

Legislative Council,

Wednesday, 23rd November, 1921.

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

QUESTION—INCOME TAXATION.

Hon. A. LOVEKIN asked the Minister for Education: 1, How many single persons having incomes ranging between £100 and £156 pay income tax to the State? 2, How many married persons having like incomes pay tax?

The MINISTER FOR EDUCATION replied: 1, There are no statistics in this office making the above information readily available, but, if desired, it could be obtained approximately in about a week's time. A special officer would have to be deputed to go through the assessment books. 2, Married persons whose incomes do not exceed £156 are not liable for State income tax. Section 28 of the Land and Income Tax Assessment Act, 1907, provides, however, that the income of a married woman shall be liable to assessment and taxation in like manner as if she were unmarried.

QUESTION — PARLIAMENTARY CLERICAL STAFF, SALARIES.

Hon. A. H. PANTON asked the Minister for Education: In view of the fact that on the 28th July, 1920, the Premier agreed to pay an increase of £24 per annum to all male officers in the Public Service over 21 years of age whose salaries did not exceed £228 per annum, and as this increase was granted to officers who were exempt from the provisions of the Public Service Act, will the Government give the same consideration to the clerical staff of Parliament?

The MINISTER FOR EDUCATION replied: The clerical staff of Parliament is not under the control of the Government.

QUESTION—RAILWAYS AND LOCOMOTIVE DRAFTSMAN.

Hon. A. H. PANTON asked the Minister for Education: 1, Were the same salary and inducements offered in Australia when advertising for the position of Locomotive Drafts-

man, C.M.E. Branch, W.A.G.R., as were advertised in England? 2, If not, what was the difference in the salaries and inducements offered? 3, Is there any reason why a higher salary was offered in England than in Australia? 4, Is the Minister aware that the first advertised salary of £382 failed to attract applicants who later were desirous of applying, but had no opportunity for doing so when the salary inducements were raised? 5, If, at the end of his three years' agreement, the draftsman referred to is appointed to the salaried staff, is it proposed to place him ahead of competent trained men now in the department? 6, Is the Minister aware that the appointed man was assured the possible line of promotion was to Chief Draftsman, Workshops Manager, and Chief Mechanical Engineer (the ages of the present occupants of those positions being quoted him), and that this would lead possibly to anomalies in the department? 7, In view of the line of promotion indicated, what special qualifications in workshops control, organisation, direction of material and stores, and management of men were stipulated when inviting applications in England? 8, Is the Minister aware that, through lack of opportunities, young men with high technical qualifications acquired at considerable cost to the State, have left the department and the State to seek openings elsewhere? 9, Will the Minister ascertain if it is the practice in the Eastern States to send Australian-trained engineers to workshops in England and America to further assist them in their profession? 10, Will the Minister send selected men from our own engineers abroad so that Australian positions may be filled by Australian men?

The MINISTER FOR EDUCATION replied: No. 2, £18 per annum. 3, No suitable applicants offered in Australia, and the conditions of the profession in England necessitated a higher salary being offered. 4, No. 5, This question cannot be settled until the agreement referred to is approaching completion. 6, He is aware that such information was furnished. 7, The qualifications stipulated were that applicants must have a thorough knowledge of the design and construction of most recent locomotives of all types, and workshops experience was an essential qualification. 8, No. 9, Yes. 10, The matter will have consideration.

JOINT SELECT COMMITTEE—FEDERATION AND THE STATE:

Extension of time.

On motion by Hon. J. W. Kirwan, time for bringing up the report of the committee extended to Thursday, the 15th December.

BILL—INSPECTION OF MACHINERY.

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

BILLS (2)—REPORT STAGE.

- 1, Factories and Shops Act Amendment.
- 2, Gold Buyers.

Reports of Committee adopted.

BILL—STAMP.

In Committee.

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

Clauses 1 to 5—agreed to.

Clause 6—Appointment of Commissioner of Stamps:

The MINISTER FOR EDUCATION: It is desirable that an alteration be made in Subclause (2), which confirms the appointment of a Commissioner of Stamps notified in the "Gazette" of 20th May, 1921. Since that time the Commissioner of Stamps, Mr. Owen, has been engaged on other duties and another Commissioner, Mr. Randell, has been appointed to do the work in his absence. I move an amendment—

That Subclause (2) be struck out and the following inserted in lieu:—“(2) The appointments of a Commissioner of Stamps notified in the 'Gazette' of the twentieth day of May, 1921, and the fifteenth day of October, 1921, respectively, are hereby ratified and the persons so appointed shall (subject to the revocation of the former appointment published in the 'Gazette' of the 15th day of Oct., 1921) be deemed to have had as from the date of their respective appointments the powers of the Commissioner of Taxation for the purpose of any Act hereby repealed, and the later appointment shall, after the commencement of this Act, have effect as if made under this section.”

The amendment is necessary to put the respective appointments in order.

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

Clause 7—Power of inspectors:

Hon. J. NICHOLSON: I move an amendment—

That Subclause (1) be struck out. The clause gives power to the Commissioner to call upon any person to produce for inspection all instruments liable to stamp duty in the possession or custody of such person. It is a very wide power to give the Commissioner, and is quite unnecessary. All that the Commissioner should be concerned about is that he gets his duties for the Government. If a document is capable of being produced in court it can be impounded. There are documents coming within the province of people engaged in the legal profession that those in possession of them think it undesirable to produce, and they are prepared to pay the penalty when the occasion arises for them to do so.

The Minister for Education: What is the penalty?

Hon. J. NICHOLSON: The penalty for not stamping the documents within the specified time. There may also be documents of a very private nature, which people do not like to produce unless it is necessary. The Commissioner will receive their duties and their penalties in the case of documents which are not stamped within the prescribed time. I do not see why he should also have power to require any person to produce for inspection an instrument liable to stamp duty.

Hon. Sir EDWARD WITTENOOM: The custom was to place marginal notes against these clauses to show whether they were new or where they came from. In the present case we do not know whether this is new legislation we are dealing with, or whether there is some precedent for it elsewhere.

The MINISTER FOR EDUCATION: The Act of 1916 provides that the Commissioner of Stamps may require that any instrument may be produced to him for inspection. The Commissioner of Stamps assures me that this is necessary. There are documents the necessity for the production of which never arises, but they should be stamped all the same.

Hon. A. SANDERSON: I wish the Minister would assist Sir Edward Wittenoom in his request. Is this particular clause contained in any other Act?

The Minister for Education: It is not a new clause; it has been in operation for the last five years.

Hon. A. SANDERSON: I do not think Mr. Nicholson's arguments in opposition to it are very powerful.

Amendment put and negatived.

Hon. A. LOVEKIN: I move an amendment—

That in Subclause 1 line 2 after "inspection" the words "within a reasonable time after demand has been made" be inserted.

The Commissioner of Stamps sends a man round to an office. He asks for the production of receipts, and checks these with the cash book to see that the receipts are properly stamped. I know of a case in which an inspector asked for some vouchers which were being used elsewhere, and the inspector said, "You see the suggestion that may arise through the non-production of these receipts." Umbrage was taken at that statement and the employer offered to show the receipts at once, whereupon the officer withdrew from his position. I do not want to see people harassed in this way, but to ensure that they shall be given a reasonable time in which to produce receipts when required to do so.

The Minister for Education: I have no objection to the amendment.

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

Clauses 8 to 13—agreed to.

Clause 14—Unlicensed persons selling stamps:

Hon. A. LOVEKIN: I move an amendment—

That a proviso be added as follows:—
“Provided that it shall not be deemed to be an offence under this section to supply any stamp for the convenience of any person on payment of the face value only of such stamp.”

In times gone by most of the employees in a business were not taxable in respect of their wages. Nowadays nearly all of them receive more than £5 a week, which represents a taxable income. At present, it is necessary for each employee to place a stamp upon his receipt and cancel it. Many of these employees do not bring stamps with them and must of necessity get them from a clerk in the office, or go out and buy them from a licensed vendor. We should not legislate so as to interfere too much in business matters with the convenience of the public themselves.

