination, and one of the main things that a midwifery nurse should know, namely the conduct of household affairs, was absolutely neglected.

Mr. O'Loghlen: Most of these women look after the house.

Mr. PRICE: There was another experienced person speaking, but the hon. member would receive a rude shock some day. It would be better if nurses instead of being trained in mathematics and that sort of thing, were trained in house work, which, however, was not portion of the examination.

Mr. Heitmann: To a great extent it is.

Mr. PRICE: It was only provided for to a very minor extent. If the examination papers would provide that midwives should be able to bake a loaf of bread—

Mr. Gordon: And know how to milk cows and clean your boots.

Mr. PRICE: What was wanted was a system whereby the women in the bush might be looked after by those midwives. He was not referring to the women in the towns who had their friends to help them.

Mr. Walker: That is provided for in the next section.

Mr. PRICE: The next section was not sufficiently explicit. If the Minister could inform the House of the nature of the examination that would be stipulated, and if such examination was not one which would tend to create a close corporation he would be prepared to support it, but if it was such that very few women could qualify he would oppose it.

Mr. Heitmann: Are you objecting to the registration of midwives altogether?

Mr. PRICE: No, not altogether.

Mr. HEITMANN: The amendment only proposed to cut out the registration of nurses because insufficient provision was made for such a system, but there would remain in the clause provisions which would enable the registration of almost every one of the respectable midwives of to-day. There was plenty of room without examination at all for the admission of these nurses provided that they could show experience. In Lady Dudley's bush nursing scheme it was provided that the highest standard in the world, the standard of the Australian Trained Nurses' Association, should be applied to the women sent into the bush.

Mr. Holman: Would you grant a certificate of service?

Mr. HEITMANN: There was a certificate of service in effect, because the midwives had to prove that they had attended a certain number of cases. The member for Albany had claimed that very few deaths occurred under the present system. It was not always a question of death. Some women suffered worse than death, and some were in the lunatic asylum. Whatever became of the amendment an endeavour should be made to keep up the standard of efficiency for midwives and to have them registered.

Mr. WALKER: The clause provided for the creation of a nurses registration board, but the definition clause contained no definition of "nurse." Did nurse include midwife?

The Minister for Mines: It is shown in this part of the Bill.

Mr. WALKER: The part gave no definition of nurse.

The Minister for Mines: No.

Mr. WALKER: Then what did the clause mean? Were not midwives really in the position of nurses? For instance the very next clause read "midwife or mid-wifery nurse," as though the two were synonymous.

Mr. Underwood: That is ordinary verbal padding.

Mr. WALKER: It was not necessarily so. A nurse might be attending a midwifery case although she had not qualified as a midwife. If the amendment were accepted it would be taken for granted that nurses required no registration.

Mr. Heitmann: No, I propose that a special Bill shall be brought in.

Mr. WALKER: The Committee had no guarantee that there would be a special Bill.

Mr. Heitmann: Well that is the danger of tinkering with the matter.

Mr. WALKER: The Bill itself only tinkered with the matter of registering nurses, and the amendment would make it worse by confining registration to one class of nurses only, and inferentially saying that all other nurses required no attainments and no qualifications. It was not advisable to leave that matter to the central board or to any particular class. The next clause provided for the nullification of the effect of the clause under discussion, for apparently midwifery nurses living in the country were exempt. If they could be exempt what was the necessity for the registration of nurses in the City?

The Minister for Mines: You must make provision for the back country, where trained nurses are not available.

Mr. WALKER: We were to allow the settlers' wives to do without the luxury of a trained nurse. They could use commonsense women of experience and training, but in the City an experienced woman who could not read prescriptions, analyse dog latin, or understand the intricacies of physiology, was not to be allowed to attend patients. There was danger in the fact that there was no provision made for emergencies. There would be the same professional jealousy among those who passed the examination as there was in other professions. They would not allow the profession to be overcrowded, because it would lower charges and make the profession too common, and in order to ensure constant employment there must not be too many at it, and if in a case of unexpected parturition a nurse was sent for there and there were none disengaged, and the person next door, qualified by actual experience to step in and do a kindly office, did so, she could be fined. Would it help women in the direst necessity of their lives by making them depend on professional nurses who would do just what suited them and accept just such patients as they liked? It would mean debarring the poorer section of the community. Tinkering with these clauses might be more serious than we could perceive at the first glance.

The Minister for Mines: Do you think it would be better if we did not have this part of the Bill at all?

Mr. Walker: I think so.

Mr. Osborn: I think so, too.

