

of conserving the rights of the Westralian Farmers, Ltd., under the Elevator Bill, but they are not so keen in connection with the measure now before us. I shall watch their actions closely.

Hon. P. Collier: Inconsistency, thy name is primary producer!

Hon. W. C. ANGWIN: It makes all the difference to the Country party as to whose interests are concerned.

Mr. GRIFFITHS: This seems to me to be a rather hard condition. These people only want what amounts to a timber railway. I think it is going beyond all reason to ask for a deposit. When people are out to conserve the interests of the country, as in this case, it would be doing them an injury and doing an injury to the interests of the State if we insisted upon a deposit.

Question put and passed; the Council's amendment not agreed to.

Resolutions reported, and the report adopted.

Reasons for not agreeing to certain of the Council's amendments adopted, and a Message accordingly transmitted to the Council.

MOTION—DISCHARGE OF ORDERS.

On motion by the Premier the following Orders of the Day were discharged:—

- 1, Charitable relief increase. Motion.
- 2, Railway freights, control by Legislative Assembly. Motion.
- 3, Electricity, tidal generation. Motion.
- 4, Committee of Supply, Amendment of Standing Orders. Motion.
- 5, Industries Assistance Board, extension of assistance. Motion.
- 6, Federation, representation as to State's losses. Motion.
- 7, Constitution Act Amendment Bill. Second reading.
- 8, Federal Convention. Consideration of Council's Message.
- 9, Potato crop pool. Motion.

House adjourned at 11.59 p.m.

Legislative Council,

Thursday, 23rd December, 1920.

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The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

QUESTION—INSURANCE DEPOSIT, EXTENSION OF TIME.

Hon. A. SANDERSON asked the Minister for Education: 1, What is the name of the insurance company to whom an extension of time was given for the payment of £5,000 deposit as shown by the Auditor General's 1920 report, page 7? 2, What was the reason for the extension?

The MINISTER FOR EDUCATION replied: 1, The Westralian Farmers Ltd. 2, All companies in existence at the time the Insurance Act, 1918, came into operation were allowed to pay the £5,000 in two instalments; and on the Westralian Farmers Ltd. starting insurance business, the same privilege was extended to them. The first instalment was made in August, 1919, and the second in March, 1920.

BILL—LUNACY ACT AMENDMENT.

Third Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.5]: I move—

That the Bill be now read a third time.

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

Ayes	9
Noes	4

Majority for	..	5
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AYES.

Hon. C. F. Baxter	Hon. E. Rowe
Hon. E. M. Clarke	Hon. A. Sanderson
Hon. H. P. Colebatch	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. J. A. Greig
Hon. C. McKenzie	(Teller.)

NOES.

Hon. E. H. Harris	Hon. Sir E. H. Wittenoom
Hon. A. Lovekin	Hon. J. Duffell
	(Teller.)

Question thus passed.

Bill read a third time and passed.

BILL—LAND TAX AND INCOME TAX.

Assembly's Further Message—Request for Conference.

A message having been received from the Assembly requesting that the Council should reconsider its message in regard to the Assembly's refusal to make the Council's requested amendment, the Assembly's message was now considered.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [3.10]: I move—

That the amendment made by the Council be not further pressed.

I do not think I am called upon to offer any opinion as to the accuracy of the ruling of the Speaker. If I were, I should find it quite impossible to escape from the clear logical position laid down by you, Sir, yesterday. As I intimated yesterday, an anomalous position has arisen through the attitude taken up by the Assembly. The requested amendment has been made in the Dividend Duties Act Amendment Bill, whereas it will not apply under this Bill. The Government are quite in favour of the amendment, and will be prepared next session to bring down an amendment of the Land and Income Tax Assessment Bill, giving a similar exemption under that Bill; and as the requested amendment would only apply to incomes earned during the present year, a similar amendment effected next session will be in time to recover any donations made this year.

The PRESIDENT: If the hon. member wishes to move that motion I must leave the Chair and ask that it be considered in Committee; because the request of the Assembly is that we should reconsider our message. Perhaps I may explain the way in which I look at it. As I see the position it is this: A message has gone down, requesting that a

certain amendment be made. Two courses are open to the Assembly, either to make the amendment or not to make the amendment. It is competent for this House, if it so wishes, to move a motion which could be taken, not in Committee but in the whole Council, that is to say, a motion that a conference should be requested. It is competent for this House to make that request, because this House is in possession of the Bill. If the Minister wishes to have his motion considered I will leave the Chair, but, as I see the position, it is not competent for that motion to be considered, because the next step lies with the Assembly unless we wish to save the Bill by proposing a conference. Such a conference must be proposed, not in Committee, but in the whole Council.

The MINISTER FOR EDUCATION: As your ruling is that the motion I have moved is not in order, it will not be necessary for me to withdraw it.

The PRESIDENT: Does the hon. member wish to move any other motion?

Hon. A. LOVEKIN: If the leader of the House is disposed to move for a conference, I shall be pleased to give way to him, but I had intended to move (1) that a message be sent to the Assembly requesting a conference to offer reasons for insisting on the amendment of the Council which the Assembly has refused to make, and (2) that the number of managers shall be three, consisting of the Minister for Education, Mr. Duffell, and the mover. There is a precedent to be found in "May" and I have framed the motion in the phraseology there laid down.

The PRESIDENT: There is no need in this case to go to "May." "May" is our sure refuge when our own Standing Orders do not provide for the position. In this case our Standing Orders are clear enough. It is most unusual that a private member should move a motion of that sort.

Hon. J. Nicholson: May I ask whether there is any need for the motion to refer to reasons?

The PRESIDENT: Standing Order 323 reads as follows:—

In requesting any conference the message from the Council shall state in general terms the object for which the conference is desired and the number of managers proposed to serve thereon, which shall not be less than three.

The Minister for Education: In requesting a conference on a money Bill I think we should use the word "pressing" instead of "insisting."

The PRESIDENT: That is so. In order that the proceedings of the conference may not be unduly hampered, may I suggest that the Standing Order be followed and that the request for a conference should state in general terms as laid down in the Standing Order the reason for asking for the conference. The reason for asking for the conference, as I see the position, is to discuss the

amendment requested by the Legislative Council to be made in the Land Tax and Income Tax Bill.

The MINISTER FOR EDUCATION: I move—

That a message be sent to the Assembly requesting a conference to discuss the amendment requested to be made by the Council in the Land Tax and Income Tax Bill which the Assembly has refused to make, and that the number of managers shall be three, consisting of the Hon. Mr. Duffell, the Hon. Mr. Lovekin, and the mover.

Question put and passed.

The PRESIDENT: It will now be competent for that message to be sent to the Assembly and the Assembly will fix a time and place for holding the conference. During the holding of the conference the sitting of the Council will be suspended.

BILL—FACTORIES AND SHOPS.

Assembly's Message.

Message from the Assembly disagreeing to amendments Nos. 4a, 10, 19, part 4 of 44, and 77, and agreeing to Nos. 42, 45, 55, 60, 69, 75, 81, 83, 85, and 87 subject to modifications, now considered.

In Committee.

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

No. 42. Strike out the words "and (2)":

The MINISTER FOR EDUCATION: This deals with Clause 97 under which certain reformatories are exempted from different provisions of the measure. I think a mistake was made in including Subclause 2. It was not our desire that these reformatories should be exempted from granting half an hour's rest and refreshment after 4½ hours' work. I think our amendment should have included Subclause 3 relating to pay. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 45. Insert after the word "District," in the fourth line of the proposed new subclause the following words:—"and the shop district which is comprised of the Kalgoorlie, Boulder, Brown Hill-Ivanhoe, and Hannans electoral districts":

The MINISTER FOR EDUCATION: The effect of this would be to abolish the late shopping night in the shop district comprising these electoral districts just as it has been abolished in the metropolitan area. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 55. Insert the words "before and" after the word "time," in the third line of the proposed proviso:

The MINISTER FOR EDUCATION: This deals with an amendment to allow book stalls to be kept open after the arrival of trains, and the Assembly desire that these stalls be permitted to be kept open for a certain time before and after the arrival of trains. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 60. Strike out all the words after "removed," in the sixth line of the third paragraph of the proposed new subclause (2) down to the end of the paragraph:

The MINISTER FOR EDUCATION: We inserted a proviso that mixed shops could trade until the later hour if they had their non-exempted goods partitioned off with a substantial partition to be kept locked. The Assembly consider that the inclusion of these words would compel shopkeepers to have practically two distinct shops. So long as communication is effectually barred, that is all the department asks. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 69. Add the following words:—"Provided that the hour for dinner may be allowed in two periods of half an hour each in restaurants, coffee palaces, and refreshment shops":

The MINISTER FOR EDUCATION: In these establishments it would be a matter of great inconvenience to employers and employees to insist on the refreshment hour being taken in one period. It has been the practice with the concurrence of both parties to take the hour in two periods of half an hour each. In all other shops the refreshment hour must be taken in one period. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 75. Add the word "or":

The CHAIRMAN: This was sent down to the Assembly in error. It was correctly noted in my book.

The MINISTER FOR EDUCATION: Then, the easiest way out is to agree to it. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 81. Strike out the word "fourteen," in lines four and ten of proposed new Subclause (4), and insert "thirty" in lieu thereof:

The MINISTER FOR EDUCATION: This relates to the period within which a motion may be tabled for disallowing a proclamation. It is not a matter of any importance. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 83. Insert the words "and the shop district which is comprised of the Kalgoolie, Boulder, Brown Hill-Ivanhoe, and Hannans electoral districts" after the second word "province" in line 4 of Subclause 2:

The CHAIRMAN: This is in the new clause to stand as Clause 100.

The MINISTER FOR EDUCATION: This is simply carrying out what we have done in amendment 45. I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 85. Strike out the word "of" in line 5 and the words "the employees" in line 8:

The CHAIRMAN: This is in the new clause to stand as Clause 52.

The MINISTER FOR EDUCATION: I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

No. 87. Strike out the words "and boarding houses":

The CHAIRMAN: This is an amendment to the Fourth Schedule.

The MINISTER FOR EDUCATION: I have no particular objection to the amendment if this Committee and the Committee of another place will agree to provide a definition of a boarding house. It is difficult to bring a boarding house within the scope of the Bill as being the place where goods are manufactured or prepared for sale to the public, or a place where goods are sold or offered for sale to the public. Apart from the technical reason I do not see why the employees of a boarding house should not have that protection afforded to them which is afforded to employees in other places. The definition I propose to submit to the Committee is that a boarding house shall include any place where meals are sold or are offered for sale to the public, or any place in which a certain number or more boarders and lodgers are in residence. This definition of course will have to come in its proper place. In the meantime I move—

That the modification made by the Assembly be agreed to.

Hon. J. DUFFELL: I am opposed to the Assembly's amendment, which seeks to define a boarding house as a shop. If it is a shop the persons employed in it must be shop assistants. Any person who desires a meal can demand one at a coffee palace or restaurant, but in the case of a boarding house, which is a home for the people who live there, the same thing does not apply. If this definition is adopted nothing can prevent trade unions from demanding, in the event of a stop work meeting being held, that the daughters of some widow who is keeping a small boarding house and who is earning her living in that way, shall be called out. The boarders will thus be deprived of their meals.

Hon. J. E. DODD: You are teaching them bad tactics.

Hon. J. DUFFELL: They are up to everything in that game already. To complete their capers they now want to call the employees in a boarding house, shop assistants.

Hon. E. H. HARRIS: You should have been a union secretary.

Hon. A. H. PANTON: God help the country!

Hon. J. DUFFELL: As soon as the opportunity occurs and people begin coming into the city in large numbers we are faced with the probability that there will be—

Hon. A. H. PANTON: An arbitration case for increased wages.

Hon. J. DUFFELL: Unless a settlement is effected very shortly there will be no food for Christmas. It is a scandal that unions should want to classify any persons, who are working in a boarding house, as shop assistants. I have seen a letter from a trade unionist—

The CHAIRMAN: We are not discussing that question.

Hon. J. DUFFELL: It would hurt them if I could go on. I trust that boarding houses will be exempted from the Bill.

Hon. A. H. PANTON: We do get some fun in this Chamber sometimes. Probably the approach of Christmas has caused the hon. member's imagination to run riot.

Hon. J. DUFFELL: It is the threats we receive from time to time that are the cause of that.

Hon. A. H. PANTON: I suggest that the leader of the House should define a boarding house as a place where labour is employed. To-day there was issued an award for hotel and restaurant employees in Kalgoolie and Boulder covering boarding houses. Where a person is employed for the benefit of the employee he or she is entitled to the same protection as is given in the case of other employees. The case suggested by Mr. Duffell would certainly not come within the scope of the definition of a boarding house. Mr. Duffell has been making himself ridiculous.

Hon. J. DUFFELL: Mr. Panton referred to "any boarding house where paid

labour is employed." But, according to the definition clause, the word "employed" means any labour engaged, whether engaged for pay or not.

The MINISTER FOR EDUCATION: The whole question depends on whether or not we can arrive at a satisfactory definition of "boarding house," in which case these words can remain in; otherwise they must come out. Therefore I move—

That the consideration of amendment No. 87 be postponed until after the consideration of amendment No. 10.

Amendment No. 10 is the first of the amendments which have been disagreed to.

Hon. A. SANDERSON: I hope the Committee will not carry the Minister's motion. The question of definition has nothing to do with this matter.

The CHAIRMAN: The hon. member cannot discuss that. The question is whether consideration of the amendment shall be postponed.

Hon. A. SANDERSON: To postpone the amendment will mean waste of time.

The Minister for Education: It will save time.

Motion put and passed; consideration of amendment No. 87 postponed.

No. 10. Clause 4.—Definition of "Shop assistant," paragraph (b), strike out "boarding house" in line 2:

The MINISTER FOR EDUCATION: I move—

That the amendment be not insisted on, subject to the insertion in Clause 4 of the following definition:—" 'Boarding house' means and includes any place in which meals are sold, or offered for sale, to the public, and any place in which ten or more boarders or lodgers, apart from the members of the family, are in residence."

Hon. J. CORNELL: I oppose the Minister's motion insofar as it refers to "ten or more boarders." A proper definition of boarding house, for the purposes of this Bill, would be "Any boarding house in which labour is employed." The question of the domestic servant does not arise here. Even one employee in a boarding house should come within the category of "shop assistant." Personally, I would grant a general exemption to big boarding houses, and place an embargo on the small ones.

Hon. A. SANDERSON: The comments of the last speaker support my contention that the postponement of the consideration of the last amendment would lead to waste of time. Legitimately, quite a long discussion could be held in this connection. I wish to warn the Committee against the advocacy of Mr. Cornell and Mr. Panton, and against the natural fatigue which must overcome hon. members generally. Mr. Panton's desire is to see domestic servants brought under the protection, if one likes to put it so, of the inspectors.

Hon. A. H. PANTON: I badly want that.

Hon. A. SANDERSON: This is a clever bit of work. The hon. member can point to coffee palaces as having been brought under the Bill. Then comes the specious argument—specious here—that in many respects the work in coffee palaces is similar to that in boarding houses. We are now trying to define a boarding house as against a private house. Next, we shall get the undoubted ability and industry of the skilled Arbitration Court advocates focussed on the question whether the private house in which people are employed, either for profit or not, cannot be brought within the scope of this legislation. Let us not admit the inspectors to the private house; and frequently a boarding house is a private house. If only for the sake of the protection of the private house, let us draw the line at the boarding house. Regarding the protection of people employed in private houses, I say now, as I have said previously, let them be referred to the Arbitration Court.