Hon. Sir Edward Wittenoom: Do you think that would be called dealing in stamps?

Hon. A. LOVEKIN: I take it that it would be regarded as such.

Hon. Sir Edward Wittenoom: I would trust every magistrate to let me off in such circumstances.

Hon. A. LOVEKIN: Why should we place in an Act of Parliament a provision whereby a person doing as I suggest will commit an offence?

The MINISTER FOR EDUCATION: I hope the Committee will not agree to the amendment. If the arguments advanced by Mr. Lovekin were sound, they would justify the striking out of the clause. The amendment, if agreed to, would have the same effect as the striking out of the clause. Does anyone ever buy stamps except for convenience? Does anyone charge another person anything but the face value of a stamp? It would be unnecessary for anyone to get a license to sell stamps if the amendment were adopted.

Hon. A. Lovekin: A shopkeeper selling stamps makes a profit.

The MINISTER FOR EDUCATION: There is nothing said about making a profit. The shopkeeper sells the stamps at the full face value; he makes a profit by buying them at a reduced price. As to the cases referred to by Mr. Lovekin, surely the department must be credited with acting reasonably. No one has been prosecuted for doing anything of the kind suggested by Mr. Lovekin. No one will ever be prosecuted for doing such a thing. The clause is an entirely proper provision.

Hon. A. LOVEKIN: Any person who buys and sells stamps, “deals” in stamps, and will, therefore, come within the scope of the clause. I want to protect the man who sells a stamp for the convenience of someone else, without making a profit on the deal. If a

man sells a stamp to a friend for the friend's convenience, he is liable to be prosecuted.

The Minister for Education: Such a case has never arisen.

Amendment put and negatived.

Clause put and passed.

Clause 15—Spoiled stamps:

Hon. J. NICHOLSON: I move an amendment—

That in paragraph (iv.) “a bill of exchange” be struck out and the words “any instrument” inserted in lieu.

The word “instrument” is used in the interpretation clause and means and includes every written document and other matter or thing enumerated or set forth in the second schedule. The clause provides that spoiled stamps shall, if returned to the commissioner, be replaced by new stamps in exchange. Apart from bills of exchange, there are instances where other instruments are sometimes executed by one party but never brought into use. The clause should be amended so as to give the commissioner wider powers in the case of such documents, so that even though the documents have never been brought into use, when the stamps are spoiled, they may be exchanged. It is hardly fair that the Government should keep the money and not provide for the exchange of the stamp in such circumstances.

The MINISTER FOR EDUCATION: I cannot agree to the amendment because there may be instruments that are never brought into use and they certainly should pay stamp duty. Why should not a power of attorney be required to pay stamp duty, although it might never be brought into use?

Hon. J. Nicholson: It is brought into use once it is delivered.

The MINISTER FOR EDUCATION: I will not argue on technical legal terms with Mr. Nicholson, but I would be surprised to find that a document is brought into use once it is delivered. I should think that a power of attorney is only brought into use when something is done by virtue of that power of attorney.

Hon. Sir Edward Wittenoom: In any case, it is there for use any time.

The MINISTER FOR EDUCATION: Quite so, and that being so, stamp duty should be paid.

Amendment put and negatived.

Hon. J. NICHOLSON: I move an amendment—

That the two provisos to paragraph (v) be deleted.

The provisos are new.

Hon. C. F. Baxter: And drastic.

Hon. J. NICHOLSON: The first proviso sets out that the commissioner shall not be obliged to exchange the stamps unless application is made for such exchange within six months of the stamps becoming damaged, while the second proviso sets out that the clause shall not extend to any bill of exchange or other instrument drawn in a set,

if any one of such set shall have been delivered to the payee or drawee. I do not see why the Government should have the benefit of the money and not provide a stamp to replace that which has been spoiled, merely because of this limitation.

The Minister for Education: There is the limitation of two months imposed at the present time and we are merely extending that limitation from one to six months.

Hon. J. NICHOLSON: I do not think there should be any limitation at all.

Hon. Sir Edward Wittenoom: You might not be able to recognise the stamp later on.

Hon. J. NICHOLSON: At any rate, I do not see why there should be any such limitation. The Government have the benefit of the money and should be prepared to furnish a stamp in exchange.

The MINISTER FOR EDUCATION: It is entirely reasonable to provide that a person requiring to secure an exchange of stamps, shall make application for such exchange as soon as possible. Even then, the Bill does not say that at the end of six months the commissioner shall not agree to the exchange. It merely sets out that the commissioner shall not be obliged to agree to the exchange, and if a reasonable explanation is advanced, there is power for the commissioner to agree to the exchange even after the termination of six months.

Amendment put and negatived.

Clause put and passed.

Clauses 16 to 19—agreed to.

Clause 20—Stamping instruments after execution:

Hon. A. LOVEKIN: I move an amendment—

That in paragraph (a) the words "twenty-eight days" be struck out, and "two calendar months" inserted in lieu.

An instrument might be received here from Brisbane in less time than from Hall's Creek, and the instrument from Brisbane is allowed 28 days from the date of its receipt here for stamping. The Hall's Creek instrument is allowed only 28 days altogether. We should provide for our North-West, and oftentimes 28 days would not be sufficient for that part of Western Australia.

The MINISTER FOR EDUCATION: The proposal would give everybody the time that would be required by people at Hall's Creek. The Commissioner never dreams of imposing a fine in such a case. He always allows adequate time. We shall make our legislation ridiculous if we try to frame a measure which will in all circumstances meet the most extreme cases.

Hon. A. LOVEKIN: Are we legislating here, or are we leaving the matter to the Commissioner of Taxation? This is the second time to-day the Minister has said that the Commissioner will be reasonable. Why bother to pass an Act of Parliament at all, then? The resident of Western Aus-

tralia ought not to be in a worse position under this measure than a resident of the Eastern States, but should be allowed reasonable time to get his document to Perth from Hall's Creek, or Wyndham, or any other remote part. I press the amendment, which does not deprive the Government of any taxation.

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

Ayes	..	..	..	4
Noes	..	..	..	15

Majority against .. 11

AYES.

Hon. J. Duffell	Hon. J. Cornell
Hon. A. Lovekin	(Teller.)
Hon. J. Mills	

NOES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. E. Dodd	Hon. A. Sanderson
Hon. J. A. Greig	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. Stewart
Hon. E. H. Harris	Hon. Sir E. H. Wittenoom
Hon. J. J. Holmes	Hon. R. G. Ardagh
Hon. J. W. Kirwan	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 21—General directions as to cancellation of adhesive stamps:

Hon. A. LOVEKIN: I move an amendment—

That in Subclause 1, after the word "law," line 4, there be inserted "or some person authorised on his behalf."

If the amendment is carried, it will not be necessary for the person who puts the stamp on a document to cancel it himself in every case. The amendment would cover the case of a wages sheet, on which hundreds of persons might have to put stamps. In such a case the paying clerk would put one lump-sum stamp on the sheet, which would be a great convenience. More wages receipts have to be stamped now than formerly. The amendment makes no difference whatever to the tax.

The MINISTER FOR EDUCATION: The Commissioner advises me that this provision would prove very dangerous. At present the Governor in Council authorises persons to cancel stamps; and it is necessary that suitable and responsible persons should be appointed for that purpose, because many documents requiring stamps do not need to be registered, and therefore may not come within the Commissioner's purview. The proposed delegation of power would, in the Commissioner's opinion, be highly dangerous.

Hon. A. LOVEKIN: I see the force of the Minister's contention. Perhaps the hon. gentleman will give consideration to the suggestion of a consolidated stamp. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clauses 22 to 30—agreed to.

Clause 31—The Commissioner to assess duty:

Hon. Sir EDWARD WITTENOOM: It seems a little hard that one should have to pay a shilling because the Commissioner says that one has not to pay any duty on an instrument. The clause calls upon the Commissioner to give opinions as to whether instruments are chargeable or not, and for each such opinion he is authorised to charge one shilling. I move an amendment—

That the words "for which one shilling shall be paid" be struck out.