Mr. WALKER: We would be putting too much on the central administration, and would be creating an aristocracy of nurses and giving a few medical men practically the power to have a monopoly of nursing. There were medical men in Perth who tried to get complete command of the nursing business so that they could receive some profit indirectly, if not directly, from their patients, and the nurses were more or less their agents, the patient being little considered in the matter. More than a mental qualification was needed from nurses. Mere intellectual zeal to cram up for an examination was no test of fitness for attendance on the sick. Skilled training and disciplining of nurses often hardened that tender sympathy for the sufferer that to the sufferer was the best medicine that could be administered. There was too much professionalism, too much of the rough and ready, "I am not going to do that, it is not my work, if you want it done you must send for a slavey." Qualities of heart, as well as of understanding, were the proper equipment of good nurses. It was impossible by examination to make the best selection of women most qualified to do nursing. People could pass examinations who, for practical purposes, were entirely useless; and there was nothing in these clauses that would obviate the difficulty in that regard. Sticking to one's studies would be the only qualification necessary for a nurse. It was preposterous. One could not oppose increasing the intellectual qualities of nurses, but more was needed. We should entirely delete this part of the Bill; and if it be necessary in order to do justice to the poor sick and to nurses generally, let us have a properly framed and exhaustive Bill on the subject; but here we were bungling the matter and giving the central authority altogether too much to do.

Mr. TROY: If it was necessary to have midwives it was better to have them competent than otherwise. No matter how low the standard of examination might be fixed, it would be better to have that than to allow any person to engage in the business or profession. It was said that registration would mean a monopoly, but it need be no argument against the amendment moved by the member for Cue. Many illnesses among women were due to incompetent midwives. It would be better to have competent people and pay them, even if it were necessary to pay them well, rather than to have incompetent persons who might prove a great deal more expensive in the long run. The time would soon come, and the sooner the better, when the State must provide competent persons as midwives.

Mr. O'LOGHLEN supported the amendment, but not with much enthusiasm. He would rather see this part of the Bill deleted, because the clauses would not give satisfaction. There were two factions, the highly trained nurses of the A.T.N.A., and those who could not pass the examinations set by the A.T.N.A. And probably there would be many among the A.T.N.A. who could not pass the examinations to be prescribed if this part of the Bill became law. We should adopt a middle course. It might be possible to reduce the standard a little and have a separate and more comprehensive Bill brought down dealing with nursing alone, though it was well to have a high standard of efficiency. There were thousands among the poorer classes of the community who would do without other things in order to pay a little more to get efficient nursing in case of sickness. But it was a difficult matter, the registration of nurses and the fixing of a standard. Nursing was the noblest of professions, and worthy of having a Bill dealing with it alone. If the amendment of the member for Cue were not carried, the good sense of the Committee should delete the clause altogether, so that we might have a Bill at a later date dealing with the whole question of the nursing profession.

The MINISTER FOR MINES: Without casting any reflection on members of the Committee, it would appear that some nurses had cast a glamour over some hon. members with a view to providing certain regulations. It was hardly possible to think that staid married men would be anxious to lower the standard of nursing. The Government were doing all they could to send out nurses and to train nurses for midwifery cases, and members would notice that on the Estimates provision had been made for giving fees to district nurses and grants in favour of maternity homes. The sum of £425 appeared on the Estimates.

Mr. Angwin: Four thousand pounds would be more like it.

Mr. Price: It is a move in the right direction, anyway.

Mr. Collier: Is that scheme to be confined to the City?

The MINISTER FOR MINES: This money would be for the country entirely. There was no necessity for it in the city. An instance might be given where at Marble Bar some time ago the people subscribed in order to bring a nurse over from Sydney, and they agreed to pay a sum which the Government agreed to subsidise. The nurse was compelled to attend to all cases within a radius of 70 miles. It was to be presumed that the money provided on the Estimates would be used for a similar purpose in the back country, and to help nurses in poorer places where they would not otherwise be able to earn a living.

Mr. Scaddan: Are you making provision for the training of midwives?

The MINISTER FOR MINES: Yes, at Fremantle.

Mr. Heitmann: If you knew the circumstances you would not commend it too much.

The MINISTER FOR MINES: As far as he was personally concerned, he did not know anything about the institution except that there were several ladies there who were training as midwives. With regard to the clause, if

the Committee decided that there should be no legislation dealing with nurses and midwives at the present time, well and good. If we were to have any of these clauses we might be allowed to deal with both midwives and nurses.

Mr. SCADDAN: Would the Minister give an assurance to the Committee that over and above the representation by matrons, they would allow another section of nurses attending principally to maternity cases to have representation on the board as well. There was another association of nurses in Perth, and in connection with that association the people of the State had to thank the late Dr. Haynes for the energy and enthusiasm, and assistance which he rendered in the training of these nurses. It was desired to see that association get recognition. The board should be established for the practical examination of midwives, and we could not do better than have them examined in the manner that Dr. Haynes trained and examined them.