Hon. A. H. PANTON: Mr. Sanderson is consistent only in his inconsistency. He claims to have done what he could to allow the domestics to go to the Arbitration Court, and is now seeking to prevent those who most closely approach domestics from coming under the Bill. If the proposal before the Committee were agreed to, places which are now carried on as coffee palaces would be converted into boarding houses. Once a person employs labour in order to assist in running the house for profit, it ceases to be a private house.

Hon. J. DUFFELL: A person make take in a few boarders to help pay for her house, necessitating the employment of a domestic.

Hon. A. H. PANTON: Such a person would employ the domestic in order to secure profit from the boarders. In those circumstances, I do not see why these places should not come under the Bill. I would sooner see "boarding house" left out altogether rather than agree to this definition.

The MINISTER FOR EDUCATION: The first paragraph of the definition sets out that it means any place where meals are sold or offered for sale to the public. There need not be anyone in the house at all. Boarding houses are not included in any Factories or Shops Bill in any place that I know of, because they are not shops. Practically the whole of the amendments made by this House were agreed to in another place, and I am loth to force a controversy on this particular point. The object of the definition is to bring in the bigger boarding houses. If it is intended to include everyone who employs an assistant for wages in the circumstances indicated by Mr. Panton, I shall have to join hands with the opponents of the clause and insist on the amendment.

Hon. J. NICHOLSON: To insert "boarding house" within the definition is stretching it a bit. A shop, as we understand it, is primarily supported by the sale of goods. The Assembly ask us to adhere to the inclusion of a boarding house in the Bill. I think it is wrong. In view of what the leader of the

House has said to the effect that there is no other State in the Commonwealth where boarding houses are included under the definition of "shops" in legislation, I think we could well strike it out altogether.

Hon. A. H. Panton: In no other State are they excluded from the Arbitration Court.

Hon. J. NICHOLSON: That is another matter altogether.

Hon. A. H. Panton: That shows the necessity for their coming under the Bill.

Hon. J. NICHOLSON: It should not be sought to get them in through this Bill. The attempt should be made direct.

Hon. A. H. Panton: We had one attempt in this House, and we are not likely to forget it.

Hon. J. NICHOLSON: A large proportion of the people prefer the quiet family boarding house. If we accept Mr. Panton's suggestion, the effect would be disastrous where such people are concerned. If we are going to load up private boarding houses with these restrictions life will be made more burdensome than it really is.

Hon. A. H. Panton: But it will make the life of the domestic worth living.

Hon. J. NICHOLSON: There is a means of doing it, but it is not by way of dragging it in through the medium of a Factories and Shops Bill. If these encroachments are to be made, it will be better by far to strike out "boarding house."

Hon. T. MOORE: I am not one of those who believe that an inspector is a man who is always out looking for trouble. An inspector will only visit a place when he hears from someone in authority that there is something wrong in the establishment. Do we hamper an owner when we give him the right to work a girl over an extension of 12 hours a day? Hon. members do not want anyone at their beck and call for more than 12 hours a day, and for seven days a week.

Hon. J. CORNELL: I move an amendment—

That all the words after "public" be struck out with a view of inserting the following:—"and any lodging in which beds or rooms are offered or are hired by the public, but does not include any boarding or lodging house in which any person is employed or engaged for wages or for monetary reward."

The MINISTER FOR EDUCATION: Hon. members are trying to get something into the Bill which does not exist anywhere else, and unless they are prepared to accept the definition of boarding house which will confine it to a large boarding house, I shall have to insist upon our amendment to have "boarding house" struck out altogether.

Hon. J. CORNELL: The worst employer is the little man who has worked his way up and is able to employ one person. It is the small boarding house that I want to get at. Personally, I do not care whether or not the Bill is lost. I do not want to see any sacrifices made.

Amendment put and a division taken with the following result—

Ayes	..	..	..	9
Noes	..	..	..	13

Majority against .. 3

AYES.

Hon. F. A. Baglin	Hon. E. H. Harris
Hon. J. Cornell	Hon. J. W. Hickey
Hon. J. Cunningham	Hon. A. H. Panton
Hon. J. E. Dodd	Hon. T. Moore
Hon. J. A. Greig	(Teller.)

NOES.

Hon. E. M. Clarke	Hon. J. Nicholson
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamerley	Hon. H. Stewart
Hon. A. Lovelka	Hon. Sir E. H. Wittenoom
Hon. B. J. Lynn	Hon. A. Sanderson
Hon. C. McKenzie	(Teller.)

Amendment thus negatived.

The CHAIRMAN: The motion now is that the Council's amendment No. 10 be not insisted upon, conditionally on the definition of boarding house being inserted in the clause.

Hon. A. SANDERSON: I am in disagreement with the Minister as to the definition. But I want to be quite clear as to the procedure. I want to know if we are to have an opportunity to say on a division that the Council insists on striking out "boarding house."

The Minister for Education: If you reject my motion you arrive at that decision.

Hon. A. SANDERSON: Well, let us vote on the motion moved by the Minister. Those who wish to insist on boarding houses being struck out will oppose the motion.

Hon. Sir E. H. WITTENOOM: I will support the amendment, because I do not think we can throw out boarding houses altogether. Half the world is carried on by compromise. If we can get this amendment we shall effect a satisfactory compromise.

Hon. J. Cornell: If the Minister's motion be carried the amendment will not be insisted upon, provided the Assembly agree to our modification, to our definition of "boarding house."

The CHAIRMAN: The motion is that Council's amendment No. 10 be not insisted upon, subject to the modification comprising the definition of "boarding house."

Motion put and a division taken with the following result—

Ayes	..	..	..	13
Noes	..	..	..	8

Majority for .. 5

AYES.

Hon. F. A. Baglin	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. T. Moore
Hon. J. Cornell	Hon. A. H. Panton
Hon. J. E. Dodd	Hon. H. Stewart
Hon. J. Duffell	Hon. Sir E. H. Wittenoom
Hon. E. H. Harris	Hon. R. J. Lynn
Hon. A. Lovelka	(Teller.)

NOES.	
Hon. E. M. Clarke	Hon. E. Rose
Hon. J. Cunningham	Hon. A. Sanderson
Hon. V. Hamerley	Hon. A. J. H. Saw
Hon. J. Nicholson	Hon. J. W. Hickey (Teller.)

Question thus passed; Council's amendment No. 10 not insisted upon.

Postponed amendment No. 87. Fourth Schedule—Strike out "premises of a registered club" and "boarding houses":

The MINISTER FOR EDUCATION: In conformity with the decision arrived at on the last division I move—

That the Assembly's modification of amendment No. 87 be agreed to.

That will mean that "boarding houses" will go into the second portion of the Fourth Schedule.

Question put and passed; the Assembly's modification agreed to.

No. 19. Clause 20, Subclause 2—Strike out "limit of time" and insert "state a reasonable time within which it is possible for":

The MINISTER FOR EDUCATION: This is rather an unfortunate business. The amendment which this House moved never had a fair run in another place. This House moved to strike out the words "to limit the time within which" and insert the words, "state a reasonable time in which it is possible for." For some reason or other our amendment went to another place proposing to strike out "limit the time." Those words are not there, and even if they were there they are only portion of what we intended to strike out. Consequently the Assembly was unable to consider the amendment. Personally, I do not think the amendment we desired is of any great importance, for it means practically the same as the clause. It is scarcely worth bothering about. For that reason I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

No. 44. Clause 100, Part 4—After Subclause (4), add the following proviso:—"Provided that, excepting in the metropolitan shop district, shops may remain open until 9 o'clock on one evening in each week unless and until the abolition of such shopping night is determined upon by a poll of electors as hereinafter provided":

The MINISTER FOR EDUCATION: The idea is that the new Clause 100, which has been agreed to, covers the same ground, this proviso being already provided for in that clause. I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

No. 77. Clause 147, strike out "any penalty not exceeding five pounds," and insert "a lesser penalty than that prescribed by Section 140":

The MINISTER FOR EDUCATION: This amendment ought, I think, to have been agreed to, but I do not see that we can press it. I doubt, indeed, whether the amendment had any right to be inserted, since it means an increase of penalty. Our idea was to impose penalties exceeding £5 for second and third offences. I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

No. 4a. Clause 4, definition of "Factory," paragraph (a), strike out all the words after "prison":

The MINISTER FOR EDUCATION: This amendment does not make the least bit of difference. I think it was a mistake in drafting to leave in the words referred to; and I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

Resolutions reported, and the report adopted.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

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

BILL—WHEAT MARKETING.

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

BILL—MEEKATHARRA-HORSESHOE RAILWAY.

Assembly's Message.

Message from the Assembly notifying that it agreed to Nos. 3, 4, and 5 of the amendments made by the Council, but disagreed to Nos. 1, 2, and 6, and giving reasons, now considered.

In Committee.

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

No. 1. Insert a new paragraph in Clause 8, to stand as (e), as follows:—"Such stipulations and provisions as the Minister for Lands may require":

The MINISTER FOR EDUCATION: Clause 8 sets out the conditions of the lease. When this amendment was moved, I pointed out that the words "inter alia" quite covered the position. Clause 8 states certain things which the agreement must include,

and it can include anything else that the Minister likes to put in. For that reason the Assembly has disagreed to our amendment, and, I think, quite properly. I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

No. 2. Clause 11, Subclause 1, paragraph (a), strike out "work is commenced" and insert "passing of this Act":

The MINISTER FOR EDUCATION: The object of the amendment was to limit the time within which the construction should be completed. The Bill says three years after work has commenced; we altered that to three years after the passing of the measure. The reason given by the Assembly for disagreeing to our amendment is that in present circumstances, having regard to the difficulty of obtaining rails and things of that kind, the limit of time which we propose would be too short. I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

No. 6. Insert a new clause to stand as Clause 13, as follows:—"Deposit to be made by owner. A deposit of £5,000 shall be paid to the Colonial Treasurer by the company before any land is set apart or survey made, as provided for in Sections 4 and 6 respectively":

The MINISTER FOR EDUCATION: The Assembly's reason for disagreeing to our amendment is that we have already carried an amendment, to which the Assembly has agreed, providing that before the Minister for Works can be called upon to do anything, carry out any survey or acquire any land, the company must put up a deposit sufficient to cover him as regards the whole of the expenditure. The Assembly takes the view, which I think is quite right, that there is no need for two deposits. I move—

That the amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

Resolutions reported, and the report adopted.

BILL—INDUSTRIAL ARBITRATION ACT.

Assembly's Message.

Message received from the Assembly notifying that it had agreed to the amendment made by the Council.

In Committee.

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

Title—agreed to.

Bill reported, and the report adopted.

Bill read a third time and passed.

BILL—LAND ACT AMENDMENT.

Report of Committee.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [5.2]: An amendment was made to this Bill last night at the instance of Mr. Miles. Some doubt was expressed as to whether it would have the desired effect, namely whether it would have immediate effect, in spite of the fact that there was to be no reappraisal for 15 years, from the date of the construction of the railway. I have brought the matter under the notice of the Solicitor General. He says that as the amendment is subsequent to the clause relating to the 15 years, effect would have to be given to it immediately after the construction of the railway. I take it this will be satisfactory to those who approved of the amendment. I move—

That the report of the Committee be adopted.

Hon. H. STEWART (South-East) [5.3]: As I was one of those who raised the point in Committee, I have to say that so far as the assurance that has been given to us goes, it is satisfactory, but I would point out that we have had several other assurances of the Solicitor General that have not proved satisfactory. I hope that in actual practice this will turn out to be all right.

The Minister for Education: It is not an assurance I am giving, but the opinion of the Solicitor General.

The PRESIDENT: The hon. member cannot go on debating this question. We are not in Committee, and the debate was closed by the reply of the Minister for Education.

Question put and passed; the report of the Committee adopted.

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

BILL—MINING ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. Sir E. H. WITTENOOM (North) [5.5]: This is a very important Bill. Although I imagine that not many hon. members have read it, I have given careful attention to it myself, and gone through it very carefully. There seems to be a disposition to regard it from two different points of view. A certain section of the House seems inclined to go on with that portion of the Bill connected with oil, and another section to go on with that part connected with tributing, and vice versa. I am of opinion that the oil part of the Bill is the more important. I take the same view about oil that I do about goldfields. We cannot offer too high a reward to people to go out and endeavour to discover fresh goldfields. We all know that nothing tends so much to the development of a country as a good goldfield. If we could induce prospectors by a promised

reward of £50,000 or £60,000 to discover a good goldfield in a well defined position, it would be highly advantageous to Western Australia. My remarks apply equally to oil. Every encouragement that can be given to prospect for oil should be given. This Bill embraces such a large number of provisions and is so far reaching in its effect that so close to the end of the session I do not think we are justified in going into it now. If we did so it would not receive that consideration it deserves, firstly because the time is too limited, and secondly because members have not had the time to give sufficient consideration to it.

Hon. H. Stewart: It has been on the Notice Paper for a fortnight.

Hon. Sir E. H. WITTENOOM: Many other Bills have also been there for a fortnight, but have not to any greater extent claimed the attention of hon. members. In the circumstances I intend to give the House an opportunity of expressing an opinion as to whether we should go on with the Bill, for I am of opinion that we are not justified in doing so at this late stage of the session. I move an amendment—

That "now" be struck out with the view of inserting "this day six months."

Amendment put and a division taken with the following result—

Ayes	..	..	..	..	2
Noes	..	..	..	..	19

Majority against .. 17

AYES.

Hon. Sir E. H. Wittenoom | Hon. A. Sanderson
(Teller.)

NOES.

Hon. F. A. Baglin	Hon. J. W. Hickey
Hon. E. M. Clarke	Hon. A. Lovelock
Hon. H. P. Colebatch	Hon. B. J. Lynn
Hon. J. Cornell	Hon. T. Moore
Hon. J. Cunningham	Hon. A. E. Panton
Hon. J. E. Dodd	Hon. E. Rose
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. H. Stewart
Hon. V. Hamersley	Hon. C. McKenzie
Hon. E. H. Harris	(Teller.)

Amendment thus negatived

Question put and passed

Bill read a second time.

In Committee.

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

Clauses 1, 2—agreed to.

Clause 3—Reservation in Crown grants:

The MINISTER FOR EDUCATION: It is only fair that on this clause I should say that this is the right time for the Committee to determine whether it proposes to deal with Part II. of the Bill or not. Some hon. members have indicated a number of amendments they wish to propose to this portion

of the Bill. I leave it entirely to the Committee to determine whether to deal with this or not.

Hon. H. Stewart. I hope the other clauses of the Bill will be considered.

Hon. V. HAMERSLEY: It is necessary that some better title should be provided for people who desire to prospect for oil, and in consequence require prospecting areas. It would be wrong to pass an amending Mining Bill without having some provision for oil discoveries. If there is no time to deal with it now, when can such a measure be considered by the House?

Hon. J. Nicholson: Next session.