There are enough irritating features in a Stamp Act. I know nothing like a Stamp Act for pinpricks.

The MINISTER FOR EDUCATION: This clause casts an obligation on the Commissioner for the convenience of the public.

Hon. Sir Edward Wittenoom: That is what he is there for. Why ask the public to pay specially for that?

The MINISTER FOR EDUCATION: If a member of the public can compel the Commissioner to answer a certain question, and to write the answer on the document, it is reasonable that the member of the public should pay a shilling fee for it.

Hon. Sir Edward Wittenoom: What does the Commissioner get his salary for?

The MINISTER FOR EDUCATION: The shilling does not go to the Commissioner, but to the revenue. If no fee were imposed, all the time of the Commissioner might be occupied with the work of giving opinions.

Amendment put and negatived.

Clause put and passed.

Clauses 32 to 45—agreed to.

Clause 46—License for the issue of bank notes:

Hon. A. LOVEKIN: I move an amendment—

That the words "unless he is a banker and holds a license so to do from the Commissioner (which license the Commissioner is hereby required to issue, in the prescribed form, on application being made for the same) issue any bank" be struck out, and insert in lieu "issue any."

When we sold our souls some years ago we also parted with the right to issue notes and to incorporate banks. I believe also, from what one hears, the remaining remnant, the State bank, has disappeared. Under Section 51 of the Federal Constitution it is provided that the Parliament, subject to the Constitution, shall have power to make laws dealing amongst other things with banking, other than State banking, also State banking extending beyond the

limits of the State concerned, the incorporation of banks, and the issue of paper money. We have given all that over to the Federal Government now.

The MINISTER FOR EDUCATION: The provision contained in the clause was made at a time when we had banks of issue in Western Australia, and it is continued now for the reason that those banks still have notes in circulation, and on those notes they pay $2\frac{1}{2}$ per cent. This provision merely protects them, and without it they would have to stamp the notes.

Hon. H. STEWART: The clause provides that no person shall issue a bank note unless it is duly stamped as a promissory note in accordance with the Act. From that one would infer that a promissory note is a bank note. I am seeking information. When we come to Clause 50 we find that it provides "For the purposes of this Act the expression 'promissory note' includes any document or writing except a bank note containing a promise to pay any sum of money." It seems to me that Clause 46 conflicts with Clause 50. We find that bank notes include promissory notes, but promissory notes do not include bank notes.

The MINISTER FOR EDUCATION: This is a case where all roosters are fowls. If the hon. member will turn to the definition he will find that a bank note means a bill of exchange, a promissory note for the payment of money issued or made by a banker payable to bearer on demand. He will see that it only becomes a bank note when it is issued. A promissory note is not included amongst those issued by bankers.

Amendment put and negatived.

Clause put and passed.

Clause 47—Parties licensed to render account of notes in circulation:

Hon. A. LOVEKIN: The clause provides that £2 per centum shall be paid upon the average amount or value of the bank notes circulated by any banker. According to the definition, bank notes are really stamped notes. I suggest that the Minister interview the Crown Solicitor to see whether this clause as well as the next clause come within the purview of our Constitution.

Clause put and passed.

Clauses 48, 49—agreed to.

Clause 50—Meaning of promissory note:

Hon. A. LOVEKIN: I move an amendment—

That after "any" in line 2 the word "negotiable" be inserted.

If I write to the Minister and say "Pay me the £5 you owe me" and he replies in writing "I will pay you on the 1st January," such a document, according to the clause, must be stamped. I do not think it is desired to go as far as that. It would be better to provide that a promissory note should be a "negotiable" document.

The MINISTER FOR EDUCATION: The clause is the same as we have at present and it is included also in the English Act.

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

Clause 51—Duty on bills and notes to be denoted by impressed stamps:

Hon. A. LOVEKIN: I move an amendment—

That in line 3 the words "except as hereinafter provided" be struck out.

In a big country like this, people should be able to use the impressed or adhesive stamp, whichever is the more convenient. The clause provides that only impressed stamps may be used.

Hon. A. J. H. Saw: What you ask is provided for in the second paragraph.

Hon. A. LOVEKIN: That paragraph only makes provision for regulations. People should have the choice of either stamp.

The MINISTER FOR EDUCATION: The clause provides for impressed stamps, but ample provision is given for the Governor by proclamation to direct that adhesive stamps may be used in any portion of the State as required. The amendment would destroy the clause. Bills of exchange float about and do not come under purview and, unless impressed stamps are insisted upon, they might never be stamped at all.

Hon. A. LOVEKIN: A promissory note would come up for payment at some time. Why inflict a hardship on a person, say, at Derby?

The Minister for Education: There is an exemption for him in the second paragraph.

Hon. A. LOVEKIN: But the Government up to the present have not provided for that exemption, and all promissory notes must bear impressed stamps.

Hon. J. A. GREIG: If a person wrote out a promissory note on ordinary paper, and stamped it, would it be a legal document?

The Minister for Education: No, it would have to bear an impressed stamp.

Hon. J. A. GREIG: I have had to travel 30 miles to get a promissory note. Would not the amendment make it possible for a man to write out a promissory note and add an adhesive stamp? If so, I favour the amendment.

The MINISTER FOR EDUCATION: The sole object of insisting on the impressed stamp is to protect the revenue. Without it, a person might not stamp a promissory note at all.

Hon. J. A. Greig: Such a promissory note would not be of much use to the holder as it would not be a legal document.

Hon. V. HAMERSLEY: Any person not stamping a bill or note would be liable to the penalties of the Act, as also would the recipient.

Hon. Sir Edward Wittenoom: No one would accept it unless it was stamped.

Hon. V. HAMERSLEY: Great inconvenience arises in the country districts under

the present system. The amendment will simplify matters.

Hon. H. STEWART: There is considerable merit in the amendment. A person accepting a promissory note would certainly insist upon it being stamped for his own protection, and thus the revenue would be protected.

The MINISTER FOR EDUCATION: A person could receive such a document unstamped and, if he had occasion to use it in a court of law, he could affix the necessary stamps. If the occasion did not arise, he need not stamp it at all.

Hon. Sir Edward WITTENOOM: The answer to the Minister's argument is that if a man were fool enough to accept an unstamped document, he would deserve to lose his money. People suffer great inconvenience through having to travel a long distance merely to get a stamp. I support the amendment.

Hon. H. STEWART: The man giving a promissory note has to pay the expenses, and the man accepting it would see that it was properly stamped.

The Minister for Education: He might take the value of the stamp instead and put the money in his pocket.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	7
Majority for	..	..	..	..	5

AYES.

Hon. R. G. Ardagh	Hon. A. H. Pantou
Hon. J. Duffell	Hon. E. Rose
Hon. J. A. Greig	Hon. A. Sanderson
Hon. V. Hamersley	Hon. Sir E. H. Wittenoom
Hon. J. J. Holmes	Hon. H. Stewart
Hon. A. Lovekin	(Teller.)
Hon. J. Mills	

NOES.

Hon. F. A. Baglin	Hon. J. Nicholson
Hon. H. P. Colebatch	Hon. A. J. H. Saw
Hon. J. E. Dodd	Hon. E. H. Harris
Hon. C. McKenzie	(Teller.)

Amendment thus passed.

Hon. A. LOVEKIN: I move a further amendment—

That after "impressed" the words "or adhesive" be inserted.

The MINISTER FOR EDUCATION: I cannot agree to the amendment without making clear the drastic alteration which this will involve to the present practice. A moneylender might accept a promissory note and say to the borrower, "This carries a stamp duty of 5s.; give me the amount." The note might fall due and the borrower might pay half of it. The note would be torn up and a fresh one carrying stamp duty of, say, 4s., might be accepted. The money lender might again say, "Give me the 4s." These transactions would not come under the purview of anyone unless the moneylender desired to discount the note, and he could put the

money paid to him for stamp duty into his own pocket. However, it is for the Committee to decide.