Mr. Bolton: Could that be done under the clause?

Mr. SCADDAN: The personnel of the board would be the Principal Medical Officer, two medical practitioners, and two matrons, and the latter would be representative of the A.T.N.A. only.

The Minister for Mines: They will not be specially representative of any separate organisation.

Mr. SCADDAN: There was no desire to build up a "ring" of nurses.

The Minister for Mines: The midwives have no association.

Mr. SCADDAN: Yes, they had. It was the Trained Nurses' Association which was established by the late Dr. Haynes. It was to be regretted there was not sufficient public spirit in the city among the medical practitioners so that the work started by the late Dr. Haynes could be taken up. The State should not forget the good work done by this late practitioner. The composition of the board as proposed would undoubtedly build up a ring, and the poorer people would find it too expensive a matter to obtain the services of nurses in connection with maternity cases. Would the Minister agree to consult his colleagues in regard to the matter?

The MINISTER FOR MINES: The question of the appointment would be left to the Governor. Both bodies would be represented on the board. The matter would receive attention, and he (the Minister) would consult his colleagues on the question.

Mr. ANGWIN: If the Committee allowed the matter to go, they would run some risk. There was a trained body of nurses in the city and we should give that body an opportunity of having representation on the board. Unless that were done it would be a matter of impossibility for them to get representation. The Bill was going too far, and he intended to vote against the amendment moved by the member for Cue to strike out the word "nurse," and he would vote against the clause as it stood.

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

Ayes	..	..	19
Noes	..	..	19
A tie	..	..	0

Ayes.

Mr. Brown	Mr. Murphy
Mr. Collier	Mr. O'Loghlen
Mr. Gill	Mr. Price
Mr. Heitmann	Mr. Scaddan
Mr. Holman	Mr. Troy
Mr. Horan	Mr. Walker
Mr. Hudson	Mr. Ware
Mr. Johnson	Mr. A. A. Wilson
Mr. McDowall	Mr. Underwood
Mr. Monger	(*Teller*).

Noes.

Mr. Angwin	Mr. Male
Mr. Butcher	Mr. Mitchell
Mr. Cowcher	Mr. S. F. Moore
Mr. Daglish	Mr. Nanson
Mr. Davies	Mr. Osborn
Mr. George	Mr. Piesse
Mr. Gordon	Mr. Swan
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Harper	(*Teller*).

The Chairman gave his casting vote with the Noes.

Amendment thus negatived.

The MINISTER FOR MINES moved a further amendment—

That in Subclause 2 the word "three" be struck out and "five" inserted in lieu.

Mr. Collier: Is it proposed that the two extra members shall be matrons?

The MINISTER FOR MINES: The object was to appoint two matrons.

Amendment put and passed.

The MINISTER FOR MINES moved a further amendment—

That in line 3 of Subclause 3, after "practitioners," the words "and two matrons" be inserted.

Hon. members would see by the Notice Paper that it was intended further to move to add a new subclause defining "matron" as the head of the nursing staff of a hospital. That definition, he understood, had been put in at the request of the nurses' association. If the Committee did not agree with the definition it could be dealt with when the new subclause was moved.

Mr. ANGWIN: The amendment was very dangerous. We had at the present time two nursing associations, namely, the Australian Trained Nurses' Association and the West Australian Trained Nurses' Association. In all probability both matrons would be drawn from the Australian Trained Nurses' Association. A representative of the West Australian Trained Nurses' Association might be an efficient midwife and yet not perhaps sufficiently so to become a matron of a hospital.

Mr. Heitmann: You would not have a mere amateur on the board.

Mr. ANGWIN: The desire was that fair play should be given to all.

Mr. Heitmann: I do not think you know the meaning of the word.

Mr. ANGWIN: Objections had been lodged to the provisions of the Bill by the West Australian Trained Nurses' Association. They had interviewed the Minister on several occasions in regard to the matter. In the past they had to fight their battles in the public Press, and attempts had been made throughout the State to belittle the training they had received under the late Dr. Haynes. It was the duty of members to see that a body of women who had devoted their time to training should be protected. That was his only object. If this amendment were carried those women would not get that protection.

Mr. Heitmann: You do not give the Ministry credit for any desire to protect them.

Mr. ANGWIN: The Ministry were under the thumb of the medical men with whom they came into contact, and the medical men were working in conjunction with the Australian Trained Nurses' Association.

The Minister for Works: If another association starts would they have to be considered also?

Mr. ANGWIN: It was not likely that any other association would start. Probably there would never have been the second association but for the fact that it was impossible for the average woman to pass the examination demanded by the Australian Trained Nurses' Association. He had heard the late Dr. Haynes say that the qualifications demanded by that association were not necessary for midwifery cases. The doctor had declared that so long as a midwifery nurse could carry out the instructions of a doctor and, if necessary, read those instructions, it was all that was required. Again, where in the Bill was power given to appoint this board?