Hon. A. SANDERSON: This is the proper time to disclose one's attitude. Members showed by their decision in the latest division, despite the warning of the most experienced member of the House, who was at one time Minister for Mines, that they intend to proceed with the Bill. I can hardly believe that in the last few minutes of the session this Chamber will decide the future of the oil business in Western Australia. We are all aware of the importance of an oil discovery, and we are asked to decide such important matters as those contained in the Bill without any information before us. Without such information, we are asked to pass legislation in order to induce people to come to Western Australia to search for oil. We desire to have the most expert advice possible in order to guide us. A statement was made recently that a firm was willing to spend a quarter of a million provided they secured a concession.

Hon. V. Hamersley: They were willing to spend that if they got the whole State as a concession.

Hon. A. SANDERSON: If that means that the concession would enable them to look for oil, it might be considered. It is no mere scramble for oil in Western Australia only. It is a matter of the greatest importance to the Commonwealth and to the Imperial Government.

Hon. Sir E. H. WITTENOOM: If I had no justification for the action I took in dividing the House on the Bill, I have it now in the statements by the leader of the House, who says he is prepared to abandon 22 out of the 38 clauses in the Bill. In the circumstance I was fairly justified in asking whether the House was inclined to go on with the Bill or not. It is too late to go into such an important question and therefore I do not propose to take any further part in the discussion on this Bill.

Hon. H. Stewart: We want this clause agreed to, whatever happens to the rest.

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

Ayes	..	..	..	11
Noes	..	..	..	8

Majority for .. 3

AYES.

Hon. F. A. Baglin
Hon. H. P. Colebatch
Hon. J. Cunningham
Hon. J. E. Dodd
Hon. V. Hamersley
Hon. E. H. Harris

Hon. J. W. Hickey
Hon. C. McKenzie
Hon. T. Moore
Hon. A. H. Pantton
Hon. H. Stewart
(Teller.)

NOES.

Hon. E. M. Clarke
Hon. J. Duffell
Hon. R. J. Lynn
Hon. J. Nicholson

Hon. E. Rose
Hon. A. Sanderson
Hon. A. J. H. Saw
Hon. A. Lovekin
(Teller.)

Clause thus passed.

The MINISTER FOR EDUCATION: Judging by an interjection made prior to the division, I gathered that even if we do not proceed further with the oil clauses, it is desired that the first clause of Part II. shall remain in the Bill. In order that members may discuss the position as to what is to be done with the remainder of the Bill, I suggest that consideration should be suspended until after the conference.

Progress reported.

BILL—LAND TAX AND INCOME TAX.

Conference Agreement.

Message received from the Assembly intimating that it had agreed to a free conference respecting the Land Tax and Income Tax Bill and that the Assembly would be represented at such conference by Hon. J. Mitchell, Hon. T. P. Draper, and Hon. P. Collier as managers, to meet at 5.30 p.m. in the Speaker's room.

The PRESIDENT: Immediately before 5.30 p.m., I shall leave the Chair and suspend the sitting until such time as the conference has taken place.

Sitting suspended from 5.25 to 7.30 p.m.

BILL—LAND TAX AND INCOME TAX.

Report of Conference Managers.

The MINISTER FOR EDUCATION: I have to report that the managers met the managers appointed by the Assembly and agreed that for the purpose of assessing income tax it is desirable to allow deductions for payments made to certain charitable or public purposes. As the necessary amendment cannot be made in the Assembly in the Land Tax and Income Tax Bill, a separate Bill will be introduced for this purpose. I move—

That the report of the conference managers be adopted.

Question put and passed.

BILL—MINING ACT AMENDMENT.

In Committee.

Resumed from an earlier hour. Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 4—Power to obtain mineral oil:

The MINISTER FOR EDUCATION: The Committee decided on the adoption of Clause 3, which is a necessary and important clause, whether we are considering the oil provisions or not. So long as members understand that Clause 4 involves the consideration of the whole of the oil clauses, I intend to support the clause as it stands.

Hon. J. NICHOLSON: It would be wiser to allow these clauses dealing with oil to stand over until the members of another place, and of the Government, can further consider the wisdom of introducing a separate Bill dealing with oil. We cannot at this late hour of the session give to these clauses the consideration they require. I hope the clause will not be passed.

Clause put and passed.

Clauses 5, 6—agreed to.

Clause 7—Operation by licensee:

Hon. H. STEWART: I move an amendment—

That all words after "license" in line 7 of Subclause 4 be struck out and the following inserted in lieu:—"To such an extent as may be necessary to guard against loss or waste of mineral oil."

The intention is to prevent loss of oil. The clause as it stands gives the Minister so much power that those likely to seek for oil feel that their interests will be prejudiced.

Amendment put and passed.

Hon. H. STEWART: I move an amendment—

That after "adjacent" in line 7 of Subclause 5 "Crown" be inserted.

As it stands, the provision is not fair. Under the amendment the Minister will be able to grant further Crown lands to the prospector who gets an indication. It is not fair that any encroachment should be made on a prospecting area.

The MINISTER FOR EDUCATION: I do not feel competent to express an opinion as to the wisdom of the amendment, but I can assure the hon. member that it will not achieve his desire. The lands held as prospecting areas will be Crown lands so that the insertion of the word "Crown" will be quite meaningless. If the hon. member wishes to prevent the taking away from one prospector of an area to give to another, he must start on line 4 of the subclause.

Hon. H. STEWART: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Hon. H. STEWART: I move an amendment—

That in line 4 the words "whether held under license as a prospecting area or not" be struck out.

Hon. J. CORNELL: We should stick to the Bill. It has had the consideration of the Mines Department officials of another

place. If oil is discovered, we can then legislate to give a fair deal to all concerned.

Amendment put and negatived; the clause as previously amended agreed to.

Clause 8—agreed to.

Clause 9—Power to reserve oil basin:

Hon. H. STEWART: I oppose the clause. On the discovery of indications by one party all other licensees in the area proclaimed would be shut out. It would be difficult for the Government geologist to delineate the extent of the oil field. According to papers laid on the Table in another place, the Government geologist on the 8th December advised against making such arrangements as would lead to giving extensive rights to one large corporation. He said the chance of finding petroleum in Western Australia seemed but slight and not good enough to recommend Government boring. Therefore we had to look to individual enterprise and we could not refuse to the adventurers their full reward if they were lucky enough to strike oil.

The MINISTER FOR EDUCATION: If the hon. member succeeds in striking out the clause, he will have to set up entirely new principles to take its place. This is the foundation of the whole Bill. The clause only deals with what is to happen on the discovery of oil. If oil is discovered the Government Geologist will define the basin, and the discoverer will then be given certain time in which to select the area to which he will be entitled.

Hon. A. SANDERSON: I am not prepared to waste time in discussing the question of voting against the clause. By an overwhelming majority it was decided that we should go on with the oil portion of the Bill.

Hon. H. STEWART: It is the system outlined in this clause that will discourage the prospecting for oil. Other clauses in the Bill adequately meet all the conditions required.

Clause put and passed.

Clause 10—On discovery of payable mineral oil the licensee may claim a reward lease:

Hon. V. HAMERSLEY: The area of 640 acres mentioned in this clause is not large enough to grant to the discoverer of oil. I have been told that not less than 100,000 acres should be given. It is quite possible that if a company discovers oil the actual basin in which it is contained may be located in another company's lease, and the other company would get the benefit of the money spent by the actual discoverers.

The MINISTER FOR EDUCATION: Of the two parties interested in this matter one says that 640 acres is ample, while the other insists that the area should be 100,000 acres. It was shown in another place that 640 acres is about the limit that is ever allowed as a reward claim. It is

usual for an oil basin to be confined within an area of a square mile.

Hon. G. J. G. W. MILES: Seeing that the State is protected in the matter of royalties a larger area than is provided here should be given by way of a reward claim. I move an amendment—

That in line 8 the words "six hundred and forty" be struck out and "ten thousand" inserted in lieu.

Hon. J. CORNELL: I oppose the amendment. In addition to 640 acres the discoverer of oil will also be entitled to a further 96 acres, whereas other people who want to take up an oil lease can only get 48 acres. To give the discoverer of oil 10,000 acres would be to create a monopoly, which we should endeavour to avoid. I would remind hon. members that the discoverer of oil in payable quantities and of commercial value would be rewarded by the Federal Government to the extent of £100,000. That in itself offers a big inducement for people to search for this valuable commodity. A departure from 640 acres to 10,000 acres is an enormously wide one. I again urge hon. members to adhere to the Bill.

Hon. G. J. G. W. MILES: I was not aware that the Commonwealth Government were offering a reward of £100,000. Still no obstacle should be thrown in the way of people seeking oil. Such people may spend £50,000 in prospecting without discovering anything.

Amendment put and negatived.

Clause put and passed.

Clauses 11, 12—agreed to.

Clause 13—Reservations and covenants in leases:

Hon. H. STEWART: This clause gives no definite basis for valuing oil; nor does it define where the gross value is to be estimated, whether at the well or at the refinery, which question involves an enormous difference in cost. Certainly, the clause as it stands will not encourage people to search for oil. I have here a minute from the State Mining Engineer pointing out the need for open competition in prospecting for oil, instead of restricting the search to one or two individuals. The State Mining Engineer recommends that every encouragement should be offered to adventurers. I have here also a newspaper article dealing with oil developments in the northern States of South America, in the course of which it is stated that if demands for royalty are not fixed definitely, so that foreign capital will know what it will have to pay when producing oil in large quantities, foreign capital will not embark in the industry. I move an amendment—

That in paragraph (b), after the word "royalty" there be inserted "not more than two and a half per cent."

Whether this amendment is carried or not, I intend to move, later, an amendment providing that the "gross value" shall be taken at the well.

The MINISTER FOR EDUCATION: Mr. Stewart has pointed out the uncertainty surrounding the whole position, but in spite of that uncertainty he proposes to put into the Bill details which the Bill itself proposes to leave to regulation. I do not know, and the hon. member does not know, whether in the circumstances $2\frac{1}{2}$ per cent. will be an adequate royalty. The regulations to be made under this measure will, like other regulations, be subject to review by Parliament. It is not possible for the Committee to arrive at what would be a fair royalty.

Hon. H. STEWART: I am contending for a definite basis of royalty. Intending prospectors at present do not know what they have to go on.

Hon. G. J. G. W. MILES: I support the amendment. A specific royalty should be stated, especially seeing how narrowly the Government have limited the area of the reward claim.

Hon. J. CORNELL: To fix the royalty is beyond the stretch of my imagination, at all events. The royalty should be fixed by the men who know all about the business. The fixing or the nonfixing of the royalty in this Bill will not either encourage or deter prospectors.

Hon. H. STEWART: I consider it essential that the people who are prepared to take the heavy risk of prospecting for oil in this State should be adequately encouraged. In Persia £200,000 was expended in prospecting before any oil was found. We should let intending prospectors know that they will not be penalised if they should happen to meet with success. If necessary, let even a higher rate of royalty than $2\frac{1}{2}$ per cent. be fixed, but let us fix a definite rate.

Hon. A. SANDERSON: The hon. member mounted the horse, and got on the course, and then the animal bolted with him. I suggest to him that he will have another opportunity on the third reading. Why waste his own time in trying to get these amendments adopted? The hon. member cannot possibly expect to have any of his amendments carried, in view of the condition of the House and the arguments he puts forward.

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

Ayes	..	..	..	..	5
Noes	..	..	..	..	11
Majority against					6

AYES.

Hon. J. A. Greig
Hon. G. W. Miles
Hon. A. Sanderson

Hon. H. Stewart
Hon. V. Hamersley
(Teller.)

NOES.

Hon. E. M. Clarke	{	Hon. J. Nicholson
Hon. H. P. Colebatch		Hon. A. H. Panton
Hon. J. Cunningham		Hon. E. Rose
Hon. E. H. Harries		Hon. A. J. H. Saw
Hon. J. W. Hickey		Hon. J. Cornell
Hon. T. Moore		(Teller.)

Amendment thus negatived.

Clause put and passed.

Clauses 14, 15—agreed to.

Clause 16—Lessee not to transfer in certain cases without consent:

Hon. H. STEWART: I move an amendment—

That in line 4 Commonwealth be struck out and the words "British Empire" inserted in lieu.

A British company is debarred from having a lease transferred under this clause.

Amendment put and negatived.

Clause put and passed.

Clauses 17 to 21—agreed to.

Clause 22—Right of pre-emption:

Hon. H. STEWART: It seems most unfortunate that the Committee will not consider the amendment of the clauses of the Bill in any way, no matter how inequitable the provisions may be. I do not anticipate for a moment that this amendment will be agreed to, although the clause does not make provision for existing contracts. I move an amendment—

That the following proviso be added to Subclause 1:—"Provided nevertheless that in the event of the Governor exercising such right of pre-emption after the lessee has entered into contracts for the sale of the oil produced by him, such contracts shall be carried out or compensation paid for their cancellation."

Amendment put and negatived.

Clause put and passed.

Clauses 23 to 25—agreed to.

Clause 26—Term and renewal of tribute agreements:

Hon. A. SANDERSON: Whatever we have done regarding oil and are to do regarding tributes, it must be agreed that the former is for the future and the latter for the past.

Hon. H. Stewart: No, not quite.

Hon. A. SANDERSON: Well, for the past and the present. If this portion of the Bill is agreed to without amendment, tributing will be a thing of the past.

Hon. A. H. Panton: What odds. The mining industry is supposed to be settled.

Hon. G. J. G. W. Miles: Only under present conditions.

Hon. A. SANDERSON: I move an amendment—

That in line 1 after "agreement" the words "made after the commencement of this Act" be inserted.

Whatever the law may be, we should not have retrospective provisions.

The MINISTER FOR EDUCATION: I do not think the hon. member has given careful consideration to the amendment. The clause states that no tribute agreement "shall" be made. What is the use of adding "after the commencement of the Act"? "Shall be made" can only have reference to a future transaction. Later on in the clause, where it deals with anything to be done in the future, the words "after the commencement of this Act" are already inserted. The amendment has no meaning.

Amendment put and negatived.

Hon. A. SANDERSON: I move an amendment—

That in line 3 of the first proviso "three" be struck out and "two" inserted in lieu.

The amendment will mean that no agreement shall be renewable as of right if the period thereof in the aggregate exceeds two years instead of three years, as in the clause at present.

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

Ayes	..	..	..	..	5
Noes	..	..	..	..	10

Majority against .. 5

AYES.

Hon. V. Hamersley	Hon. H. Stewart
Hon. A. Lovekin	Hon. E. Rose
Hon. A. Sanderson	(Teller.)

NOES.

Hon. E. M. Clarke	Hon. J. W. Hickey
Hon. H. P. Odebatch	Hon. G. W. Miles
Hon. J. Cornell	Hon. T. Moore
Hon. J. Cunningham	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. A. H. Panton
	(Teller.)

Amendment thus negatived.

Hon. A. LOVEKIN: I move an amendment—

That in line 3 of the second proviso "sitting with assessors" be struck out.

The amendment is really Mr. Kirwan's, and he says those words are not necessary, are not wanted by the people on the goldfields. Moreover, the amendment will serve to reduce expense.

Hon. A. SANDERSON: I support the amendment. This is an important provision. The employees, the tributers, are well represented here numerically and intelligently, but there is no direct representative of the employers here. Only to-day a mine-owner assured me that if the Bill goes through without the suggested amendments, there will be no more tributing.