Hon. Sir EDWARD WITTENOOM: There is another side to the question. If such a case as that instanced by the Minister should occur, those people would be responsible to the law. And they know it. On the other hand, there may be cases like that, for fraud creeps into everything. But look at the immense convenience it will be to the ordinary people in the country! In view of that, even if a few shillings are lost under a rotten, irritating but necessary Bill such as this, we need not begrudge it.

Hon. J. A. GREIG: A promissory note not stamped is an illegal document. I do not think either of the parties would have anything to do with it. It would be too great a risk to be accepted for the sake of 5s.

Hon. J. NICHOLSON: There is a great deal to be said on both sides. Still, we cannot overlook the risk that will be run in the case of bills of exchange when the duty is allowed to be affixed with adhesive stamps. Of course, it will be a very great convenience to those in distant localities where impressed forms are not easily procurable. Our position in this State is very different from that existing in the Old Country, from whose legislation the Bill has been largely taken. A man at Hall's Creek might find it difficult to get stamps.

Hon. A. Lovekin: Would you disadvantage the many for the sake of catching a few scoundrels?

Hon. J. NICHOLSON: Perhaps not. There is in the Bill a provision that any unstamped bill of exchange may be stamped within 28 days from the time it is first received by the payee, if the Commissioner approves. I admit I voted against the amendment just now on principle. It has always been the practice for promissory notes to bear impressed stamps. A good many of those documents do not go through the banks.

Hon. A. Lovekin: Provision is made for that in Clause 52.

Hon. J. NICHOLSON: I should like to see progress reported, that we might further consider this question.

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

(Clauses 52 to 56—agreed to.)

Clause 57—Penalty for issuing, etc., any unstamped bill or note:

Hon. J. NICHOLSON: I move an amendment—

That after "accident," in line 6, "or any reasonable cause" be inserted.

It will give power to the Commissioner to meet any cases which may arise.

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

Clauses 58, 59—agreed to.

Progress reported.

BILL—MINING ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 10—(Condition of contracts for treatment of ore (partly considered).)

The MINISTER FOR EDUCATION: I do not wish to take a division on this clause in the absence of two or three members who particularly asked me to delay it. I understood that they would be present long before this, or I should have substituted some other Bill on the Notice Paper.

Hon. Sir Edward Wittenoom: They will be here when the bells ring.

The MINISTER FOR EDUCATION: All right.

Hon. H. STEWART: A Royal Commission dealt with the question contained in the clause. That commission, after having heard all parties, made a recommendation which is by no means embodied in the clause. A majority of the Royal Commission, of whom the warden was one, did not consider the circumstances warranted the inclusion in the Bill of such a clause as this. In my view the Bill, and the tributary Bill, deal with the mining industry as a whole, and not with gold mining alone. We require to make our legislation applicable to tributary in connection with any phase of mining.

Hon. E. H. Harris: What is there in the clause which relates to mining other than gold mining?

Hon. H. STEWART: It is on the matter of extraction. I do not say the Bill expressly excludes any other phase of mining, but if we put in the clause a provision that there shall be a 90 per cent. extraction—

Hon. E. H. Harris: Of gold.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. STEWART: It must be remembered that this legislation is intended to cover the whole State. Figures have been quoted from the evidence taken by the Royal Commission on Tributary to show that the Associated, the Oroya Links, the Kalgurli, and the Perseverance mines had an extraction of over 90 per cent during 1911. At that time the grade of ore was higher than that which is being treated to-day. Practically in no instance do the waste tailings that come from the treatment plants go below one dwt. to the ton. The vital point in connection with gold extraction is the value contained in the tailings, and the amount which is unrecoverable in the treatment plant is a vital factor as regards the percentage of extraction. If the value of the ore drops from one ounce to 10dwts. and there is still one dwt. in the tailings, the percentage of extraction must fall.

Hon. T. Moore: Will you support the Bill if we make provision for that?

Hon. H. STEWART: It is not desirable to put in the percentage rate of extraction. Take the Lancefield mine.

Hon. J. Cunningham: No tributing was ever carried on there.

Hon. H. STEWART: That mine has never had a greater extraction than 86 per cent. The Mt. Sir Samuel mine, which has thousands of tons of tailings containing 4 dwts. to the ton, has handled ore of practically one oz., and the extraction was only 75 per cent. The average value of the ore from the Royal Standard was 38s. per ton and the tailings averaged 8s. The Corinthian North only attained a 50 per cent. extraction. In these cases while running on a uniform ore it has been impossible to attain a 90 per cent. extraction. There are many Government batteries in the State to which I presume this clause would also apply.

Hon. A. H. Pantom: They do not buy ore.

Hon. H. STEWART: There is nothing to prevent them accounting for a 90 per cent. extraction. One cannot guarantee any percentage of extraction in the case of copper. Everything depends on the plant and the constitution of the ore.

Hon. T. Moore: We will get over the difficulty by putting in the word "gold."

Hon. H. STEWART: That would be undesirable.

Hon. J. Cunningham: The clause only deals with gold.

Hon. R. G. Ardagh: Have you ever heard of a copper mine being taken on tribute?

Hon. H. STEWART: That is quite possible under the Bill.

Hon. T. Moore: It is outside the scope of the Bill.

Hon. H. STEWART: I cannot see that. Some members only take a parochial view of the Bill, and desire to limit its scope in certain directions.

Hon. J. Cunningham: It is already limited. The CHAIRMAN: Order!

Hon. H. STEWART: It is undesirable that operations should be restricted to gold alone. I have shown that the 90 per cent. extraction has not been obtained in many instances. There are also mines in Victoria which have failed to attain more than a 60 per cent. extraction. The opinion has been expressed by a well known scientist that the legal mind is not capable of giving a decision upon technical matters of this kind. Seeing that the Royal Commission dealt with this matter, that should be sufficient. All agreements are subject to review by the Warden's Court, and the matter could well be left to arrangement between the individual parties. If the clause were insisted upon it would either hold up tributing, if a 90 per cent. extraction was not probable, or the treatment plant owners would not deal with the ore submitted, and there would be an impasse. On the other hand, if it is left as a matter of private arrangement, suitable terms can be reached between the parties interested and the impasse will be overcome.

Hon. J. CUNNINGHAM: It is admitted that it is in the best interests of the gold mining industry that we should have a satisfactory tributing law. Sir Edward Wittenoom claimed that last year's legislation was not satisfactory. It is ancient history that the measure was not satisfactory to the mine owners and the present Bill is the outcome of their dissatisfaction. The mine owners do not desire this clause to remain in the Bill. Up to the present, no legitimate grounds have been advanced for rejecting the clause.

Hon. R. G. Ardagh: Not one.

Hon. J. CUNNINGHAM: Sir Edward Wittenoom indicated in his speech that he had pinned his faith to the report of the Royal Commission. He declared that, as the addendum by Mr. Munsie was not agreed to by the whole Commission, it was for the Committee to accept the recommendations of the Royal Commission without amendment. Sir Edward Wittenoom should have been consistent, seeing that he took up a different attitude in regard to the report by the Royal Commission on Education. The Notice Paper contains a motion in the name of Sir Edward Wittenoom disagreeing with the findings of that Royal Commission.

Hon. Sir Edward Wittenoom: The component parts of the Tributing Commission were excellent for the most part.

Hon. J. CUNNINGHAM: I view the work of the Royal Commission on tributing from the same standpoint as Sir Edward Wittenoom views the findings of the Royal Commission on Education. Mr. Sanderson indicated that it was his intention to ignore the recommendation made by the workers' representative, but he left us completely in the dark as to the grounds upon which he opposed the clause. When pressed for his reasons, he evaded the issue, although he continued his speech. If the clause is struck out, the measure will be unsatisfactory so far as tributing is concerned. In asking for payment on 90 per cent. extraction, it should be remembered by the Committee that such a payment has been the practice for years past and it was only departed from after the passing of last year's measure. If the whole clause is objectionable, I would suggest an amendment to strike out all the words after "ore" in the sixth line, dealing with applications to the warden. At the same time, I think it would be advisable to retain the words referred to.

Hon. J. Nicholson: That would make it worse than before.