The Minister for Mines: It is in the clause with which you are now dealing.

Mr. ANGWIN: At all events the Minister should consent to alter the terms of his amendment. He (Mr. Angwin) moved an amendment on the amendment—

That the word "matrons" be struck out and "females" inserted in lieu.

Mr. TROY: What did the Minister intend to do in regard to the amendment of the member for East Fremantle?

The Minister for Mines: I am inclined to stick to the Bill.

Mr. TROY: The member for East Fremantle had made a very fair proposal. Two recognised bodies were in existence, the Australian Trained Nurses' Association and the West Australian Trained Nurses' Association. The

members of both bodies were trained, on the one hand in the hospitals, and on the other chiefly by the assistance of the late Dr. Haynes, and nobody could object to both being represented on the board. If the word "matrons" was adhered to there could not be on the board anybody except matrons as the name was understood in the public hospitals.

Mr. Heitmann: There is a matron at the maternity home in Perth probably a member of the A.T.N.A.

Mr. TROY: There were women in Perth who were trained for midwifery cases and it was only a fair thing that they should be represented. The Minister ought to agree to the fair and reasonable proposition made by the member for East Fremantle.

Mr. COLLIER: The amendment of the member for East Fremantle would not achieve his object because a "matron" was a "female" after all, and even if the amendment were carried it would be competent for the Government to appoint two matrons just as they could under the amendment moved by the member for Cue.

Mr. Angwin: I propose to make provision against that later on.

The MINISTER FOR MINES: It was desired that the board should be appointed by the Government and he hoped that there would be no departure from the principle in the direction of obliging the Government to have nominations from two different organisations.

Mr. Scaddan: The Government is bound by the Bill.

The MINISTER FOR MINES: There was a strong objection to any organisation having representation on the board without the consent of the Minister responsible for the administration of the Act. In time to come the two organisations might amalgamate or others might come into existence, and there would be a continual quandary as to who was entitled to representation. The Government would always be ready to consider the claim of a responsible body to have representation, but if the Minister was to be responsible for the administration of the Act, he also should be responsible for any board that he might create. He opposed the amendment of the member for East Fremantle, but he would not object to an alteration in the definition of "matron" so as to require that matrons should have a certificate of midwifery.

Mr. O'LOGHLEN: There was no likelihood of other nursing organisations coming into existence. The desire of the member for East Fremantle was a laudable one, for if the provisions for two matrons was adhered to the W.A. Trained Nurses' Association would be debarred altogether. It should be recognised that there were two organisations in existence, both of which were doing good work, and in order that representation might be given to the West Australian body the Minister should accept the amendment. The Minister had pointed out that the Governor-in-Council should have power to elect the board, and that it would not do to allow outside bodies to appoint members. The giving of outside representation would be only carrying out the Government policy as exemplified in the case of the Harbour Trust on which different interests were represented.

Mr. HEITMANN: It would be unwise to allow outside organisations to elect members. There was a good deal of feeling between the two associations and it would be much better if there were only one association, providing that such a body aimed at the highest possible standard of nursing. If the matter were left to those in charge of health they could be relied upon to give the nurses a fair deal. To his mind the qualification for matrons sitting on the board should be the possession of a general nurse's certificate and a certificate in midwifery, and he would move an amendment to that effect later.

Mr. ANGWIN: At a later stage he would move an addition "provided that one female member may be appointed on the nomination of members of the Australian Trained Nurses' Association and one female member on the nomination of

the members of the West Australian Trained Nurses' Association."

Mr. WALKER: There was going to be a difficulty. The amendment by the member for East Fremantle made it compulsory that a nominee of each association should be appointed.

Mr. O'Loghlen: You can leave it to their good sense.

Mr. WALKER: But where was the protection if either body elected a person who was not qualified? He would be satisfied to see a nominee from each body, but it should not be so fixed that they could practically appoint without the Minister having any revising function. The proposal now contained no discretionary or revisionary power by any authority over the nominations sent in. Such a state of things would be unwise: besides, whereas there were now two associations, next year there might be three or only one, and if any other body did come into existence, there was no provision for elasticity to give such a body representation if necessary. It was not only possible, but probable that the two present associations, which had been more or less at counter purposes, would come together.

Mr. O'Loghlen: By deleting these words we will assist them.

Mr. WALKER: By deleting the whole clause the Committee might assist an amalgamation, and it might be desirable to strike out the clause altogether. The member for East Fremantle might be advised to so frame his amendment that there should not be given power to fix permanent appointments by the two associations, without power to the Minister of revision or selection.