Hon. A. H. PANTON: If the hon. member knew anything at all about tributing, he would realise that when a man takes a tribute, he ceases to be an employee and becomes a capitalist.

Hon. A. Lovekin: But why the two assessors?

Hon. A. H. PANTON: Almost daily in arbitration cases sitting to consider whether the employees shall get another sixpence per day, assessors are appointed to give expert advice to the arbitrator. Yet the amendment would allow a warden, who probably does not know a winze from a rise, to arbitrate without expert advice. It is essential that the best expert advice should be available to the warden when he is acting as arbitrator.

Hon. A. LOVEKIN: Under the Mining Act the warden has greater powers than the amendment proposes to give him. In any case the warden will decide the issue on the evidence before him. There is no need to have three people adjudicating.

Amendment put and negatived.

Clause put and passed.

Clause 27—Condition on which warden may register tribute agreement:

Hon. A. SANDERSON: I have in my hand a short but fully considered opinion by a representative of the mine-owners. It is here shown that paragraph (a) is faultily drawn and that the object which it sets out to attain is to provide that wages at the current rate in force in the district shall be payable to tributers and to workmen employed by them in working the tribute before any royalty is paid to the mine owner; in other words to constitute such wages a first charge on all gold won after payment only of the cost of treating the ore and realisation charges. The sub-paragraph therefore provides for their expenditure twice over.

Hon. J. Cornell: Who gave that opinion?

Hon. A. SANDERSON: It was given to me by a competent authority. It would not be quite proper for me to indicate the name, but it may be taken as the opinion of the mine-owners on the point. It seems to me the tributer is to have all the advantages of the employee and the disadvantages of the employer. I move an amendment—

That paragraph (a) be struck out and the following inserted in lieu: "That no royalty shall be payable to a lessee on gold won from any mine let on tribute, unless the tributers engaged in the actual working of the ground let on tribute, and all wages men employed by them in such working have received out of the proceeds of such gold after deduction of treatment and realisation charges a sum per man equal to the ruling rate of wages in force in the district for the hours of labour actually spent by each such tributer or wages men working the ground let on tribute."

The MINISTER FOR EDUCATION: I referred this matter with the argument adduced by Mr. Sanderson to the State Mining Engineer, who admits that as the paragraph reads it might be taken to mean that the cost of mining, so far as it is borne by the tributers shall be paid twice over. He suggests a simpler way of avoiding that mis-

understand by inserting in parentheses after "mining" the words "but not inclusive of payment for the labour of the tributers themselves."

Hon. J. CUNNINGHAM: That will destroy the whole paragraph!

The MINISTER FOR EDUCATION: No, he is to get his wages after deducting the cost of mining, but when making the deductions, he must not deduct his wages. He must not allow for wages twice over.

Hon. A. SANDERSON: On my own authority and with considerable hesitation I accept the Minister's proposal, but it is an indication that the matter is open to doubt. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

The MINISTER FOR EDUCATION: I move an amendment—

That after "mining" in line 8 of paragraph (a) the following words be inserted: "(but not inclusive of the wages of the tributers themselves)."

(One reason why the State Mining Engineer recommended this instead of Mr. Sanderson's proposal, was that any items of mining charges, apart from wages, would have to be excluded.)

Hon. J. NICHOLSON: This clause is really opposed to the terms of the contract undertaken by tributers. These men are not employees in the ordinary sense; the position of a tributer is that of a contractor.

Hon. H. STEWART: A speculative contractor.

Hon. J. NICHOLSON: That is so. This paragraph is subversive of the whole principle of contracts between two parties who themselves are principals.

The Minister for Education: Are you speaking to the amendment? I think you are speaking on the clause as a whole.

Hon. J. NICHOLSON: I shall oppose both. Neither will meet the position which we should endeavour to maintain.

Hon. A. LOVEKIN: I would not be divulging confidence if I went so far as to say that the opinions quoted by Mr. Sanderson are the considered views of an eminent lawyer who has had considerable experience on the goldfields.

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

Clause 28—Power of warden to revise the conditions of tribute agreements:

Hon. A. SANDERSON: The comment on this is that if the warden does not approve of the conditions of the tribute agreement already registered, he may be given authority to cancel such registration. This is going very far, but to go further and impose conditions on the mine owner without giving him the right to work the ground himself is going beyond all precedent, since it practically gives power to confiscate the property of the mine owner.

That view is clear whether one agrees with it or not. I move an amendment—

That all the words after "agreement" in line 4 of Subclause 2 be struck out and the following inserted—"and to order that unless the lessee agrees to the tribute agreement as registered being so revised, amended or adjusted, registration of same shall be cancelled."

The MINISTER FOR EDUCATION: I have a minute which points out that the discretion of the warden is the ruling factor. If the suggested amendment is carried the mine owner will be given an opportunity to obtain a review when a good development occurs and then decline to carry out the order of the review, and thus obtain a cancellation of the agreement. This would be prejudicial and unfair to the tributer.

Hon. J. CORNELL: And it would only occur if the tributer got a good find.

Amendment put and negatived.

Clause put and passed.

Clause 29—Payment for development work:

Hon. A. SANDERSON: There is a comment on this clause to the effect that the carrying out of certain development work by the tributer must necessarily form part of the consideration for the letting to him of the ground on tribute. Why then give any person authority to compel the lessee to pay a proportionate part? What is it to be a proportion of? The real objection is that where parties have agreed to do something at their sole cost, any outside party should be given power to cancel this agreement. The tributing business has been going on for years with more or less satisfaction and if we are to have a complete revision of it, is this the time and are we in a fit condition to do it?

Clause put and passed.

Clause 30—agreed to.

Clause 31—Disputes as to ground held or product won:

Hon. A. SANDERSON: The decision of the warden is to be final and conclusive and without appeal. This section will oust the Supreme Court of any jurisdiction to deal with matters which may, in certain cases, involve serious questions of law and many thousands of pounds worth of property. The clause should be divided into two subclauses; the first dealing with any dispute as to the ground held on tribute, which could be left to the decision of the warden, and the second dealing with disputes arising from a tribute agreement. Subclause 1 should be the present clause with the words "or as to the product of gold won from such ground" and the new subclause should read "any dispute arising out of the working of the tribute agreement other than that provided for in Sub-

section 1 hereof, or in Section 30, may be heard and determined in the warden's court on the plaint of either party to the said agreement, subject to the rules and regulations made under the principal Act for the hearing and determining of disputes in the warden's court." I hope the Minister has been able to meet the wishes of the mine owners in this matter.

Hon. H. STEWART: It is disappointing to find all these valuable suggestions passed over without consideration. I am surprised at the way this Bill is being dealt with.

Hon. J. CORNELL: When two parties have a dispute, they go to the warden to arbitrate for them. What is the use of an arbitrator if the parties can appeal against his decision? In many cases the decision in the warden's court is final and there is no appeal. I do not know what hardship will be involved under this clause.

Hon. A. SANDERSON: Is this not a vital departure from the existing procedure?

Hon. J. CORNELL: There is no procedure.

Hon. A. SANDERSON: Then the parties fall back on the courts of law. Is there not some change in the procedure?

The MINISTER FOR EDUCATION: The Mining Act, Section 266, provides—

There shall be no appeal (1) in any case where at or before the hearing the parties by a memorandum in writing lodged in the warden's office agree that the decision of the court shall be final; (2) from any judgment or order of the warden's court where the value of the subject matter or interest in dispute shall not exceed £200, except by leave of the Supreme Court or a judge; (3) from any decision, order or recommendation of the warden upon any application for a mining tenement, the forfeiture thereof or exemption from labour or other conditions.

This particular paragraph is equivalent to forfeiture. In the existing Act there is no appeal against the decision of the warden in a case of forfeiture. I see very little difference between the two principles. If it is right there should be no appeal against the warden in the case of forfeiture, I see no strong ground for an appeal in the case of the cancellation of a tribute because of a breach of the conditions.

Hon. A. SANDERSON: In the one case it is a question of fact and in the other a question of law, which should be argued before a higher legal authority than the warden. I am afraid we are filling up the cup for the abolition of this Chamber. We are sent here to protect the interests of the people, but in this particular instance I think we should protect the interests of the employer. It is wrong to refuse the

mine owner permission, on a question of law, to appeal to the only place where he can get any real satisfaction, namely, a court of law.

Hon. J. CORNELL: Does not the clause ent both ways?

Hon. A. SANDERSON: If the hon. member means that the tributer cannot appeal either, he is right. How are we to restore confidence in this country if time after time we sling away the existing rights of the employing class?

Hon. H. STEWART: On the question of tributing we must bear in mind that we are dealing with two parties. Under existing conditions both parties have the right to test their cases in a court of law. The present law makes the warden's decision final in three cases: firstly, where the two parties, prior to the hearing, agree to the warden's decision being final; secondly, where the amount involved is not more than £200; thirdly, where the question is one of tenure. When the Minister cited Section 266 of the principal Act he did not improve his case.

Clause put and passed.

Clause 32—Cancellation of tribute for breach:

Hon. A. SANDERSON: Here again the warden's decision is to be final, and on even more important questions.

Clause put and passed.

Clauses 33, 34—agreed to.

Clause 35—Definition of "tribute agreement":

Hon. A. SANDERSON: This is not a technical matter, and the clause represents retrospective legislation, which at all times is objectionable. It is doubly objectionable in the case of tributing agreements, which must in any case expire in the course of a few months.

The MINISTER FOR EDUCATION: The opinion of the State Mining Engineer is that the retention of the words which the hon. member, according to the amendment he has on the Notice Paper, desires to strike out, is immaterial, for the reason that the review of tribute agreements is confined to agreements made after the passing of this measure.

Hon. A. SANDERSON: I move an amendment—

That the words "and includes any tribute agreement current at the commencement of this Act, may pursuant to the regulations under the principal Act" be struck out.

Hon. J. NICHOLSON: If the leader of the House will agree to this amendment, I shall not say another word.

The MINISTER FOR EDUCATION: I am quite prepared to accept the amendment.

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

Ayes	8
Noes	7

Majority for .. 1

AYES.

Hon. E. M. Clarke
Hon. H. P. Colebatch
Hon. J. Duffell
Hon. V. Hamersley

Hon. A. Lovekin
Hon. E. Rose
Hon. A. Sanderson
Hon. H. Stewart
(Teller).

NOES.

Hon. F. A. Baglin
Hon. J. Cornell
Hon. J. Cunningham
Hon. J. W. Hickey

Hon. T. Moore
Hon. A. H. Panton
Hon. E. H. Harris
(Teller).

Amendment thus passed; the clause, as amended, agreed to.

Clause 36—Assessors:

Hon. A. SANDERSON: The comment furnished to me on this clause is that it should be struck out, since the assessors would sit as prejudiced parties if they were mere nominees of the litigants. Their position would be the same as that of the employers' representative and the employees' representative in the Arbitration Court. No doubt the assessors would have to be paid. The sitting of assessors with the warden should take place only when the warden wishes it, and then the functions of the assessors should be purely consultative. The decision to be pronounced should be the decision of the warden alone, and the assessors should have no right to deliver dissenting or other judgments in the matter. I take it that the proper method of dealing with assessors is this: Sometimes it might be advisable to have sitting with the warden a technical adviser to assist him in the interpretation, possibly, of even a particular word—say, a mining word. It would be no reflection on the warden if he did not understand a particular mining term. I hope the entire clause will be deleted.

Hon. H. STEWART: This deals with agreements between two sections of employers and they comprise a large number of individuals, many of whom may have individual agreements. Who will appoint the assessors? There is no provision making that clear.

Hon. A. H. Panton: Do you suggest that the Chamber of Mines should appoint both of them?

Hon. H. STEWART: I have made no suggestion at all. This provision was not in the original Bill.

Clause put and passed.

Clauses 37, 38—agreed to.

Title—agreed to.

Bill reported with amendments, and the report adopted.

The MINISTER FOR EDUCATION: I move—

That the Bill be now read a third time.

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

Ayes	13
Noes	4

Majority for .. 9

AYES.

Hon. F. A. Baglin
Hon. E. M. Clarke
Hon. H. P. Colebatch
Hon. J. Cornell
Hon. J. Cunningham
Hon. J. Duffell
Hon. J. Ewing

Hon. E. H. Harris
Hon. J. W. Hickey
Hon. T. Moore
Hon. E. Rose
Hon. A. J. H. Saw
Hon. A. H. Panton
(Teller).

NOES.

Hon. A. Lovekin
Hon. J. Nicholson

Hon. H. Stewart
Hon. V. Hamersley
(Teller).

Question thus passed.

Bill read a third time and passed.

BILL—FACTORIES AND SHOPS.

Assembly's further Message.

Message received from the Assembly notifying that it had agreed to the modification made by the Council to amendment No. 10.

BILL—CHARITABLE PURPOSES INCOME DEDUCTION.

All Stages.

Received from Assembly and read a first time.

Second Reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [9.55]: This Bill carries out the agreement arrived at by the conference of managers, and provides in a separate Act the exact wording of the provision this House desired to include in the Land Tax and Income Tax Bill. As the principle has already been accepted by the House and has been made in the Dividend Duties Bill, it is unnecessary for me to say anything further. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and passed.

BILL—LAND TAX AND INCOME TAX.

Assembly's Message.

The further message from the Assembly requesting the Council to reconsider its message in regard to the Assembly's refusal to make the Council's requested amendment now considered.

In Committee.

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

The MINISTER FOR EDUCATION: Having secured in another Bill what the Chamber desired, I move—

That the requested amendment be not further pressed.

Question put and passed.

Title—agreed to.

Resolution reported and the report adopted.

Bill read a third time and passed.

BILL—DENTISTS ACT AMENDMENT.

In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3—Qualification for registration:

Hon. A. J. H. SAW: I move an amendment—

That after "diploma" in line 1 of paragraph (b), "in dentistry" be inserted.

Whoever drafted the clause was evidently under the impression that this diploma concerned dentists. As a matter of fact it does not, but concerns surgeons.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That after "dentistry" in line 6 of paragraph (b) all words be struck out and the following inserted in lieu: "or the diploma of the Dental Board or other dental registration authority of any Australian State."

The clause as it stands refuses admission to men who have gained diplomas in Victoria prior to the dental authorities who awarded those diplomas becoming affiliated with the University of Melbourne. I know a dentist who has been practising in Melbourne for 16 years and who desires to practice in Western Australia, but is unable to do so under the existing law, merely because the dental authority from whom he obtained his diploma was not associated with the University when the diploma was issued.

Hon. J. DUFFELL: You are opening a very wide door now.

Hon. J. NICHOLSON: I do not think so. In 1899 there were 52 practising dentists in Western Australia. Since then the population has increased by 140,000, yet to-day we have only 53 practising dentists.

The MINISTER FOR EDUCATION: I hope the Committee will not agree to the amendment. It is a dangerous practice to amend an Act of Parliament to meet the case of one man. No reciprocity in dentistry has been established between the States, and I take it the Committee is not prepared to do

something in this Bill which has not been attempted before.

Amendment put and negatived.

Clause put and passed.

Clause 4—Registration of practitioner, subject to examination:

Hon. J. NICHOLSON: I move an amendment—

That after "Western Australia" in line 3 of paragraph (a), "or in any of the States of the Commonwealth" be inserted.