Hon. J. CUNNINGHAM: In view of what Mr. Stewart said, I thought that suggestion would make the clause better. Mr. Stewart said that the companies were not desirous of going before the warden to decide whether or not ore was refractory.

Hon. H. Stewart: On a point of order. If that was the impression my remarks created, that impression was an erroneous one. I was not speaking on behalf of com-

panies but simply said that, in a general way, it was undesirable that a warden should deal with that subject, and gave as my reason the incompetence of the ordinary courts of law to deal with such technical matters.

Hon. J. CUNNINGHAM: The striking out of the words I suggested would affect the Lancefield mine, where there is refractory ore. Mr. Stewart referred to that mine when he said there was one big mine in Western Australia which might be let on tribute, where there was refractory ore, and where tributers might desire to work later on.

Hon. H. Stewart: By way of personal explanation. Mr. Cunningham apparently attributes certain reasons weighing with me in referring to the Lancefield mine. I have no idea of any prospective tributing in that mine or any negotiations in that direction.

The CHAIRMAN: The hon. member is quite in order.

Hon. J. CUNNINGHAM: I did not say that there was anything on the boards regarding the Lancefield mine from the tributing standpoint, but while the machinery is there, there is a possibility of the mine being let on tribute. Mr. Stewart stated that if the clause were struck out a more satisfactory position would be created enabling the parties to come together and make an agreement as to the basis upon which payment should be made on the extraction from ore. What was responsible for the introduction of the measure last session? The real position was that conditions in connection with mining, from the tributing standpoint, were so unsatisfactory that the representations of the tributers were sufficiently strong to force the Minister for Mines to introduce the Bill last session.

Hon. H. Stewart: The Minister for Mines did not bring in such a clause as this in that measure.

Hon. J. CUNNINGHAM: Last year's Bill was a better one than the one under discussion and there was room in that measure for the inclusion of the clause we are now considering. The position was so unsatisfactory following upon the passing of last year's Bill that the Government appointed a Royal Commission. I would like to know if Mr. Stewart has been connected with tributing, seeing that he contends that, unless the clause is rejected, the measure will be unsatisfactory regarding tributing operations. Does that hon. member know the conditions under which the mines are worked by tribute? Does he know that the tributers have to sell their ore to the people who own the treatment plants, who are thus able to dictate terms to them?

Hon. H. Stewart: Of course I know.

Hon. J. CUNNINGHAM: Every hon. member must know that the tributer is at

the mercy of the mine owner, and has been all through.

Hon. J. Duffell: Does the tributer work at the request of the mine owner?

Hon. J. CUNNINGHAM: Do the mining companies put their money into the mines at the request of the workers? Of course both work in the interests of each other. Without tributers operating on the mines, large areas of gold bearing country would not continue in a state of productivity. But with the assistance of the tributer the mine can continue to return profits. The Perseverance mine, at Boulder, returned a direct profit of £128,000 to the company as the result of tributing. In that case, moreover, payment was made on an extraction of 90 per cent. or over. I hope the Committee will pass the clause in order to assist the maintenance and the development of the mining industry. Without the clause, this measure must prove highly unsatisfactory to the tributers. The Golden Mile will resort to the tribute system more and more. Indeed, many mine owners now look upon that system of working as the most profitable. Numerous miners have practically surrendered their health to their calling, and some of them are now seeking to acquire some little means by tributing, in order to get out of the industry. If they remain in it, the most merciful end for them is a fall of rock, which means that their dependents receive compensation under the Workers' Compensation Act; a less merciful end is the sanatorium. Those are practically the only ends which await the miner to-day unless he is able to do something for himself by way of tributing. I was surprised when the Leader of the House stated definitely and curtly that he intended to vote against the clause, though from the point of view of a representative of the Government, who will accept no amendment unless it comes from their own side, that is no doubt the correct course for him. In the interests of the mining community generally, however, I ask the Committee to retain the clause. If the mine owners again resort to a boycott of tributing, I hope the Government will take strong action, and not weakly surrender, as they did in the case of last session's Act. If Mr. Stewart dislikes the last portion of paragraph (a), let it come out, though I desire the retention of those words with a view to mines which have refractory ores.

Hon. J. CORNELL: Some opponents of the clause have said that it is unfortunate the mine owners are not represented in this Chamber. But that view is wrong. With equal logic it might be contended that certain sections of the North-West are not represented here. Every two years there is an election to this House, and the field is open to all; so that, notwithstanding the somewhat restricted franchise, the result of the election must be regarded as a reflex of the opinion of the electorate. I view this clause from the general aspect of justice or injustice. Last session's measure was not accept-

able to the section that held all the guns, and consequently that Act never had a chance. For the last 25 years the tributer has been an economic outcast, without any legal protection; but now it is recognised that in the interests of mine owners, and of tributers, and of the mining industry as a whole, some law to govern tributing must be enacted. Men conversant with goldfields conditions knew there was no necessity for the Royal Commission. The appointment of that Commission was decided upon by the Government, and not by goldfields members. The personnel of the Commission comprised a representative of the men holding the ground, and a representative of the men desiring to work the ground—the chairman, Mr. Owen, presiding in a judicial capacity. The Commission were unanimous regarding the nine points embodied in the Bill. We goldfields members are prepared to accept the unanimous findings of the Commission. But now comes a point on which the Commission were not unanimous. The representative of the tributers held that some further protection should be given to them. Now, the Committee's duty is not to accept the bald assertion that the clause should not go in because a majority of the Commission are alleged to have been against it. The Committee should consider whether it is right that the provision, either wholly or in part, should find a place in the Bill. Of the three parties to a tribute agreement, the Crown is practically a nonentity, being either unable or unwilling to enforce its own law. Let us see what the position is when tributers come in. Tributers have a certain block of ground in which they break ore. That ore has to go through a treatment process. It is part of their tribute agreement in some instances that on the mine on which they tribute, the ore they raise shall be treated. In other cases they raise ore on blocks of ground where there are no treatment plants, and they take their ore to a treatment plant where the owners make it a business to do that work. The first portion of the amendment seeks to set up that a percentage of extraction shall be a condition upon which the people who own the treatment plant shall work. It is a fair position that there should be some protection. The tributer to-day is in the position that he has to take whatever extraction is given to him. It has been urged by companies that 90 per cent. extraction is too high, and is not capable of being realised. It has been pointed out that only quite recently that figure was the accepted figure, but that it has since been reduced. What guarantee have we, if we do not give the tributer some protection, that it will not be further reduced. Some hon. members claim that 90 per cent. extraction is too high, and for that reason the clause should go out. I will not go into the wide field dealt with by Mr. Stewart on refractory ores. I intend to treat with living things. I desire to refer to the Lancefield mine. The hon. member cited the Lancefield as a case in point, where never more than 85 per cent. extraction was obtained. I happen to know a little about

the Lancefield, and I know that a considerable amount of capital was sunk in that mine by persons beyond the seas who had their affairs managed by Bewick, Moreing & Co. The mine was subsequently closed down because it was contended that it was never likely to pay on account of the refractory character of the ores. A gentleman, however, came along and formed a local syndicate to start the Lancefield again. The general manager, Mr. George Ridgway, conclusively proved that it was more a mechanical than a metallurgical matter, and he got to work and made money out of the mine. His extraction was greater than ever Bewick Moreing & Co. got. As things return to normal, I am convinced that if sufficient capital is put into that mine, it will again yield more than 90 per cent. extraction. With regard to paragraph (b) of the clause there cannot be any argument about the tributer being entitled to a percentage of the gold premium.

Hon. A. H. PANTON: He is entitled to the lot.