Amendment (Mr. Angwin's) on amendment put and negatived.

Amendment (the Minister's) put and passed.

On motion by the MINISTER FOR MINES, the subclause was further amended by striking out the proviso.

The MINISTER FOR MINES moved a further amendment—

That the following be added as Subclause 5:—"For the purposes of this section 'Matron' means a nurse who has been for not less than three years the head of the nursing staff of a hospital treating a daily average of not less than ten patients."

Mr. Heitmann: Did the Minister intend to provide qualifications for the matrons?

The MINISTER FOR MINES: The idea of the department was to have one matron with a knowledge of nursing generally, and the other with the qualification of a knowledge of midwifery. The Government would give special attention to these two conditions in the appointment. On the other hand, if members desired to have the alternate certificates mentioned in the clause, an amendment in that direction could be accepted.

Mr. HEITMANN: It would be advisable to set out the qualifications. The provision should read—"Matron means a nurse holding a general nursing and midwifery certificate."

Mr. O'Loghlen: That is making it more stringent still.

Mr. HEITMANN: We needed high qualifications.

Mr. ANGWIN: When the amendment moved on the Minister's amendment to Subclause 3 was put the member for Murray had asked him a question, and that caused him to neglect to call for a division on the point. But he was anxious to secure representation on the board for a large number of nurses who did not hold certificates as general nurses.

The Minister for Mines: Do you fear there will be any difficulty placed in the way of the registration of midwives?

Mr. ANGWIN: If the matter was not watched very carefully a large number of persons with practical qualifications in midwifery cases would be debarred from registration. His desire was to see them protected. There would be three medical men on the board, and they would be working in conjunction with the A.T.N.A. His idea was to see someone on the board who would put forward the views of those persons holding certificates as midwives, and let the public know very quickly if any injustice was done to those persons. If the suggestion of the member for Cue

were adopted it would be impossible to have on the board a person wholly and solely trained to midwifery. He moved an amendment on the amendment—

That all the words after "Matron means a nurse" be struck out and "who is holding a midwifery certificate" inserted in lieu.

He intended later on to move that one of the matrons might be appointed on the nomination of the members of the A.T.N.A. in the State.

The Minister for Mines: Your amendment on that point was defeated.

Mr. ANGWIN: Only because owing to an inadvertence a division was not called for.

Mr. Troy called attention to the state of the House.

Bells rung, and a quorum formed.

Mr. ANGWIN: As the clauses of the Bill dealt more particularly with midwives, it was necessary to have a midwife on the board. For a considerable time it was feared that there would be a possibility of those trained for midwifery cases losing their livelihood under the provisions of the Bill, and they had repeatedly asked the Minister in control of health matters for representation on this proposed board. There was difficulty when there were only three on the board, but now the board was to consist of five the request of these women could be granted. If the amendment suggested by the member for Cue were carried it would be impossible to give them representation.

Mr. HARPER: Doctors and trained nurses were, perhaps, rather conservative, and would probably not give consideration to those who made themselves efficient in maternity cases only. These people should have representation on the board. They were special nurses, and probably as efficient in their particular profession as trained nurses were in general nursing.

The MINISTER FOR MINES: One could appreciate the desire of the member for East Fremantle in regard to a most urgent need, that regulations should not, at the present moment, create such a high standard that those qualified in a different school to others would not be debarred from being registered. If there was anything in the measure that would tend in that direction it would be as well to drop it out of the Bill. The desire of the department was to build up a large number of midwives who would be trained and sent out in such quantities among the people as to insure there would not be that scarcity that would occasion the demanding of high fees. If it was thought that in passing the subclause the object was to do an injury to those who had been trained in any one special school, he would have nothing to do with it, but that was not the case. On the other hand there was no desire to press the amendment as it was printed. There would be no objection to the excision of the words it was proposed to strike out, and inserting—"holding general nursing and midwifery qualifications." It had been pointed out that it would be unwise to tie the Minister down to representatives of any special organisation upon the board. The sentence affected in the subclause would then read, "Matron means a nurse holding general nursing and medical qualifications."

Mr. HEITMANN: The amendment would not receive his support because the nurses referred to by the member for East Fremantle should not qualify to sit on the board.

Mr. O'Loghlen: Not one of them?

Mr. HEITMANN: Not if they had only the qualifications of midwives. If he thought there was the danger of a close corporation being formed and keeping away from registration the deserving body of women who were midwives, he would vote against the whole of the Bill. There were sufficient women in the State holding the qualifications indicated by the Minister, who were sufficiently broad-minded and who took a sufficient interest in the general question of health to see that there was no injury done either to the community or this particular class of case. Medical men would also see that the nurses were protected as well as encouraged.

Mr. Collier: The doctors may set too high a standard.