I cannot see any difference between dentistry as practised here and dentistry in the other States.

Hon. J. DUFFELL: Do you admit barristers or solicitors here under those conditions?

Hon. J. NICHOLSON: That is a totally different thing. The legal profession is not hedged about by the walls with which the hon. member would hedge about the profession of dentistry. The legal profession has reciprocity, and it is about time dentists had it also.

The MINISTER FOR EDUCATION: I cannot agree to the amendment. It seems that the hon. member, having failed to get his friend in through the front door, now wants to get him in through the back window.

Hon. J. DUFFELL: Or down the chimney.

The MINISTER FOR EDUCATION: This clause is intended to provide a means by which persons in Western Australia, who have not secured diplomas and have not served articles of apprenticeship and passed examinations, may secure registration. It would be entirely foreign to the principle of the measure to go outside the State and apply the same privilege to persons there.

Hon. H. STEWART: I support the amendment. The Minister told us that we wanted more dentists. This would tend to increase the number. There can be no objection to widening the clause as suggested.

Hon. J. CORNELL: I support the amendment because I am a big Australian. Surely we can regard this from the broad point of view and give other Australian citizens a similar opportunity.

Hon. V. HAMERSLEY: And make this place a dumping ground.

Hon. J. CORNELL: That was the argument used during the early days of the goldfields. We want more dentists, and good dentists, and we want to bring dentistry within the reach of the poorest. To-day it is the privilege of the rich.

Hon. J. DUFFELL: You can get a tooth extracted painlessly for 1s.

Hon. J. CORNELL: So they say; try it.

Hon. J. NICHOLSON: I think the Minister overlooked the necessity for these persons to pass an examination. This is not an attempt to get anyone in through the back door. Anyone who could comply with the provisions of Clause 4 would be qualified. He must have served six years in operative and prosthetic dentistry.

Hon. A. J. H. Saw: In what capacity?

Hon. J. NICHOLSON: The hon. member can stipulate as an assistant or manager. The person has to bring proof to the satisfaction of the board. We should not be parochial. Is the practice of dentistry in the Eastern States of a lower order than it is here? The amendment will tend to raise, rather than lower, the standard of dentistry.

Hon. A. J. H. SAW: Mr. Nicholson has proved that he knows nothing whatever about the matter. This clause is intended to allow certain people who have been working in the profession and who were not indentured to be registered, provided they pass a certain examination. The class of person to whom Mr. Nicholson referred is not a registered dentist. The registered dentist can come here without being affected by this clause. The clause relaxes the standard and it is proposed to make this relaxation applicable only to Western Australia. I am opposed to the relaxation of standards, but in view of certain facts these persons in Western Australia who are working in this capacity might be permitted to become registered.

Amendment put and negatived.

Hon. A. J. H. SAW: I move an amendment—

That in the last paragraph all the words after "mouth," be struck out and the following inserted in lieu:—"and who has, within three years after he has applied for registration as aforesaid, passed an examination to the satisfaction of the board in practical dentistry in accordance with the schedule."

This is very similar to paragraph (c).

The Minister for Education: Add it at the end of the clause.

Hon. A. J. H. SAW: No; the clause as it stands would limit the privilege to people who were employers or co-partners.

Hon. Sir E. H. WITTENOOM: That is where the safety lies.

Hon. A. J. H. SAW: I do not think so. If the person has been a dental surgery assistant and performed dental operations in the mouth, he might be registered. It would be as safe to register such a person as one who had been a co-partner or employer.

Hon. Sir E. H. WITTENOOM: There is no objection to liberalising it to that extent but we do not want your absurd amendment.

Hon. A. J. H. SAW: I see no absurdity about it. The clause restricts registration to employers and co-partners, and admits them without examination of any kind. I am opposed to anyone being admitted to registration without examination. A dentist has the welfare, the health, and often the lives of his patients in his hands. Indeed, I have known of deaths occurring under dental operations. An operation involving the extraction of a considerable number of teeth is quite a surgical operation and very often a dangerous one.

THE MINISTER FOR EDUCATION: I suggest to Dr. Saw that he should withdraw his amendment for the present and merely

move to strike out the word "forthwith" in paragraph (d), in order to obtain the opinion of the Committee upon this particular point. This will save the recommitment of the Bill.

Hon. A. J. H. SAW: I agree to withdraw my amendment.

Amendment by leave withdrawn.

Hon. A. J. H. SAW: I move an amendment—

That in paragraph (d) "forthwith" be struck out.

Hon. Sir E. H. WITTENOOM: I oppose the amendment. Dr. Saw's intention is that everyone must hold a certificate. He apparently thinks that practical knowledge and common sense are useless. If there had been many records of death due to dental operations there would have been a public outcry, but that has not been the case. Perhaps the profession to which the hon. member belongs is not without its little dangers in that respect. I could speak of many cases in which highly qualified men have had their patients die on their hands. It is bad form to turn round on the dentists in such circumstances. The hon. member has referred to a couple of deaths which have occurred as a result of dental operations, but has said nothing about the deaths which have occurred in other circumstances. The clause does not say that any person can be registered, for it excludes any who are not already in responsible positions. All those who come in without examination must have held responsible positions. It is often very difficult for even an exceptionally practical man to go through the technical form of an ordinary examination. This clause is put in to provide for men with long experience and exceptional capabilities. In Victoria 340 persons were admitted to dental practise after only three years' experience. A Royal Commission in England recommended the registration without examination of any persons who for five years had been engaged in dentistry by performing operations on the mouth. In this Bill we are suggesting the period of seven years.

Hon. A. SANDERSON: What is the attitude of the board on this question? Are the statistics which have been given to us correct? They show that in Victoria there is one dentist to every 1,400 persons, in New South Wales one to every 1,200, and in Western Australia one to every 5,000. In view of the proportion of dentists to population in this State, one would almost feel that we should have even second or third class dentists amongst us if they can merely stop a tooth.

Hon. A. J. H. SAW: I will leave the question of my taste and that of Sir Edward Wittenoom to the judgment of the Committee. He has either misrepresented or misunderstood my motive, and what I said with reference to these deaths. I cast no reflection upon the dentists. I intended to lead the Committee to believe that these were

dangers inherent in the practice of dentistry. No matter how clever a dentist may be, he is liable to these mishaps, and the less clever he is the more mishaps there are.

Hon. Sir E. H. WITTENOOM: You said last night they were responsible for two deaths.

Hon. A. J. H. SAW: That is so, but as a result of dental operations and not anaesthetics. I cast no aspersion upon the conduct of dentists who carry out these cases. In reply to Mr. Sanderson's question regarding the attitude of the board, I candidly state that I do not know what the board's attitude is, and that I have not seen the board. From my association with dentists, and from my knowledge of the practice of dentistry, extending over years, I have gained a little inside information as to both the practice and the requirements of the dentists. As for the rival body and the people who are interested in this Bill, I have not approached either side, and up to yesterday morning I could have said that nobody had approached me. However, one gentleman came along yesterday morning to point out various things to me. I told him candidly that I did not wish to hear him, and that I was not going to be mixed up in the disputes of the various factions of the dentists. That has been my attitude all along, and is my attitude now. I hold most firmly the opinion that nobody should be allowed to practice dentistry unless he can fulfil the very modest requirements which I have set down in my amendment. As to the statistics, I do believe, as I said last night, that there is a shortage of dentists in this State. But at the time those statistics were taken eight registered dentists were away at the war.

Hon. J. CORNELL. And two or three have died since then.

Hon. A. J. H. SAW: I believe there are 20 indentured students going through their course, who will presently qualify. Under the provisions of Clause 4 a considerably greater number of gentlemen will henceforth be admitted.

Hon. A. SANDERSON: After listening to Dr. Saw, the only proper course for me is to vote against the amendment. The board will naturally be opposed to the admission of the operators who are not first or second or even third class. In every profession and occupation there is that prejudice against admitting more persons to the profession or occupation. It would certainly hurt a competent dentist to let loose second or third class men on the community. In view of the figures put before us I shall oppose the amendment. I enter my usual protest as to lack of information—in this case against Dr. Saw.

Dr. Saw: I am not in charge of the Bill. THE MINISTER FOR EDUCATION: Sir Edward Wittenoom has referred to what has been done in other places, and has mentioned the report of the recent Royal Commission in England. I wish to make one or two brief quotations from that report—

The Committee are of the opinion that if dental practice by unregistered persons is prohibited, the existing rights of unregistered practitioners should be preserved by adding the names of persons practising dentistry to the dental register under specified conditions, who upon being admitted to the register shall acquire and enjoy the same legal rights, privileges, and status as are conferred by the Dentists Act, 1878, on dentists registered under that Act. That English Act, although it is an amendment Act, is a measure to prevent the practice of dentistry by unregistered persons. We here have prevented that for some considerable time. Then reference is made to witnesses—

Mr. Norman Bennett, on behalf of the British Dental Association, was prepared, if unregistered dental practice was prohibited in the future, to admit existing unregistered practitioners, without an examination test, provided they had been in bona fide dental practice for a period of five years. The Committee are of opinion that a practitioner who has been in practice for a period of five years has established a vested interest, which, combined with the fact that he evidently has satisfied the public in his practice to the extent that he is able to make a livelihood, constitutes a presumption that he meets a public need and may be entrusted to continue his practice. The Committee are of opinion that any unregistered practitioner or dental assistant who has been engaged continuously in the practice of dentistry by performing dental operations within the month for the period of five years immediately before the date of this report should be entitled to have his name entered on the dental register on payment of the fee for registration to the General Medical Council. The applicant should satisfy a competent authority that he has been in practice for the period named, that such practice was his main professional occupation, and produce such evidence as to character as may be required.

The Victorian Act of 1910, which amended the Act of 1890, provides by Section 13—

Notwithstanding anything in this or any other Act any person who has attained the age of twenty-one years and who has practised dental surgery or dentistry in Victoria for a period of at least three years immediately prior to the commencement of this Act may on application within six months thereafter to the Dental Board and on proof that he has so practised and on paying the prescribed fee be entitled to have his name recorded by such board.

Although that seems to support entirely the principle of paragraph (d), this Victorian Act is, as I say, the Act which prevents the practice of dentistry by unregistered persons. Section 4 of the Act says—

No person who is not registered as a dentist or recorded as hereinafter provided

shall, except as hereinafter provided, practise dental surgery or dentistry for fee or reward, or for expectation of fee or reward. . . .

The New South Wales Act of 1912 is also an amendment Act, and Section 10 of it provides as follows—

Any person who holds some recognised certificate as hereinafter defined, and who proves to the satisfaction of the board that he is of good character; or has attained the age of twenty-one years and has been engaged during a period of not less than four years in the acquirement of professional knowledge in dentistry, and has passed an examination before the board according to the prescribed regulations; or has attained the age of twenty-one years, and has been a pupil or apprentice for a period of not less than two years to a dental practitioner entitled to be registered under this Act: Provided that such pupillage or apprenticeship has been commenced at least six months before the fifth day of November, one thousand nine hundred, and has expired before he shall be entitled to be so registered; or has obtained a diploma or degree in dentistry from a university in Australia, shall be entitled to be registered as a dentist under this Act: Provided that such registration shall not confer upon such person any right to use without the consent of the board any title or description other than that of registered dentist.

Section 10A of the same New South Wales Act provides—

Any person who for a period of five years preceding the commencement of the Dentists (Amendment) Act, 1916, has practised in dentistry in New South Wales on his own account, may for three years after such commencement continue to so practise as an unregistered dentist; and if before the expiration of such three years he passes before the board a written or oral practical examination in surgical and mechanical dentistry, and a written or oral examination in materia medica (dental), he shall be entitled to be registered as a dentist under this Act. Any person who for a period of not less than five years preceding the said commencement has been employed as an operating dental assistant to a person practising in dentistry in New South Wales may, for three years after such commencement, work for any such person in such employment; and if, before the expiration of such three years, he passes before the board a written or oral and practical examination in surgical and mechanical dentistry, and a written or oral examination in materia medica (dental), he shall be entitled to be registered as a dentist under this Act. Any person who for a period of not less than two years preceding the said commencement has practised dentistry in New South Wales on his own account or as an operating dental assistant to a registered dentist in

New South Wales shall be entitled to serve as assistant to a registered dentist, or a person authorised by this Act to practise as a dentist, for a term which, with the period during which he has practised as aforesaid, would amount to five years. If he serves such term and passes the prescribed examination before the board, he shall be entitled to be registered as a dentist under this Act. Any person who for a period of four years preceding the said commencement has served an apprenticeship in New South Wales in surgical and mechanical dentistry with a dentist, and who has passed, or shall pass before the expiration of three years, an examination before the dental board in surgical dentistry, mechanical dentistry, and materia medica (dental), shall be entitled to be registered as a dentist under this Act. Any person who proves to the satisfaction of the board that he has practised in dentistry in New South Wales on his own account for not less than eight years prior to the commencement of this Act shall be entitled to be registered as a dentist under this Act.

This New South Wales measure, although it is an amendment Act, is the Act which prevents unregistered persons from practising dentistry; so that the position is not on all fours with that which this Bill seeks to establish here. I think it my duty to point that out to the Committee.

Hon. J. CORNELL: I have always been under the impression that no unregistered person could practise as a dentist here.

The Minister for Education: That is so.

Hon. J. CORNELL: But the Minister knows that dental companies are started with a registered dentist in charge, whereupon other people, who are not registered, practise with him. To be logical, we should either register the people in question, or stop them from practising. We should have registered dentists practising, and nobody else practising dentistry. We should not have such a position as obtains in one establishment, where six men are doing dental work, and possibly doing operations in the month, whilst only one of them is a registered dentist. Dummying of that sort should be prevented.

Hon. A. H. PANTON: I am inclined to agree with Sir Edward Wittenoom on this question. In Perth we find cases of a first class dentist practising for a first class business man who is not a dentist at all. Here we are going to suggest admitting the non-practising man. Why should not the other man with seven years' experience be allowed to register?

Hon. A. J. H. SAW: Under my amendment he could be registered.

Hon. A. H. PANTON: A man with a good commercial head, though without practical experience of dentistry, should have to practise for that term of years as well.

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

Ayes	..	..	..	10
Noes	..	..	..	8
Majority for				2

AYES.

Hon. E. M. Clarke
Hon. H. P. Colebatch
Hon. J. Duffell
Hon. J. A. Greig
Hon. C. McKenale

Hon. A. H. Panton
Hon. E. Rose
Hon. A. J. H. Saw
Hon. H. Stewart
Hon. J. W. Hickey
(Teller).

NOES.

Hon. F. A. Bagdin
Hon. J. Cornall
Hon. J. Cunningham
Hon. V. Hamersley

Hon. E. H. Harris
Hon. A. Sanderson
Hon. Sir E. H. Wittenoom
Hon. T. Moore
(Teller).

Amendment thus passed.

Hon. A. J. H. SAW: I move an amendment—

That the words after "month" be struck out and the words "and who within three years after he has applied for registration as aforesaid passes an examination to the satisfaction of the board in practical dentistry in accordance with the schedule" be inserted.

The object of the amendment was fully grasped by Mr. Panton. It is to secure an open door not only to those who may be in the position of employers and those who have acted in that capacity, but also to those who have been employed as assistants. After the speech of Mr. Sanderson, I claim his vote because he was anxious for an open door and to have an increased number of dentists available here. Without the amendment, the number would be restricted.