Hon. J. CORNELL: We are only asking for half. There are certain gentlemen in Western Australia who claim that the gold premium is the result of their individual efforts. We know, however, that there is only one reason for the gold premium to-day, and that is the state of the finances of the world. As we return to normal, in spite of the efforts of any of these individuals, so will the gold premium disappear. In the meantime I claim that those men who win the gold are entitled to participate in the premium. Last session, for the first time for 25 years, an attempt was made to legislate for the tributers. An effort was made to get over the difficulties which were found to exist, by the appointment of a Royal Commission, but a deadlock appears to have again occurred. I have given this question much consideration and thought, and I am as anxious as any man in this country, from national motives, to see that the goldfields last, not only a long time, but that we shall have a revival, and if I thought there was more justice on the side of the mine owner than there is on the side of the tributer, I would not hesitate to vote against the clause. I think, however, the justice is on the side of the tributer, and that he is entitled to some protection. I hope hon. members will not vote out the clause and that they will not act hastily. If we vote out the clause it will mean that another place will insist on its reinstatement. Rather than vote it out, it might be referred back to the parties for further consideration.

Hon. A. SANDERSON: The tributers have very little reason to complain of their advocates in this House. Nine-tenths of this trouble is due to the Minister for Mines. A Bill was put through last session—

Hon. A. H. Panton: And should have been enforced.

Hon. A. SANDERSON: Why was it not enforced? Can we ignore the report of the Royal Commission? The mine owners know something about this clause.

Hon. A. H. Panton: So do the tributers. Hon. A. SANDERSON: If the two parties could come together as suggested by Mr. Cornell, they should do so. It is unreasonable that one member of the Commission should be able to get inserted an objectionable clause of this description, and throw the whole burden of the defence upon members here who do not pretend to be technically acquainted with the ramifications of the business as the spokesmen of the tributers are.

Hon. J. W. Hickey: Be influenced by those who know something about it.

Hon. A. SANDERSON: I would be if Mr. Wellsted were here to answer the technical points.

Hon. E. H. Harris: I will tell you what Mr. Wellsted said.

Hon. A. H. Panton: Did he tell you he was a big shareholder in a mine which is on tribute?

The CHAIRMAN: We are not discussing Mr. Wellsted.

Hon. A. SANDERSON: He was a member of the Royal Commission.

The CHAIRMAN: I think it would be better to deal with the findings of the Commission without mentioning the names of the members.

Hon. A. SANDERSON: Very well. The representative of the tributers, from his position in Parliament, was able to introduce this amendment.

Hon. A. H. Panton: That was only a coincidence.

Hon. A. SANDERSON: It was an unfortunate coincidence. Let us adopt the suggestion of Mr. Cornell and refer it back to the parties and see if they can come to an agreement. The difference, after all, is not very great. In connection with the gold premium, the difference in dispute is 10 per cent. I have an opinion here which states—

Under the present system of dividing the gold premium the amount paid to the tributer averages 10 per cent. of the total.

Hon. A. H. Panton: Where is that provided for in this Bill outside of Clause 10? If the clause is not retained, is there anything else to compel the companies to pay that portion of the premium to the tributers?

Hon. A. SANDERSON: I cannot answer that question. The opinion continues—

If the new clause becomes law, the company will be forced to pay 50 per cent.

Hon. A. H. Panton: And if it does not, what will they be forced to pay?

Hon. Sir Edward Wittenoom: They paid 40 per cent. before.

Hon. T. Moore: Not under any law.

Hon. A. SANDERSON: Whether by law or custom is immaterial.

Hon. T. Moore: We want to make it the law.

Hon. A. SANDERSON: The difference is 10 per cent.

Hon. J. Cunningham: Why not concede it?

Hon. A. SANDERSON: Because the Royal Commission, after the most exhaustive and careful inquiry, came to a particular decision.

Hon. A. H. Panton: That is the only reason?

Hon. A. SANDERSON: And a very good reason, too.

Hon. A. H. Panton: You do not care about the merits of the case at all.

Hon. A. SANDERSON: How can the hon. member say that in view of the finding of the Royal Commission? If the parties could fix up the difference between the 40 and 50 per cent., my opposition would vanish. It is not too late to do this, except that the Minister for Mines is galivanting somewhere about the equator—a most discreditable performance. Now I come to the question of the 90 per cent. extraction. Again I will quote the opinion, one which to me is convincing.

Hon. T. Moore: A lot of wealthy mine owners behind it.

Hon. A. SANDERSON: The hon. member had better let me read it before he talks about wealthy mine owners. It refers to wealthy tributers. I know of no wealthy mine owners. This is from the Boulder Perseverance Mine and states—

The percentage paid for ranges from 85 to 90 per cent. according to the grade of ore milled at the treatment plants and, notwithstanding what Mr. Munsie says to the contrary, the practice of paying as low as 85 per cent. on some grades of ore has been in force for years. I heard the whole of the evidence before the Royal Commission, and I can say without any doubt whatever that not one mill owner claimed to get an average extraction as high as 90 per cent.

Hon. J. Cunningham: What are the names of the mines which have not been paying it?

Hon. A. SANDERSON: I cannot answer that.

Hon. J. W. Hickey: You should have it if you have been supplied with correct information.

Hon. A. SANDERSON: Then we should have the whole of the evidence here. So anxious am I to meet members that, if time were given, I would be prepared to go exhaustively into the question in order to arrive at a satisfactory arrangement. My informant continued—

The highest extraction obtained from tributers' ore was 89 per cent.

There is a further point regarding the financial position of the tributer. We had a pathetic appeal that the tributers' health was injured by his labours and that he got only scanty remuneration for his work.

Hon. T. Moore: Do you doubt the injury to his health?

Hon. A. SANDERSON: That question was discussed at some length in this Chamber before Mr. Moore was a member, and the conclusion I came to, after listening most carefully to the discussion, was that the political arena furnished the most disastrous occupation of all from a health point of view.

Hon. A. H. PANTON: They get better remuneration.

Hon. J. W. Hickey: There are more diggers than politicians in Woorooloo.

Hon. A. SANDERSON: The politicians, I am afraid, are underground. Evidence was given before the Commission to the effect that on the Perseverance mine for the last 2½ years, the earnings of the men amounted to £11 per week, and that in very few instances did the men earn less than the Arbitration Court award. This is in marked contrast with the treatment received by the mine owners last session. The tributers have had an opportunity for putting their case before the Commission and, having had that Commission, we should abide by its recommendations. Mr. Cunningham said that I had left hon. members in the dark.

Hon. J. Cunningham: Absolutely.

Hon. A. SANDERSON: Well the hon. member can discuss that with Mr. Panton. At all events, my electors clearly understand the attitude I have taken up.

Hon. A. H. PANTON: You ignore the merits of the case.

Hon. A. SANDERSON: The hon. member should not say that, since I have made a careful study of the question. I appreciate the attitude of Mr. Cornell, who says he is anxious to find a satisfactory solution of the problem. I assure him that if this can be delayed for a day or two I will give him every possible assistance. But I will fight to prevent this clause going in against the findings of the Royal Commission.

Hon. A. H. PANTON: The hon. member harks back to the position from which he started, namely that he will vote against the clause, not on its merits, but merely because it has been inserted by a member of the Commission. The Commission as a whole came to a certain decision, which nobody has challenged. Then one of the members of the Commission succeeded in getting an additional clause inserted in the Bill in another place.

Hon. Sir Edward Wittenoom: It upsets all the rest of the Bill.

Hon. A. H. PANTON: I do not think so. Certain legislation passed last session was ignored by the Chamber of Mines, notwithstanding that the Minister had heroically declared that if any hostility were shown to the Act he would amend the laws relative to tributing. Mr. Sanderson said if the clause were retained there would be no tributing available for the men. I have just as much right to say that if the clause be not retained the tributers will refuse to take any tributes. Mr. Stewart desires to

so widen the scope of the Bill as to embrace base metals.

Hon. H. Stewart: I dealt also with the position of gold mines.

Hon. A. H. PANTON: The hon. member set out to show that certain extractions made in 1911 were from higher grade ore. He was not quite correct in that. In 1911-12 the Associated Gold Mine obtained 92.57 per cent. and 94.29 per cent. extraction from 7dwt. ore. In 1910-11 the Associated blocks obtained 94.55 extraction from 7dwt. ore.

Hon. H. Stewart: Why, those figures condemn themselves!

Hon. A. H. PANTON: Then the report from which I am reading condemns the mining companies who supplied it to the world. Mr. Stewart declared that Mr. Kirwan's reference must have been to higher grade ore.