Mr. HEITMANN: Sufficient scope was being allowed to admit almost any midwife in the State, and the women would have ample protection.

Mr. Gill: Are trained nurses competent to deal with midwifery cases?

Mr. HEITMANN: The amendment meant that they must be competent and that they must have both certificates.

Mr. ANGWIN: Under the West Australian Trained Nurses' Association brought into existence through the efforts of the late Dr. Haynes, the principle was adopted of making nurses proficient in certain classes of training. Some took up midwifery cases only, and others went in for nursing without dealing with midwifery, and there was a large number who had asked to be represented on the board. His efforts were now in the direction of seeing that they were represented, but, if the words proposed by the Minister were put into the subclause, it would be impossible for them to be represented.

The CHAIRMAN: The hon. member moved an amendment in that direction, and it was negatived.

Mr. ANGWIN: An opportunity was missed by him a short time before while he was engaged in conversation with the member for Murray.

The MINISTER FOR MINES: In the administration of the Act the responsibility would be thrown upon the Minister, but the appointment would be made by the Governor. The Government were prepared to amend the clause in order to enable a representative of this organisation being placed on the board. As far as the administration was concerned the Government objected to having their hands tied. Hon. members had demanded that the Minister should be responsible, and now they wanted to tie the hands of the Minister. If hon. members wanted to have the question settled, it should be put to the Committee and determined.

Mr. Angwin: I will withdraw my amendment with the leave of the Committee.

Amendment by leave withdrawn.

Mr. HEITMANN moved an amendment on the Minister's amendment—

That in line 2 of the proposed subclause all the words after "nurse" be struck out, and "holding general nursing and midwifery qualifications" be inserted.

Amendment (to strike out all words after "nurse") put and passed.

Mr. ANGWIN moved an amendment on Mr. Heitmann's amendment—

That the words "general nursing and" be struck out.

Amendment (Mr. Angwin's) on the amendment put and a division taken with the following result:—

Ayes	..	..	17
Noes	..	..	18
Majority against		..	1

AYES.

Mr. Angwin	Mr. Murphy
Mr. Bolton	Mr. O'Loghlen
Mr. Collier	Mr. Price
Mr. Gill	Mr. Swan
Mr. Gordon	Mr. Troy
Mr. Harper	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Johnson	Mr. Underwood
Mr. McDowall	(*Teller*).

NOES.

Mr. Butcher	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. Nanson
Mr. Davies	Mr. Osborn
Mr. George	Mr. Piesse
Mr. Gregory	Mr. Scaddan
Mr. Hardwick	Mr. F. Wilson
Mr. Heitmann	Mr. Layman
Mr. Horan	(*Teller*).
Mr. Male	

Amendment (Mr. Angwin's) thus negatived.

Amendment (Mr. Heitmann's) put and passed.

Amendment (the Minister's) as amended put and passed.

Mr. ANGWIN moved a further amendment—

That the following proviso be added—"Provided that one of the matrons may be appointed on the nomination of the members of the Australian Trained Nurses' Association resident in this State, and one matron may be appointed on the nomination of the West Australian Trained Nurses' Association."

This he did with the object that both associations should have direct representation on the board. He wanted to

see that the nurses who practised only midwifery should have such representation.

The MINISTER FOR MINES: It was to be hoped the Committee would not record any such instruction as to the personnel of the board.

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

Ayes	19
Noes	16
Majority for	3

Ayes.

Mr. Angwin	Mr. Murphy
Mr. Bolton	Mr. O'Loghlen
Mr. Collier	Mr. Price
Mr. Gill	Mr. Scaddan
Mr. Gordon	Mr. Swan
Mr. Harper	Mr. Troy
Mr. Holman	Mr. Walker
Mr. Horan	Mr. Ware
Mr. Johnson	Mr. Underwood
Mr. McDowall	(*Teller*).

Noes.

Mr. Butcher	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. Nanson
Mr. Davies	Mr. Osborn
Mr. George	Mr. Piesse
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Heitmann	(*Teller*).
Mr. Male	

Amendment thus passed.

Clause as amended put and negatived.

Clause 257—Registration of midwives:

Mr. HOLMAN: The preceding clause having been defeated it would be useless to carry the remaining clauses of Part XI. There was now no governing body dealing with the protection of life and nothing that the Committee could do could put any sense into the remaining clauses. As it was useless to go on with that clause the Minister should report progress: at any rate, it would be unwise to pass the clause as it stood.

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

Mr. HOLMAN: The matter was too important for any member to desire to move for the clause to be struck out and the Minister might reconsider the matter and have the Bill recommitted.

Mr. SCADDAN: It was to be hoped that the Minister would not withdraw the remaining clauses. The decision which had just been given was after all only an instruction from the Committee that the constitution of a board dealing with the registration of nurses as well as midwives should receive further attention.