The MINISTER FOR EDUCATION: I suggest that it would be advisable to amend Dr. Saw's proposed amendment, because there is no provision for persons making application. I suggest to Dr. Saw that he agrees to add the following words at the commencement of his amendment: "Who within six calendar months of the passing of this Act applies for registration." The complete amendment would then read, "Who, within six calendar months after the passing of this Act, applies for registration and who, within three years after he has applied for registration as aforesaid, passes an examination to the satisfaction of the board in practical dentistry in accordance with the schedule."

Hon. A. J. H. Saw: I will accept that proposal and move the amendment accordingly.

Hon. Sir E. H. WITTENOOM: I object to the exclusiveness of Dr. Saw. According to that gentleman unless the person to be registered passes his examination he is not acceptable. Dr. Saw is wedded to the matter of examination, and unless a man has certificates or diplomas and examination results to his credit, he is not to be qualified. It is strange that we are not to admit people who have been dealing with the mouth for seven

years, and yet many have been allowed to register after they have had three years' experience. Men have been registered in London where they have had five years' experience. The leader of the House brings forward a Bill and then he votes against it. It is impossible to conduct business in these circumstances.

The Minister for Education: This clause was not in the Bill the Government introduced.

Hon. Sir E. H. WITTENOOM: It was in the Bill you introduced in this Chamber. You did not protest against the provision last night.

The Minister for Education: I explained it at great length and said I was not in accord with it, but wished to have it discussed.

Hon. H. Stewart: That is quite correct.

The MINISTER FOR EDUCATION: All this amendment requires is that the applicant for registration shall pass a practical examination. A person with six years' experience is required to pass a theoretical and practical examination. Although the theoretical examination may be difficult for those who are not young, I cannot understand anyone who has practised for seven years not being able to pass a practical examination.

Hon. A. SANDERSON: I, in common with Sir Edward Wittenoom, protest first against the Government's action in regard to this Bill and secondly regarding the question of examination. I know something about practical examinations. As a protection to the public we should look to the Government to bring in legislation which they consider necessary. The Minister should be bound by the decisions of his colleagues in another place, but I will not press that point.

The Minister for Education: It would be very unwise to press it.

Hon. A. SANDERSON: The discussion of this clause is one which we should undertake with care, in order to come to a wise decision.

Hon. A. J. H. Saw: You are certainly finding it difficult.

Hon. A. SANDERSON: I am endeavouring to apply an impartial mind to my argument.

Hon. A. J. H. Saw: You soon lose it.

Hon. A. SANDERSON: I asked Dr. Saw a question in the hope that he would assist me, but the answer he gave me converted me against his own case. He knew nothing about the subject. He did not know how many people were interested and he said he had avoided making inquiries from factions in the dental profession. We had better leave it at that. At the same time we recognise the professional and skilled assistance which Dr. Saw has given us from time to time in this Chamber.

Hon. J. CORNELL: I would like to know the effect of the amendment. It has not been shown to my satisfaction what the effect will be. If the amendment is agreed to, how long will applicants for registration have to wait before they are subjected to the practical examination?

Hon. A. J. H. Saw: The examinations are held every six months; it is in the schedule.

Hon. J. CORNELL: I am prepared to support the amendment provided that if the persons register within the period prescribed, namely six months, they shall submit to an examination. What I want to know further is that if a person has been engaged for a period on active service, whether that period will be taken off the seven years.

The MINISTER FOR EDUCATION: In the case of the Victorian and New South Wales Acts they say "We cannot take away a privilege without recognising those who have an established interest." In this case no privilege is being taken away. We are, by this clause, giving something that was not enjoyed before. If a clause has been inserted in another place by a majority, I neither know nor care how Ministers voted. If the clause is in the Bill, and by amending it I see an opportunity to improve it, I shall vote to improve it.

Amendment put and passed.

Hon. J. CORNELL: I move an amendment—

That the following proviso be added to the clause: "Provided that all time spent by the applicant on active service with the Australian Imperial forces shall be counted as part of such seven years."

Hon. A. J. H. SAW: I am sorry to have to oppose anything for the soldiers, but this is a most dangerous provision. A man may have been away for five years using the bayonet or rifle, and in the whole of that time he has not acquired any knowledge of dentistry, and if he had done two years as a field assistant he would come under this provision.

The MINISTER FOR EDUCATION: There is no objection to cutting down the time if he is able to pass a practical and theoretical examination. But there is an objection to cutting down the time if we are going to relieve him of the theoretical examination.

Hon. J. CORNELL: Assume a man has practised seven years and he is asked to undergo a practical examination. Where does his theory come in if the test is not applied.

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

Ayes	..	..	..	9
Noes	..	..	..	8
Majority for	..	..	..	1

AYES.	
Hon. J. Cornell	Hon. T. Moore
Hon. J. Cunningham	Hon. A. H. Panton
Hon. J. A. Greig	Hon. Sir E. H. Wittenoom
Hon. J. W. Hickey	Hon. V. Hamersley
Hon. A. Lovekin	(Teller.)

NOES.	
Hon. F. A. Baglin	Hon. E. Rose
Hon. E. M. Clarke	Hon. A. J. H. Saw
Hon. H. P. Colebatch	Hon. H. Stewart
Hon. C. McKenzie	Hon. E. H. Harris
	(Teller.)

Amendment thus passed; the proviso added.

Clause 5, 6—agreed to.

Schedule, Title—agreed to.

Bill reported with amendments and the report adopted.

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

BILL—GRAIN ELEVATORS (No. 2).

Defeated.

The HONORARY MINISTER (Hon. C. F. Baxter—East) [11.30]: I move—

That this Order of the Day (No. 7) be taken after Order of the Day No. 8 (Grain Elevators Bill No. 1).

Hon. A. LOVEKIN: I move an amendment—

That this Order of the Day be postponed until the next sitting of the House.

The PRESIDENT: I will put the amendment first.

The Honorary Minister: I think there is a mistaken idea amongst hon. members.

The PRESIDENT: I do not think so. The question is that Order of the Day No. 7 be postponed until the next sitting of the House.

The Honorary Minister: But this is the No. 2 Bill, whereas some hon. members think it is the No. 1 Bill.

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

Ayes	..	..	..	13
Noes	..	..	..	8
Majority for	..	..	..	5

AYES.	
Hon. F. A. Baglin	Hon. J. Nicholson
Hon. J. Cornell	Hon. A. H. Panton
Hon. J. Cunningham	Hon. E. Rose
Hon. J. Duffell	Hon. A. Sanderson
Hon. J. Ewing	Hon. Sir E. H. Wittenoom
Hon. E. H. Harris	Hon. A. Lovekin
Hon. T. Moore	(Teller.)

NOES.	
Hon. C. F. Baxter	Hon. J. W. Hickey
Hon. E. M. Clarke	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. H. Stewart
Hon. V. Hamersley	Hon. J. A. Greig
	(Teller.)

Amendment thus passed; Bill defeated.

BILL—GRAIN ELEVATORS (No. 1).

Defeated.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Hon. A. LOVEKIN (Metropolitan) [11.36]: I move—

That this Order of the Day be postponed until the next sitting of the House.

A little while ago I did understand that the Minister was moving that the No. 2 Bill be taken before the No. 1 Bill. I now understand from him that he was moving that the No. 1 be taken before the No. 2. However, it comes to the same thing, for it is a test vote.

The PRESIDENT: In order that hon. members may be under no misapprehension as to what occurred, let me say it was this: the Honorary Minister moved that Order of the Day No. 7 be taken after Order of the Day No. 8, to which Mr. Lovekin moved an amendment that Order of the Day No. 7 be postponed till the next sitting of the House. The motion then became "That Order of the Day No. 7 be postponed till the next sitting of the House." It was carried on a division by 13 to 8. The question now is that Order of the Day No. 8 be postponed till the next sitting.

The HONORARY MINISTER: I moved that Order of the Day No. 7 be taken after Order of the Day No. 8. The effect of that would have been to place the No. 1 Bill first.

The PRESIDENT: I point out to the hon. member that he did not carry his motion.

The HONORARY MINISTER: No, but Order of the Day No. 8 is the Bill which refers to calls being made, whereas Order of the Day No. 7 was the Bill to provide sites for the erection of elevators.

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

Ayes	..	..	..	13
Noes	..	..	..	8

Majority for 5

AYES.

Hon. F. A. Baglin	Hon. J. Nicholson
Hon. J. Cornell	Hon. A. H. Panton
Hon. J. Cunningham	Hon. E. Rose
Hon. J. Duffell	Hon. A. Sanderson
Hon. J. Ewing	Hon. Sir E. H. Wittenoom
Hon. E. H. Harris	Hon. A. Lovekin
Hon. T. Moore	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. J. W. Hickey
Hon. E. M. Clarke	Hon. C. McKenzie
Hon. H. P. Colebatch	Hon. H. Stewart
Hon. V. Hamersley	Hon. J. A. Greig
	(Teller.)

Motion thus passed; Bill defeated.

BILL—DIVORCE ACT AMENDMENT.

Assembly's Message.

A message having been received from the Assembly notifying that it had agreed to No. 2 of the amendments made by the Council, disagreed to Nos. 1 and 3 and agreed to No. 4 with an amendment, the message was now considered.

In Committee.

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

No. 1. Clause 2, Subclause 1.—Strike out "three" in lines 3 and 7 of the proviso, and insert "five":

The MINISTER FOR EDUCATION: It seems to me we have no option but to agree to the amendment. I dislike adopting that course. The position was clearly pointed out by Dr. Saw. This Bill was introduced to correct an error made last year which set up a condition of affairs that has since been described as being in the nature of a public scandal. The Government, partly of its own volition, and partly at the request of a number of influential religious and other bodies, introduced a Bill to correct the error, and into that correction has slipped this easy method of divorce. Divorce on the ground of desertion could only be obtained after a period of five years, and now that period is to be reduced to three years. I am not so much concerned about the period of time, because I do not approve of the principle. What I think is entirely wrong is the fact of bringing forward a Bill to correct an error made in the previous session and slipping in a clause to reduce the period of desertion entitling anyone to obtain a divorce. The two things, however, are tied up together. If we reject this, the practice of obtaining a divorce in a few minutes will continue. If we accept this, it will at least make the period three years. I move—

That the amendment be not insisted upon.

Hon. A. SANDERSON: The Minister has put the position very clearly, and I share the regret he has expressed. In the circumstances I see nothing else for it but to follow his advice.

Question put and passed; the Council's amendment not insisted upon.

No. 3. Strike out Clause 3:

The CHAIRMAN: Amendment No. 3 is consequential and will therefore not be insisted upon. Amendment No. 4 reads—

Insert a new subclause to stand as (2) as follows:—"The amendment of section five of the Divorce Amendment Act, 1919, made by this Act, shall not apply to proceedings pending in the Supreme Court on any petition filed before the 7th day of December, 1920, nor to any proceedings following thereon or on any order obtained under any such petition, which proceedings shall be heard and determined as if this Act had not been passed."

To this the Assembly has made the following modification—

Strike out the "7th day of December, 1920," and insert the "1st day of January, 1921."

The MINISTER FOR EDUCATION: I would have preferred to retain the 7th December, but it seems we must accept the later date or lose the Bill. The reason given by

the Assembly for altering the date is that our proposal would have a retrospective effect. I cannot see any reason for altering the date. However, I move—

That the modification made by the Assembly be agreed to.

Question put and passed; the Assembly's modification agreed to.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—OPTICIANS.

Select Committee's Report—Bill defeated.

Hon. J. NICHOLSON (Metropolitan): I move—

That the report of the select committee be adopted.

The PRESIDENT: A little difficulty arises here in that there is no report before us.

Hon. J. Nicholson: A first proof has just been handed in.

The Minister for Education: I should like to know the nature of the report before the vote is taken.

Hon. J. NICHOLSON: We recommend that the Bill be withdrawn and that a new Bill be introduced by the Government with the addition of a clause to prevent opticians from testing the eyesight of children under 16 years of age. The clause which it was suggested should be amended was one recommended by the select committee in Queensland, but for some reason or other it was not carried into the Act. In view of the medical testimony given before the select committee here, we deemed it a wise provision. We had regard to the medical testimony given here, which was very strongly in favour of testing the eyesight of children under 16 years of age. The select committee recommend that a clause be added in the Bill to be introduced on the lines of the present Queensland Act to this effect. "And not being a medical practitioner prescribes glasses or tests the sight of persons under 16 years of age." That would leave the testing of the eyesight of children to ophthalmic surgeons or medical practitioners. The report, I think, will be recognised as being a very fair one, having regard to all circumstances, and I hope the House will adopt it.

Hon. A. SANDERSON: I move the previous question.

The PRESIDENT: The question is that the question be now put.

Motion put and passed; the Bill defeated.

MOTION—DISCHARGE OF ORDER.

On motion by the Minister for Education the Order of the Day for the second reading of the Early Closing Act Amendment Bill was discharged.

MOTION—ELECTRICAL ENERGY.

To inquire by Royal Commission.

Debate resumed from the 1st December on motion by Hon. J. Ewing—

That in the opinion of this House the Government should appoint a Royal Commission to inquire into the feasibility of generating electrical energy at Collie and transmitting the same from there with a view to reducing the cost of the supply of power for industrial and domestic purposes at centres where it is required.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East): While I do not intend to debate this motion, I am glad of the opportunity to express my regret that the motion was not fully debated and carried to a division. I want to claim on my own behalf that during the time when there was very little business before the House, I put this motion well up on the Notice Paper over and over again, and when it was reached sometimes one speech was made and sometimes none at all. Then we got to the time when our business became tremendously congested, and it became impracticable to bring the motion forward. I hope the hon. member will give me credit for having exerted every effort to get the motion discussed when we had time to discuss it. Apart from that I assure him that his representations will be carefully considered by the Government, who fully appreciate the importance of the question he has raised.

Hon. J. EWING (South-West—in reply): I regret very much that this motion was not debated at greater length, but I am satisfied that the Minister did all he could to assist me in the matter. Owing to unfortunate circumstances members did not happen to be in the mood to debate the question when there was an opportunity to do so. I am very pleased that before the end of the session there has been an opportunity to get an expression of opinion from the Minister, however short it may be, with regard to this important matter. I considered I was doing a public duty by bringing the matter forward, and I hope the Government will do something in the direction of appointing experts to make a thorough investigation. I feel sure I have the sympathy of the Government, but I should have liked to hear an expression of opinion from other members of this House. Perhaps when we meet again there may be an opportunity to debate the matter in another form. I thank the Minister for having brought the motion forward as he did, and I do not in any way blame him for the inability to get it discussed at greater length. I hope the Government will give the question that earnest consideration which its importance warrants. I ask leave to withdraw the motion.

Motion by leave withdrawn.

Sitting suspended from 11.58 p.m. to 1.25 a.m.

BILL—MINING ACT AMENDMENT.

Assembly's Message.

A Message from the Assembly having been received notifying that it had agreed to amendments Nos. 1 and 3 made by the Council, but had disagreed with amendment No. 2, the reasons for such disagreements were now considered.

In Committee.

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

The CHAIRMAN: The Council's amendment with which the Assembly had disagreed is as follows:—

Clause 27, paragraph (a), line 8, insert ('but not inclusive of payment for the labour of the tributers themselves.')