Hon. H. Stewart: A higher grade than we have to-day.

Hon. A. H. PANTON: Well, I am quoting the actual figures. In 1910, 1911 and 1912 the Kalgurli Gold Mines Ltd. obtained a mean extraction of 93.27 per cent. for a mean value of 8.9dwt. ore. Even Mr. Sanderson would accept these official figures.

Hon. A. Sanderson: Certainly.

Hon. A. H. PANTON: The figures are to be found in the book compiled on the mining costs of the world up to 1912. I have not heard it argued that the mining staffs of to-day are less efficient than were those of 1912 or that the machinery has so deteriorated that it is no longer possible to obtain the same extraction. Indeed during the last few years hundreds of thousands of pounds have been spent in perfecting that machinery, and to-day the companies are able to obtain a greater extraction than was possible in 1911-12.

Hon. J. Cunningham: That was proved at the Lancefield.

Hon. A. H. PANTON: Mr. Stewart quoted some authority to show that the judicial mind was not capable of giving a decision on technical engineering questions. I should like to know who was the capable engineer with a judicial mind that framed the decision of the Royal Commission.

Hon. H. Stewart: It is not a question for a court of law to deal with.

Hon. A. H. PANTON: If Mr. Stewart is right in that, we cannot accept as final the judicial finding of the warden, as chairman of the Commission, on this particular question. On the other hand, if Mr. Sanderson accepts that finding as final, he must disagree with Mr. Stewart's arguments.

Hon. H. Stewart: Not so. There were technical men on either side.

Hon. A. H. PANTON: I have never known any court of inquiry more analogous to an Arbitration Court than was this Commission. A dispute arose between the mine owners and the men. A Royal Commission

was appointed. Mr. Munsie was to look after the interests of the tributers, and Mr. Wellsted to conserve the interests of the mine owners. In addition there was an independent chairman. There was this difference: the man looking after the interests of the tributers had no financial interest in mining, whereas the man on the other side was a shareholder in one of the mines run by tributers. Mr. Stewart rightly contends that there were on the Commission two men with technical knowledge. Of course so; and they were going to get the best they could for those they represent.

Hon. A. Sanderson: Hear, hear!

Hon. A. H. PANTON: If the hon. member says "hear, hear," he must agree that the finding of the Commission represented the casting vote of the warden as chairman. If the judicial man on the Commission was not capable of giving a finding on the technical engineering question, then we as legislators have a right to go into the matter ourselves and listen to the expert advice available in the Chamber.

Hon. H. Stewart: That argument is reasonable ground for rejecting the clause.

Hon. A. H. PANTON: The hon. member said that if there was a dispute over the 90 per cent. extraction the warden could not come in and give a judicial opinion. In view of his understanding of the position generally, as shown by the report of the Royal Commission, I should say that he could deal with such a matter. The tributer has no more check than I have here upon the actual ore that goes through the mill. When the ore is finally taken out a sample is extracted and broken down into three parts, and the tributer can pick out one of these parts if he wishes to get an outside assay. Once a tributer breaks the ore he has nothing more to do with it than this. I would also point out that Government batteries do not work under the principle we are now discussing, whereas the mining companies do. The Government battery merely takes the ore and crushes it, and the owner of the ore gets the full result of his labour minus the cost of treatment. If a Government battery is leased, the lessee who buys ore must come under this clause. The Perseverance mine has always paid on a 90 per cent. extraction. It is owing to the tributers that the mine has been kept going at all. I am of opinion that the tributers will be the backbone of the mining industry during the next few years, but unless they get a fair result from their labours they will be unable to carry on. In order to put a case before the Royal Commission the mine owners brought down their percentage of extraction from 90 to 85. Without this clause in the Bill they could buy ore from the tributers at £1 per ounce of gold contained in it, and refuse to give the tributers any portion of the gold premium.

Hon. Sir Edward Wittenoom: The men would not give them the ore to treat.

Hon. A. H. PANTON: If the Government were prepared to place a Government battery at the disposal of the tributers this would overcome the difficulty. Until that is done the tributer must take his ore to the nearest treatment plant.

Hon. E. H. HARRIS: The deliberations of this Committee will have an important bearing upon the mining industry. The tributer may yet prove to be the mainstay of that industry, and hon. members should understand well how this clause would affect the mine owner, the tributer and the State. I regret that the typewritten evidence taken by the Commission has not been submitted to Parliament. It should have been placed at the disposal of members. One of the questions which the Commission was called upon to inquire into was—

Do the provisions of the said Act hinder or tend to prevent the sub-letting of tributates, and, if so, in what way and to what extent should the Act be amended?

The finding of the Commission was along lines that were considered would fill the requirements of both parties, and the recommendations were embodied in a Bill which was submitted to Parliament. A member of the Commission, who is a member of another place, secured an amendment to the Bill as originally framed. Much has been said about that amendment. It has been suggested that if the member of the Commission representing the mine owners had been a member of another place instead of Mr. Munsie, he too might have secured an amendment to the Bill in another direction. It has also been suggested that Mr. Munsie might have allowed some other member to amend the Bill. The clause refers to the treatment of gold ore, when such ore is purchased by a mining company. It is impossible to have a separate clean-up for every parcel of ore crushed. The ore is, therefore, bought on the assay value, and this fact is responsible for the insertion of the clause in the Bill. When this clause was inserted a telegram was sent to the Minister for Mines by a member of the Commission in the following terms:—

I consider that if proposal becomes law it will seriously prejudice the establishment of mutually satisfactory conditions between all parties and defeat the Commission's recommendations, which so far as I was concerned were based on no alteration being made from prevailing arrangements as to payment on percentage of extraction, the division of gold bonus, and treatment charges. The insistence of payment on basis of 90 per cent. extraction will eliminate letting many tributates, or alternatively will mean unnecessary appeals to warden not conversant with metallurgical difficulties on a matter wherein tributates and leaseholders would have previously agreed between themselves, and instead of being an assistance to the mining industry would provide another instance of deterrent influence. Regarding the division of gold

premium I consider that the present method of payment of royalty at the agreed rate being paid to leaseholders and the balance divided on the 50 per cent. basis as at present should be maintained. If the proposed additional clause becomes law, it will of necessity cause treatment plant owners to revise their scale of charges which I think it is desirable to avoid. I am sincerely of opinion that the majorities of both tributers and leaseholders are satisfied with the Commission's recommendations without the addition of the new clause and both parties would welcome an opportunity to be allowed to work in peace. I suggest that you obtain the views of the Chairman of the Commission for the information of members of Parliament. I am in communication with him at Bunbury on the above lines.

That is the view of Mr. Wellsted who was one of the commissioners, after having perused Clause 10. That expresses the attitude from the mine owners' point of view very clearly. Mr. Munsie, who was the commissioner representing the tributers, considered that they were not safeguarded and he used his position, as he was entitled to do, in order to submit the amendment which is now set out in the clause under discussion. This makes it clear where the two Royal Commissioners stand regarding their respective points of view. As to the actual gold extracted from the ore, according to the mining companies, it is from two to 10 per cent. lower than the theoretical tests which prompted the mine owners to say that 90 per cent. cannot be obtained.

Hon. A. H. Panton: Seeing that it is only from two to 10 per cent. lower than the theoretical test, that is safe surely?