The MINISTER FOR MINES: If members would allow Clauses 257 to 269 to pass, *pro forma*, the Bill could be recommitted.

Mr. HOLMAN: Would the Minister take into consideration the opinion expressed by the Committee and when bringing forward his amendment give prominence to the ideas of the Committee?

The MINISTER FOR MINES: Most decidedly the opinions of the Committee would be considered, but if any member called for a division on the question he (the Minister) could not be expected to vote for it. He would try to carry out the object of the Committee but would not pledge himself to support it if it were taken to a division.

Mr. Holman: Yes, that is fair.

Mr. ANGWIN: Would the Minister when considering that clause take into consideration the English Act dealing with the provision for registration of midwives.

The MINISTER FOR MINES: The departmental officers would be asked to do so. He would not mind also discussing the matter with the hon. member.

Clauses 257 to 269—put and passed.

Clause 270—Examination of School Children:

The MINISTER FOR MINES: In the past medical officers had had no legal power to carry out the examination of children. It had been deemed wise to get more power because in some instances the department might not be able to get a medical officer or might desire to have the examination of children's teeth carried out by a dentist instead of a medical officer. That was a very good idea and the Government wanted to do everything possible to carry it out. At present it was quite possible to be charged with assault on a

child in instructing a doctor to make such examination. The power that was proposed to be given was very necessary.

Mr. ANGWIN moved an amendment—

That in line 1 after the word "officer" the words "if required by the Minister" be inserted.

If the Minister sent a request to any medical officer to examine children it was necessary that the parents or guardian should allow that to be done, but it was not desirable to allow a medical officer at any time to pass away his spare hours in examining children.

The MINISTER FOR MINES: If the amendment were agreed to it could then be held that the examination of any child in a school by a medical man required the special authority of the Minister. In the past medical officers had been going from school to school and had done some exceedingly valuable work. Thousands of children had been examined, more particularly in regard to their teeth, and special reports had been made to the parents regarding the teeth and the health of the children generally. That was one of the best schemes that had been initiated in connection with the whole of the medical system.

Mr. Underwood: The parents usually find out about the teeth in providing something to chew.

The MINISTER FOR MINES: Every time a medical officer inspected a child he was practically guilty of assault, and it was proposed to give him legal power.

Mr. Holman: Yes, but your clause is badly drafted. Medical officer may mean any outsider. Where is your governing clause?

The MINISTER FOR MINES: The medical officer was defined in the Bill as a medical officer of health appointed by the central board or by a local authority.

Mr. Angwin: But I want the Minister to authorise him to do it.

The MINISTER FOR MINES: It would probably be better to provide that the medical officer should have the authority of either the Minister or the local authority.

Mr. WALKER: The clause seemed exceedingly vague. What was the meaning of medical officer? There was also something in the point raised by the member for Cue. There might be an officer in the Medical Department who was not a legal practitioner, who was not a doctor, but merely an officer.

Mr. Holman: He might be a sanitary inspector.

Mr. WALKER: The definition clause made a distinction between "medical officer" and "medical practitioner," and were we going to allow an officer to go into a school at any time he chose and examine boys and girls in any manner he chose, without any supervision, any check, or any regulation as to time. There was a distinction between medical examination and physical examination. What was meant by medical in this connection?

The MINISTER FOR WORKS: The clause should be allowed to stand as printed. There was no difficulty with regard to the definition referred to. There was a wide distinction, however, between medical practitioner and medical officer. A medical officer must be a medical practitioner, but a medical practitioner need not be a medical officer. The work done in the examination of children was most useful and we should not hamper it. Certain information was obtained that was highly advantageous, and likely to prolong the lives of many children; but the useful work had been done without legal power to do it. The clause now gave the legal power. It would not be abused. A doctor would not have the right to go to a school and demand to examine a child. It was purely a permissive clause. School regulations would entirely govern the hours at which the medical officer should attend, and would entirely prevent any action by an individual medical officer not armed with the fullest authority. No member of the public had the right to enter a school except under certain conditions, and even if he was a medical individual he would not have the right to interfere with the children except with the sanction of the officers in charge

of the school. The general authority the member for East Fremantle required could be insisted on without amending the clause. It would be insisted on. A medical officer armed with proper authority would be admitted at the proper time during school hours. The departments concerned had not adopted a step more likely to do good to the rising generation of the State than the instituting of this system of periodical examination of school children.