The MINISTER FOR EDUCATION: This amendment was inserted to make it clear that wages should not be allowed twice over in making the deductions before a tributer could be paid. Personally, I think the words ought to go in to make the clause clear. On the other hand, I do not think anyone interpreting the clause would in any circumstances admit the wages twice over. For that reason I do not think there is any need to insist upon the amendment. I move—

That the Council's amendment be not insisted upon.

Question put and passed; the Council's amendment not insisted upon.

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

BILL—DENTISTS.

Assembly's Message.

A Message from the Assembly having been received notifying that it had agreed to amendments Nos. 1 and 2 requested by the Council, but had disagreed with amendments Nos. 3 and 4, the reasons for such disagreement were now considered.

In Committee.

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

The CHAIRMAN: Amendment No. 3 requested by the Council is as follows:—

Clause 4, paragraph (d), line 7, strike out all the words after "mouth" and insert the following: "who within six calendar months after the passing of this Act applies for registration, and who within three years after he has applied for registration as aforesaid passes an examination to the satisfaction of the board in practical dentistry in accordance with the schedule."

The MINISTER FOR EDUCATION: I regret that the Assembly has not agreed to

the amendment we have made. We are now in this position, that we have to choose either to abandon the amendment or lose the Bill. I have looked at it from two or three points of view. I feel we are not justified in continuing a condition of affairs under which the number of persons practising dentistry in the State is inadequate for the requirements of the people. Secondly, I feel that the 30 or 40 persons who are affected by the other parts of Clause 4 have been encouraged to feel during the last three or four years that an amending Bill would be brought down, and that an injustice will be done if the Bill is not passed. In order to meet these two requirements, by the decision of the Assembly we have to extend the privileges under the Bill to three or four persons to whom I personally do not think the Bill ought to apply. However, I prefer to extend these privileges to these few persons rather than deny the 30 or 40 others something to which they are entitled. I move—

That the Council's amendment be not insisted upon.

Hon. J. CORNELL: Through the efforts of the leader of the House and Dr. Saw it was decided by the Council to amend this clause. I am inclined now to insist upon the amendment. I understand the Assembly has agreed to the amendment striking out the word "forthwith." If that is so, paragraph (d) will be meaningless. Has another place agreed to the amendment I moved that seven years should count for the soldier?

The CHAIRMAN: That is not agreed to.

Hon. J. CORNELL: I am going to insist that where one of these people has been a soldier the time he put in as a soldier shall count in the seven years. I want some protection extended to the soldier. The Assembly will not agree to an examination. This Chamber has said that there should be an examination. Some of the dentists now practising in Perth did not go to the war, and I do not wish to see those who did go to the war penalised in this respect.

Question put and passed; the Council's amendment not insisted upon.

No. 4. Clause 4. Add the following proviso at the end of the clause: "Provided that all time spent by the applicant on active service with the Australian Imperial Forces shall be counted as part of such seven years".

The CHAIRMAN: The reason given by the Assembly is that the period of practice may be reduced to the point of inefficiency.

The MINISTER FOR EDUCATION: I opposed the amendment when introduced, because it seemed and seems to me that where people are exempted from examination there must be a considerable period of practice, whatever the cause of the absence. In the case of the Barristers' Board, the period spent in the A.I.F. is allowed to count, but the candidate must still pass his examination. In the case mentioned by Mr. Cornell, the period

is cut down, but the examination remains. I move—

That the amendment be not insisted upon.

Hon. J. CORNELL: For various reasons I hope the Committee will insist on this amendment. How are we to arrive at the fact that the people here concerned have acted as assistants in connection with dental operations in the mouth for the period specified?

Hon. J. Duffell: Was dentistry being practised at the Front?

Hon. J. CORNELL: Mr. Moore will bear me out when I say there was a dental corps at the Front. The gentlemen who are about to be registered hire dentists as dummies, behind whom they themselves practise as dentists and make money. How are the qualifications of the men whom this Bill lets in to be determined?

Hon. A. J. H. SAW: Mr. Cornell overlooked the fact that the clause as it stands means that only those people who for seven years prior to the 1st August, 1920, had been engaged in Western Australia in the work of dental surgery assistant by the performance of dental operations in the mouth, or who were on the 1st August, 1920, alone or with co-partners, employers of or in partnership with any dentist, are going to be registered under this Bill. All the other class, for whose registration I pleaded, Mr. Cornell opposed. In fact, there was a good deal of opposition to the view, expressed by me, that examination was necessary. The other House has also disagreed with that view. Not even with the assistance of the opinion expressed by the leader of this House do I think I can get that amendment carried. What is the use of Mr. Cornell's amendment?

Hon. A. H. PANTON: I supported Dr. Saw's amendment with a view to giving the same right to the employee as to the employer. Dr. Saw has hit the nail on the head with regard to Mr. Cornell's amendment. The returned soldier is already cut out. While I voted for the returned soldier subject to his passing an examination, I cannot see my way to go any further in his behalf.

Hon. J. CORNELL: I understand that the men who are about to get registration come within the category of dental assistants.

Hon. A. J. H. SAW: No. They come within the category of employers.

Hon. J. CORNELL: I move as a modification on the amendment—

That after the word "Australia" on the last line but three of page 2 there be inserted "or in the Dental Corps of the Australian Imperial Forces."

Hon. T. MOORE: I suggest that the hon. member could gain his object by inserting after "Australia" the words "or in the dental corps of the Australian Imperial Forces." It is quite possible that men who were partners in

business here went away with the A.I.F. and we might do an injury to some of them. I would not go so far as to say that if a dentist went away as a bugler or a bandsman his service should be counted, but I would point out that he must still have been an employer on the 1st August.

Hon. J. CORNELL: I am willing to accept the hon. member's suggestion.

The CHAIRMAN: The question will then read that the amendment be modified by inserting after "Australia" the words "or in the dental corps of the Australian Imperial Forces."

Hon. Sir E. H. WITTENOOM: In advocating this clause I made it a special point that it should not be open to anyone, and that the qualification was of such a nature that a man must have had a lot of experience before he could be qualified at all. The qualification was that he had to be on the 1st August in business alone or with co-partners. I do not propose to go further than that. Therefore I shall pin myself to the clause to that extent and shall reflect on the modification.

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

Ayes	10
Noes	8
Majority for . .	2

AYES.

Hon. H. P. Colebatch	Hon. A. Lovekin
Hon. J. Cornell	Hon. T. Moore
Hon. J. A. Greig	Hon. A. H. Panton
Hon. E. H. Harris	Hon. Sir E. H. Wittenoom
Hon. J. W. Hickey	Hon. G. W. Miles

(Teller).

NOES.

Hon. J. Cunningham	Hon. E. Rose
Hon. J. Duffell	Hon. A. Sanderson
Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. J. Nicholson	Hon. F. A. Baglin

(Teller).

Question thus passed; the amendment, as modified, agreed to.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

BILL—LAND ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendment No. 1 made by the Council but that it had disagreed to amendment No. 2, now considered.

In Committee.

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

The CHAIRMAN: Amendment No. 2 reads—

Insert a new clause to stand as Clause 7. Reappraisal on railway constructed through pastoral land:—In the event

of any railway being constructed through any portion of a pastoral district beneficially affected by such railway, a reappraisalment of the leases in such district shall be made in manner provided by the Land Act Amendment Act 1917, and thereafter any increased rent so appraised shall be paid by the lessees during the unexpired term of their leases.

THE MINISTER FOR EDUCATION: The rejection of this amendment by the Assembly will strengthen the opinion growing in the public mind that the Council is the democratic Chamber. I do not propose to risk the Bill by insisting on the amendment. Therefore I move—

That the amendment be not insisted upon.

Hon. G. J. G. W. MILES: I ask the Committee to insist on the amendment. The provision should have been included in the Land Act Amendment Bill of 1917. The amendment is an attempt to remedy the hasty legislation passed in that year. It has been said that it would constitute an act of repudiation. I claim that those opposed to the amendment are opposed to the development of the country. We have given pastoralists an extension of tenure to 1948. In the Kimberley district are to be found pastoral holdings of over six million acres. If, without the amendment, the Government were to construct a railway in that district they would have to go cap in hand to the land holders and ask them if they would agree voluntarily to their leases being re-appraised. Naturally, those people would say no. The Committee should insist on the amendment.

Hon. J. CORNELL: I hope the Committee will insist on the amendment. Even if it result in losing the Bill it will serve to remind the Government of the necessity for bringing down in the earlier stages of the session Bills of such importance as this is. If the building of a railway enhances the value of a lease, surely the added value should go to the State, especially since the land is leasehold.

THE MINISTER FOR EDUCATION: I think Mr. Miles put his finger on the spot when he said this provision should have been included in the amending Act of 1917; but I do not think the argument supports his present contention. It was the Act of 1917 which made the contract. It may be contended that it would be a repudiation of that contract to now put in a condition not contemplated in 1917. That is the attitude which the Assembly takes up. If the clause had been inserted in the Act of 1917 no one could have taken the least exception to it. But I do see the force of the contention that the agreements have been made under the Act of 1917, and that to vary the contract now would be wrong.

Hon. G. J. G. W. MILES: The appraisalment of the pastoral lands as set out by the

Minister last night is far too low. The land north of the Tropic of Capricorn is third-class land compared with the Kimberley land, where they have a 30 to 40 inch rainfall. To refuse to accept the amendment is to play directly into the hands of a few bloated beef buccanniers. I am one of the representatives of the pastoralists of the North, and I have told them privately that I am glad to be here to protect them against themselves. Some of the pastoralists in the Kimberley are paying from £8 to £10 per ton for their carting. If a railway be constructed up there within the next few years it will mean that those pastoralists will get their stores and their products carried at perhaps one-fourth of what they are now paying. This will allow them to do much more development work than is possible under the present prices for carting. If the railway goes through these areas, it naturally benefits the country and in benefiting the country it benefits the pastoralists. If the pastoralists secure the railway facilities, they have a right to have their lands re-appraised.

Hon. Sir E. H. WITTENOOM: I am afraid the arguments of the leader of the House are so strong in this case that there is very little against them. I agree with Mr. Miles to a large extent, but I am afraid the question of repudiation which we have regarded in rather a superficial manner is stronger than the arguments to the contrary. The bargain was made with the pastoralists under the 1917 Act. A number of persons surrendered their leases under the conditions of that Act and have entered into arrangements accordingly. If we impose additional conditions, it may have the effect of inducing these men to take refuge in the proposals under that Act which are less advantageous to the State.

Hon. G. J. G. W. Miles: Better do that than adopt the course suggested, which will certainly not be in the interests of the country.

Hon. Sir E. H. WITTENOOM: If the pastoralists adopted the course I suggest we should lose the additional rent, and the conditions of the land will be just as good for the new leaseholder. The men who come into possession in 1928 will be on the box seat and whatever conditions we make, we cannot affect that position. If we make fresh conditions we will not only lose the double rent but the Government will have to pay back the double rent they have received from some of these people.

Hon. A. SANDERSON: I am glad to support Mr. Miles in this matter with the sincere hope that it will cause this Bill to be withdrawn. I consider the 1917 performance regarding the Land Act was most discreditable and the performance this session is more disgraceful still. There is no reason why this Bill should not have been placed before the Council earlier this session. I hope the amendment will be carried and the Bill withdrawn.

Hon. J. NICHOLSON: I do not think the amendment as it appears before us was as moved by the leader of the House. The amendment originally referred to any portion or pastoral district "beneficially affected" by such railway. The amendment reads "beneficially interested."

The CHAIRMAN: The amendment as discussed was all right.

Hon. G. J. G. W. MILES: If in the event of the Committee not agreeing to insist on this amendment, will the Minister give the House an assurance that he will take into consideration the re-appraisal of the lands in the Kimberley and North-Western pastoral areas. Of course, an assurance has not been regarded as worth a snap of the fingers in the past and I think the Committee should insist upon the amendment being inserted. The Minister said that the areas had been appraised at a lower rental than in Queensland. In that State rentals up to £16 per thousand acres have been charged and yet some are growling here at the £1 double rent for really first class land. Will the Government take steps to safeguard the interests of the State or will they pander to a few pastoralists in the North-West? Will they give an assurance that the lands will be properly appraised? If they are properly appraised it does not matter what amount of land a leaseholder has, because he will have to develop the country. Men in the Kimberley district have held land and stated openly that they will not use it for 25 years. These big men have held the land because it is cheaper at the current rental and it pays them to hold it. If we are not going to have a reclassification and the railway goes through those areas, we will give the people's heritage away until 1948.

The MINISTER FOR EDUCATION: None of these matters has anything to do with the question before the House. The question whether the land is appraised properly or not, has nothing to do with the appraisal in the event of the railway going through. It is impossible to connect the two matters. I am not arguing that the appraisements are correctly shown. I know, however, that people, who are supposed to be competent, are making the appraisements and that, in consequence, there has been an enormous increase in rental. There is only one point to consider. In 1917 Parliament passed the amending Land Act and pastoralists have taken advantage of that measure and have made agreements under it. The whole question before the House is: Parliament having made that agreement, are we entitled to vary it and put in provisions prejudicial to the lessee?

Hon. J. CORNELL: We are entitled to do something regarding the leases under the 1917 Act. If subsequently we do something which will benefit the pastoralists and their holdings—

The Minister for Education: We entered into the agreement under that Act.

Hon. G. J. G. W. MILES: And you were not game to test the agreement through the courts in order to see whether these leases were correctly held.

The Minister for Education: That has nothing to do with this aspect.

Hon. J. CORNELL: I admit that the Act was passed by Parliament and Parliament has to accept the responsibility for what we have done.

Hon. A. Lovekin: Are we not entitled to apply a betterment tax to these huge holdings?

The MINISTER FOR EDUCATION: No, not where we have entered into an agreement as to what shall be the rental and also where we have agreed that there will be no re-appraisal within 15 years.

Hon. G. J. G. W. MILES: Then they could be put up 50 per cent.

The MINISTER FOR EDUCATION: Quite so. If one had entered into an agreement with a man and found out subsequently that the agreement was not in one's own interests, one would still not be in a position to vary it. We have entered into an agreement with these pastoralists and by the amendment we would be putting in conditions which we are not entitled to put in.

Hon. G. J. G. W. MILES: I have discussed this question with the representatives of some big pastoralists in the Kimberley district. They assure me that pastoralists are still doubtful whether, if a case was tested, they would be allowed to hold more than one million acres, which this Government want to give them the right to do. The Government have never tested a case as they should have done to ascertain whether these people were holding land legally or not. If we passed a betterment tax through both Houses of Parliament the pastoralists would have to pay such tax. Instead of the Government bringing this proposal in themselves they have left it to me—one of the representatives of the North—to do so. We members of the North fought hard under false pretences to obtain for the pastoralists an extension to 1948. The people who advised the Government in that matter should have been dismissed from their posts long ago. I hope the House will insist upon the Council's amendment.

Hon. A. LOVEKIN: This is not repudiation.

Hon. T. Moore: Confiscation!

Hon. A. LOVEKIN: Or even confiscation. In the case of a municipality, if a ratepayer finds that his property values have gone up and that he has to pay more rates he does not necessarily complain. If we improve the property of these lessees we should require them to pay something for the improvement. If we were to adopt a betterment tax it would apply to these areas as well as to any other areas. I intend to support Mr. Miles.

The MINISTER FOR EDUCATION: The argument used by Mr. Lovekin regarding the improvement of ratepayers' property shows

how false his reasoning is. He says that if a municipality does something to improve the property of an individual that individual does not object to paying more rates. Under the Municipalities Act people are taxed on the annual rental value of their land, which tax if increased calls for an increased payment on their part. In this case we say we appraise the rental of pastoral leases which shall stand for 15 years, and that the leases shall then be re-appraised. After entering into that bargain we are now asked to impose some new conditions.

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

Ayes	..	..	..	6
Noes	..	..	..	10
Majority against				4

AYES.

Hon. H. P. Colebatch
Hon. V. Hamersley
Hon. T. Moore

Hon. E. Rose
Hon. Sir E. H. Wittenoom
Hon. J. Duffell
(Teller.)

NOES.

Hon. F. A. Baglin
Hon. J. Cornall
Hon. J. Cunningham
Hon. E. H. Harris
Hon. J. W. Hickey

Hon. A. Lovekin
Hon. G. W. Miles
Hon. A. H. Panton
Hon. A. Sanderson
Hon. J. Nicholson
(Teller.)

Question thus negatived; the Council's amendment insisted upon.

Resolutions reported and the report adopted, and a message accordingly returned to the Assembly.

Sitting suspended from 2.25 a.m. to 3.40 a.m.

BILL—DENTISTS.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendment No. 4 as modified.

BILL—LAND ACT AMENDMENT.

Assembly's Request for conference.

Message from the Assembly received and read requesting a conference on the new clause to which it had disagreed and on which the Council had insisted.

The MINISTER FOR EDUCATION:
(Hon. H. P. Colebatch—East): I move—

That the desire of the Assembly be acceded to, and that the Council be represented at the conference by Hon. G. J. G. W. Miles, Hon. J. Duffell, and the mover, the conference to be held in the President's room forthwith.

Hon. G. J. G. W. MILES: I oppose the request for a conference, and I ask the House to insist on the amendment as sent to the Assembly being agreed to. We have

put up very good reasons why the amendment should be accepted, and I hope the House will support me.

Hon. J. NICHOLSON: I hope Mr. Miles will see his way clear to agree to the granting of a conference.

Hon. A. Sanderson: What is the object of it?

Hon. J. NICHOLSON: There is room for various views on this matter. The question of repudiation has been mentioned. A pastoral lease in this respect would be much the same as a Crown grant. Assuming that a Crown grant was made in fee simple and without any restrictions, it would never be considered right for the Government to say that because a railway had been constructed through the land there should be imposed on the grantee a further burden such as is imposed here. There is a proper method by which an extra burden can be imposed, namely by taxation. We should grant the conference in order that the different views may be considered.

Hon. A. LOVEKIN: I hope Mr. Miles will not persist in his attitude. It is only courtesy to grant a conference as requested. If we do not grant a conference our action will be open to the suggestion that we desire to defeat the Bill. There is no such intention. So far another place has had no opportunity to learn the reasons which actuated us in insisting on the amendment.

Hon. A. SANDERSON: Assuming that there will be a conference, I should have thought the House would be represented by the majority rather than by the minority. I think Mr. Duffell voted with the minority.

Hon. J. Duffell. There is nothing to fear on that score. If I were appointed one of the representatives of this House—

The PRESIDENT: Order!

Hon. J. Cornall: It is the usual procedure.

Hon. A. SANDERSON: If we are to be represented at a conference our representatives should consist of two of those who supported the amendment and the leader of the House. I cannot see what the conference can negotiate on. One side or the other must withdraw, and it would be quicker to test the point without a conference. But that is a minor matter.

Hon. J. CORNELL: I am not opposed to a conference, but there is great force in Mr. Sanderson's arguments. The course usually adopted has been that outlined by Mr. Sanderson. The issue is whether the amendment amounts to repudiation. That being so, if the House is not prepared to agree that the majority of the House should have a majority on the conference, I think consideration should be given to those members who represent constituencies in which there are large pastoralist interests. Mr. Cunningham represents such a constituency. I have no personal objection to Mr. Duffell acting on the conference, but I think the representation should be with the members represent-

ing pastoral constituencies. I move an amendment—

That the name of Mr. Duffell be struck out and that of Mr. Cunningham substituted.

Hon. J. DUFFELL: I have no particular desire to act on the conference, and if it will meet the wishes of hon. members I will retire in favour of Mr. Cunningham. Still I resent any implied accusation of bias. On previous occasions I have attended conferences of a like nature, and I have ever approached my task with an open mind, as I would have done on this occasion.

The MINISTER FOR EDUCATION: If Mr. Duffell takes that view, I am willing to agree to the amendment; but to move to strike out one name and insert another is a most improper attitude for members to take up, because it suggests that an hon. member who has been nominated as a member of the committee is not suitable for the post.

Hon. A. SANDERSON: Nothing of the sort.

The MINISTER FOR EDUCATION: If that were the only way an alteration in the personnel of the committee could be achieved, there might be some justification for it; but when a committee is proposed, if any hon. member ask for a ballot he must get it. The Standing Orders provide that. It is not a proper thing for an hon. member to suggest that another hon. member is not suitable; the proper thing to do is to ask for a ballot. Still, if Mr. Duffell agrees to retire, the difficulty will be removed.

Hon. J. CUNNINGHAM: I am not anxious to attend the conference. Mr. Cornell, knowing that I represent some large pastoral interests, apparently thinks it only right to nominate me for the committee. However, I have no special wish to take Mr. Duffell's place at the conference.

Hon. A. SANDERSON: This has nothing whatever to do with any personal consideration. It is entirely a question of the Committee being represented at that conference by three members, one of whom shall be the Minister, and the other two members representing pastoral constituencies. It is essential that the third member at that conference should be one who supported Mr. Miles.

Hon. Sir E. H. WITTENOOM: Well, Mr. Cunningham did that, did he not?

Hon. A. SANDERSON: It has nothing to do with personality or with bias. Personally I want to see a strong bias in favour of supporting Mr. Miles and his view.

Hon. J. EWING: I hope the amendment will be defeated, because I take it Mr. Duffell, if appointed to represent the Chamber, will represent the majority of the electors. It would not be right if any reflection whatever were cast upon Mr. Duffell. It is argued that because he voted against Mr. Miles he would not be so strong in his views as another member who voted

with Mr. Miles. I say Mr. Duffell will support the majority of the House.

Amendment put and passed; the motion as amended agreed to.

Sitting suspended from 4 a.m. to 5 a.m.

Report of Conference Managers.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East): The managers appointed by the Legislative Council desire to report having met the managers representing the Legislative Assembly and recommend that having pressed the desire of the Legislative Council to the stage at which the only option was the abandonment of the amendment desired by the Legislative Council or the loss of the Bill, the managers recommend that the amendment be not pressed. I move—

That the report be adopted and that the amendment be not pressed.

Hon. A. SANDERSON (Metropolitan-Suburban): I forget the exact amount of time wasted on this particular amendment. There was no compromise about it; either we were to give way or we were not to give way. We are now in the position of having had to give way after the deliberate opinion of the majority of this Chamber had determined otherwise. So far as I am concerned, I would have no hesitation in urging that this Bill should be abandoned rather than give way in these circumstances. It is a hopeless proposition. We protested at the commencement of the session and during the session and now we finish the session with a protest.

Hon. Sir E. H. WITTENOOM: I entirely differ from the remarks of Mr. Sanderson. I think, having agreed to a conference, our managers have shown a statesmanlike attitude in dealing with the problem. There must be some compromise in all these things.

Hon. A. Sanderson: There was no compromise possible in this.

Hon. Sir E. H. WITTENOOM: The report of the managers shows that there was room for compromise. The question has been investigated and the managers included two of those who were prominent in the discussions in this Chamber. Having discussed the matter with the managers from the other Chamber they have taken a statesmanlike view, in arriving at a compromise which is satisfactory to both parties. I congratulate them in the way they have carried out their duties.

Hon. J. W. HICKEY (Central): Whether I agree with the report or not, I agree with the remarks of Sir Edward Wittenoom on this question. We had every confidence in the managers who were appointed to attend the conference and the least we can do is to support them in the action they have taken. I agree with the report and disagree with the remarks of Mr. Sanderson.

Hon. J. CORNELL (South): I intend to vote for the adoption of the report and, as Mr. Sanderson has said, it is not a question on which there could be any compromise. It is a question of which House should give way. We appointed our managers and our managers have given way. I take it they gave way for one reason only; that is, that the other side would not give way. The importance of the Bill more than outweighed the general principle on which the House was insisting. I am prepared to accept defeat in the circumstances.

Question put and passed.

ADJOURNMENT—CLOSE OF THE SESSION.

Complimentary Remarks.

The MINISTER FOR EDUCATION (Hon. H. P. Colbatch—East) [5.5 a.m.]: I move—

That the House at its rising adjourns until the 11th January, 1921.

The subsequent date of assembling will, of course, be fixed by proclamation. In submitting this motion, I desire to extend to you, Mr. President, the compliments of the season and the sincere wishes of all members of the House that you may enjoy a very merry Christmas and a bright and prosperous New Year. I desire to extend the same cordial wishes to the Chairman of Committees, to my fellow members of this Chamber, to the officers of the House, the members of the "Hansard" staff and all other officers of the House who have been sorely tried by our lengthy sittings. I wish to express my very cordial appreciation of the kind and sympathetic support I have received from members during this session, and particularly during the last two or three weeks.

Hon. Sir F. H. WITTENOOM (North) [5.6]: On behalf of the members of the House, I desire to reciprocate the expressions of good feeling and good wishes which have fallen from the lips of the leader of the House. I do not think I will be exaggerating the position if I say that the leader has carried out his duties in what I may be permitted to describe as almost a magnificent manner. I have had experience in carrying on the work in the Legislative Council for some years and unlike the leader of the House, I was not assisted by an Honorary Minister at that time. I quite admit I did not have quite such a clever House and members so well up in their work, to deal with. I can appreciate the magnitude of the task he has had and compliment him on the excellent way he has carried it out. I do not want to be too fulsome and complimentary, but to my mind, the way the leader of the House grasps matters regarding Bills, the readiness of his replies to objections and of his answers to questions, and the method and clearness of his arguments, have

excited our admiration. We thank him for his very kind remarks and reciprocate the good wishes that he has expressed. We join with him in wishing you, Mr. President, the compliments of the season.

Hon. J. EWING (South-West) [5.8]: May I be permitted to join with the leader of the House in wishing you, Mr. President, a merry Christmas and a happy New Year. I reciprocate the good wishes which the Minister has extended to me and I thank you, Mr. President, and the officers of the House and members generally, for the assistance they have given in a position which has been somewhat novel to me. I have endeavoured to do what I could in the position I hold and I appreciate what has been said.

Hon. J. CORNELL (South) [5.9]: As one of the chief offenders in delaying the business of the House, I desire, particularly on behalf of one of my colleagues, who unfortunately is unable to be present this morning, to extend to you, Mr. President, the members of the House, and the officers, his thanks for the consideration and courtesy which has been extended to the little section of the House, of which I happen to be one of the members. I know Mr. Dodd appreciates the many kindnesses extended to him owing to his unfortunate affliction. It is more on his behalf than on my own that I speak, and I wish you a merry Xmas and a prosperous New Year.

Hon. J. W. HICKEY (Central) [5.10]: Before the motion is put I would like to reciprocate the kindly remarks made by the leader of the House and join with other members in wishing you, Mr. President, the compliments of the season. As one holding opinions not altogether in conformity with those of the leader of the House on very many occasions, I would like to say how I appreciate his many kindnesses throughout the session. With regard to yourself, Mr. President, in common with others, doubtless at times I have tried your patience. While we have offended perhaps against the leader of the House, our offences have been greater regarding yourself. On all occasions you have shown courtesy to us. You have been sufficiently lenient to us, and have allowed us to ramble along at times when very often we should have been pulled up. At all times you have endeavoured to help us and we fully appreciate your attitude. I also appreciate very much the remarks of the leader of the House and his wishes for the New Year which is almost upon us. We hope that in the next Parliament, over which we trust you will preside, if the Minister is not a member of the then Government he will at least be sitting in this Chamber. The hon. gentleman has always been prepared to take hard knocks and give them. He has shown a sportsmanlike attitude in many trying situations, and has at all times been prepared to ap-

preciate the position as he finds it. I reciprocate the good wishes he has extended to us, and most heartily extend my best wishes to yourself, Sir.

The PRESIDENT: Before putting the motion I desire to thank hon. members for the kind manner in which they have spoken of me. I may be allowed also to thank them on behalf of the "Hansard" staff and the officers of the House, who have not an opportunity of doing so themselves and of expressing their feelings. Perhaps it is as well they cannot express their feelings on this occasion. My task has been made an easy one by the assistance I have had from hon. members, and from the gentlemen I have mentioned who have suffered in silence. I thank hon. members for their good wishes and desire to express to them my own wishes that all the compliments of the coming season may be everything they desire.

Question put and passed.

House adjourned at 5.13 a.m. (Friday).

Legislative Assembly,

Thursday, 23rd December, 1920.

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

QUESTION—MINING INDUSTRY.

Mr. DUFF asked the Premier: 1, Was it with the concurrence of the Government that

the Minister for Mines, when in Melbourne on the 20th inst., made the following statement to the Press: "That industrially the State was likely to suffer the threatened general depression. The gold-mining industry was being hard hit by the latest award, not because the rates were excessive, but because the margin of payable ore had been reached, and but for the premium obtained on the sale of gold several mines would have to close." 2, Is he aware that such a statement is likely to have a damaging effect on any proposal to raise capital for any mining venture?

The PREMIER replied: 1, No. 2, It does not follow, as a generalisation of this nature has practically no bearing upon the prospects of individually promising mining propositions with which this State abounds. Moreover, I am not aware that the Minister has been correctly reported.

QUESTION—QUELLAGETTING ESTATE.

Mr. PICKERING (for Mr. Harrison) asked the Premier: 1, Has the Quellagetting estate at Meckering been reported upon with a view to settling returned soldiers? 2, If the report is not yet to hand, will he hasten its submission?

The PREMIER replied: 1, Yes. 2, Report has been received and the matter has been referred to the Agricultural Lands Purchase Board for consideration.

QUESTION—WHEAT, SALE TO NEW SOUTH WALES.

Mr. PICKERING (without notice) asked the Premier: 1, Has the question of the sale of the Western Australian wheat to New South Wales been finalised? 2, If so, what are the terms? 3, Do the Government intend to take any further action in this connection and, if so, what?

The PREMIER replied: 1, No, but the Attorney General's opinion has been received. It will be considered and in due course the public will be informed. 2 and 3, Answered by No. 1.

Hon. P. Collier: It seriously affects the wheat growers in your district.

QUESTION—AGRICULTURAL BANK, REPORTS.

Hon. W. C. ANGWIN (without notice) asked the Premier: Is it his intention to lay on the Table this year, in accordance with the Agricultural Bank Act, the reports for the years 1918-19 and 1919-20?

The PREMIER replied: I suppose I ought to answer "Yes," but I am afraid there will not be time.