Mr. ANGWIN: The request was to insert the words "if required by the Minister," or, as some members suggested, "if authorised by the Minister." The Minister showed the clause was useless, because it would be a matter of impossibility for any medical officer to attend a public school when doing so would be contrary to regulations of the department. It was necessary to provide that the Minister should have the power to order a medical officer to examine school children in any public school at any time the Minister thought fit, and this should be provided by Act of Parliament. An attempt was made on a previous clause to put the examination of school children entirely under the central authority; and when that clause was under discussion, the Minister pointed out that in the more settled districts there would be an officer set apart for the express purpose. Now, acting on the suggestion of the Minister on that occasion, it was desired, instead of allowing a medical officer to do the work or leave it, that the Minister should be able to issue an authority for the work to be done.

Mr. UNDERWOOD: The wording of the clause was characteristic of the draftsmanship generally in Western Australia. It was absurd to examine medically. It was absolutely necessary that we should have school children examined and it was to be hoped that the amendment would be inserted, and, further than that, that the commissioner would rigorously enforce it. He would go further and say that the State should not only examine the school children and find defects, but having found the defects they should treat them and endeavour to remedy them, and the money spent possibly on those remedies could be taken from the vote which was being spent uselessly on immigration. The principle in the clause was absolutely sound and he was prepared to accept the clause even with its grammatical errors.

Mr. GILL: The clause in unmistakeable language stated that no person but a medical officer could examine school children. Taking the definition of medical officer his contention was that a sanitary inspector would be justified in going there and conducting the examination. If the Committee insisted on an instruction being given to a properly qualified medical man good results could be expected. When the definition was read it was found that it included all medical officers of health who were appointed by the central board or a local authority.

Mr. Heitmann: That does not say anything about a sanitary officer.

Mr. GILL: The definition of medical practitioner showed clearly that there was a distinction between medical officer and medical practitioner. There could be no objection to the insertion of the word proposed. The commissioner should give the instruction to a properly qualified person to carry out this work. The amendment would get over the difficulty.

The MINISTER FOR WORKS: The hon. member had made a wonderful discovery when he declared that medical officer meant a sanitary officer. Medical officer was defined in the definition clause as including "all medical officers of health appointed pursuant to this Act and whether appointed by the central board, or by a local authority." Clause 32 of the Bill said, "Every local authority may, and, when required by the central board, shall appoint a medical practitioner as medical officer of health, and also inspectors and analysts, as may be deemed necessary by the commissioner." The hon. member's statement that the clause in question could relate to a sanitary officer was ridiculous. If the hon. member was anxious to have school children thoroughly

examined the amendment would limit that. Suppose the Minister or the commissioner did not have the children in the schools of a certain district examined, if these words were inserted it would be impossible for the local authority to have them attended to. The clause gave power to the local authority as well as to the central authority, and therefore in the interests of the children themselves it was wise to pass it without the amendment.

Mr. PRICE: Would the Minister inform the Committee what the word "may" in the clause meant? Would it be imperative? In Clause 32 it was stated, "Every local authority may, and, when required by the central board, shall." Apparently it was optional there. If it was optional then the whole thing was ridiculous.

The MINISTER FOR WORKS: The hon. member was not present when the Minister for Mines explained that this was intended to get over a difficulty that existed at the present time whereby a parent could refuse to permit a child to be examined. The clause in question gave the necessary authority. In the district of Subiaco a case could be quoted where a parent did refuse to allow a child to be medically examined. The clause would get over a trouble like that. Clause 32 was not permissive it stated "Such medical officer of health . . . shall perform such duties and submit such reports in connection therewith, as may be prescribed by the Commissioner." It was imperative on the officer to carry out that duty whenever he was called upon to do so.

Progress reported.

House adjourned at 6·13 p.m.

PAIRS

Sir N. J. Moore	Mr. Bath

Legislative Council,

Tuesday, 22nd November, 1910.

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

PETITION — YORK MECHANICS' INSTITUTE TRANSFER BILL (PRIVATE).

Hon. V. HAMERSLEY (East) presented a petition from the trustees of the York mechanics' institute praying for leave to introduce a private Bill to vest in the municipality of York the land and other assets of the York mechanics' institute, freed from the trusts affecting same; to discharge the trustees thereof from such trusts, and to provide for the payment by the said municipality of all the liabilities of the said institute.

Petition received.

PAPERS PRESENTED.

By the Colonial Secretary: 1, State Children Department — Annual Report year ended 30th June, 1910. 2, Report of the Woods and Forests Department year ended 30th June, 1910. 3, Report of the Surveyor General year ended 30th June, 1910. 4, W.A. Government Railways By-law No. 44. 5, Return showing Costs incurred in maintaining both Houses of Parliament (ordered on motion by Hon. J. T. Glowrey). 6, Reports of Zoological Gardens and Acclimatisation Committee year ended 30th June, 1910. 7, Plan of the proposed railway from Southern Cross to Bullfinch. 8, Plan of the proposed railway from Tambellup to Ongerup.