Hon. E. H. HARRIS: An extract has been quoted from the "Mining World" and it may not be out of place for me to quote another extract which reads as follows:—

To say that the owner of a treatment plant must pay for 90 per cent. of the gold content of any ore he may buy, is extremely foolish. On a low grade sulphide ore of a value less than 10 pennyweights per ton, it is practically impossible to obtain a 90 per cent. extraction. Therefore, the owner of a treatment plant, on being asked to crush low grade ore and pay 90 per cent. of its gold content, would simply refuse to enter into such a bargain, and the position would be that the tributer with low grade ore, would be unable to get his material treated. It is the general practice when buying sulphide ore for treatment to purchase on the basis of 90 per cent., but although this is a general practice, it is not by any means universal. That shows that 90 per cent. cannot always be obtained from low grade ore, particularly when the ore is refractory. I am quoting from extracts which came into my possession from mining companies and from tributers. It has been said that we should get both sides of the question and thus enable us to give

a just verdict. The evidence before the Royal Commission and the report of that body shows that conditions vary and that the payment made on the extraction of ore varies from 85 to 90 per cent. The last annual report of the Great Boulder Perseverance Company is before me and as that company has been mentioned it would not be out of place for me to read members one or two quotations from that document. Speaking of the buyer's risks, the report which the company submitted to the shareholders on the 26th February of this year, says:—

Against those losses, the ore buyer holds 10 per cent. of the value of the gold contents and 5s. for each fine oz. of gold recovered, and as the residues contain about 7 per cent., this margin is found in practice to be barely sufficient. Only 86 per cent. of the gold contents was recovered during the year 1919; the average recovery for last year was 90.47 per cent.

That is the official report of the company and, from my own knowledge, I know that they pay on the basis of 90 per cent. extraction. Notwithstanding what has been said of what the companies can do, I believe there are certain parcels of ore respecting which they get 86 per cent. or less. The average of the ore crushed by any of these batteries is said by the tributer to be on the basis of 90 per cent. Dealing with this aspect the company's report shows that they guarantee an extraction of 90 per cent. unless it is proved that the ore is of such a refractory nature that it cannot be obtained. There is a safety valve in the clause that protects the company if that percentage cannot be obtained. The companies point out that the margin is very slender. On page 41 of the evidence before the Royal Commission, it is pointed out by Mr. Laurie, who is the metallurgist on the Great Boulder Perseverance Mine, that he considers 90 per cent. a shade high, but he admits that the company have been paying on that basis. The witness representing the Lake View Star Mine said on page 43, that their extraction was 81 per cent., showing that conditions varied considerably in the different mines. If wheat were taken to a mill for gristing, I believe that, speaking generally, they would get on the average 90 per cent. The question arises as to whether the same principle should be applied to the mining industry.

Hon. H. Stewart: In any case, the mining companies can decline to take ore and crush it for the tributers.

Hon. E. H. HARRIS: Quite so. Mr. Sanderson quoted a letter from Mr. Black, who is a well known mining representative, and he put the matter tersely from the mining companies' point of view, when he said: "In my view, legislation on lines the Commission recommended, will enable the tributering to be carried on in a manner fair to all parties. The evidence before the Royal Commission showed the inadvisability of legislating by amendment such as that embodied in Clause 10." The tributers do not take up

the attitude that what is proposed is not fair to all parties so far as the Bill, up to and including Clause 9, is concerned. When they come to Clause 10 however, the tributers say that its provisions will be fairer as between the parties. The tributers look upon the companies as "die hards" who will hang on to the 11th hour, the 59th minute and the 59th second before giving away a point dealing with tributating. Companies usually cry "Wolf," and some tributers adopt the same policy. While the companies are anxious that this clause should be deleted, we have no real ground for believing that they will adopt the same attitude towards this measure as they adopted towards last session's Act. I have here a telegram which reached me yesterday from Mr. J. P. Stevens, the secretary of the Tributers' and Prospectors' Association, Kalgoorlie—

On personal application have verified the statement that outsiders receive 90 per cent. extraction and 90 per cent. of the bonus.

Hon. A. Sanderson: That is, of the premium?

Hon. E. H. HARRIS: Yes. But a company dealing with their own tributers give them only 40 per cent. of the gold premium, retaining 60 per cent. for themselves.

Hon. J. Cornell: In the other case they have no pull.

Hon. E. H. HARRIS: That is so. The companies give very different treatment when dealing with people over whom they have no pull. However, Smith, the company's tributer, takes the view, "If this other man can get 90 per cent. of the gold bonus, why cannot I get 50 per cent.?"

Hon. A. H. Panton: The reason is that the company have a string on Smith.

Hon. E. H. HARRIS: Yes. The tributer is not free to deal where he likes. As regards appealing to the warden, that officer is not by virtue of his position armed with technical or professional knowledge. It has been pointed out that, in particular, the warden has no knowledge of metallurgical work. But in his judicial capacity he will have many of these questions brought to him for decision; which means that he will call in someone who can give him reliable information to work upon. It is unfortunate that we have not the warden's opinion on this clause. However, the clause contains a safety provision to the effect that if the company are unable to get the 90 per cent. extraction on which they have to pay, they can go to the warden to prove that such extraction is not obtainable, and then, if they do prove it, the tributer cannot require the company to pay upon that basis. The retention of the provision requiring 90 per cent. extraction will be an incentive to the companies to obtain the best metallurgical talent available, with a view to securing the highest possible extraction, because of the residue which remains to the companies. With regard to the gold premium, it is provided that 50 per cent. shall

go to the tributer. The practice has been to divide the premium into three parts—one to go to the company in payment of royalty on the particular parcel of ore; of the remaining two-thirds one to go to the tributer, and one to the owner of the crushing plant. So far as the legality of the transaction is concerned, the tributer, having sold his ore outright to the owner of the treatment plant, has no right to any portion of the gold premium.

Hon. A. Sanderson: Whose statement is this?

Hon. E. H. HARRIS: It is a statement supplied to me by one of the gold mining companies.

Hon. A. Sanderson: Whose decision is that?

Hon. A. H. Panton: The decision of the man who holds the gun.

Hon. E. H. HARRIS: I have here a circular issued by the Gold Producers' Association on the 10th October, 1921, which shows that of the amount of gold exported during one half-year, and on which a premium was paid, Western Australia exported 66 per cent., the value being £274,856 12s. 1d. Of the total value of gold exported from Australia under those conditions, Western Australia furnished £1,874,363 15s. 1d., or 61.82 per cent. This export represents to Western Australia a monthly profit of £45,809. The figures show the importance of the gold mining industry to this State, and indicate what an interruption of the tributating system would mean. Not the whole of that return would go by the board, but a heavy percentage of it would. The export of gold was permitted conditionally upon the producer participating in the gold premium.

Hon. A. Sanderson: Who made that stipulation?

Hon. E. H. HARRIS: The Commonwealth Government. Any producer of gold may become a member of the Gold Producers' Association on payment of 1s., thereby becoming entitled to have his gold exported through the banks subject to a charge of about 10 per cent. for insurance, etc. Last year the Perseverance Goldmining Company had an action at law with certain tributers. The company had been paying the tributers on the basis of, I believe, 40 per cent. of the gold premium. Certain tributers were not satisfied with this, and brought an action in the Supreme Court, which action eventually reached the High Court. By two votes to two, and on the casting vote of the Chief Justice—

Hon. A. H. Panton: No. The voting was two to two, but the two judges on one side were acting judges.

Hon. E. H. HARRIS: The circumstances were that the company offered the tributers certain sums of money in lieu of their share of the gold premium. The tributers declined to accept those sums, and brought a case in the courts, which case was eventually decided against them. The point on which the company won was that the tributers, having sold their ore outright to the owner of the treat-

ment plant, had no claim to any portion of the gold premium. Some of the tributers—not those who went into court—eventually accepted a reduction of 25 per cent. on what the company had offered originally, and on that basis the tributers continued to carry on. Since then the company have been paying the tributers 40 per cent. of the gold premium. The High Court said that they sold their ore, and then of course those who had sat on the rail had to compromise with the company, and they took 25 per cent. less. If the tributers do not get any of the bonus at all from the mining companies there will be very little tributing carried on. A suggestion in the Bill is that the parties shall equally divide the gold premium. The companies, in the eyes of the tributers, get a very fair deal. They have their crushing charges, their share of the premium, and the difference between the £4 an ounce, which they give to the tributer, and what they may get for the gold from the banks. Last session Mr. Sanderson bluntly told the House that if we passed the Bill which was then before us there would be no tributing. If we pass this clause, we may be confronted with the Minister for Mines having again to suspend the operation of the measure until some other is introduced. The tributers plainly say that if they cannot get 90 per cent. extraction and 50 per cent. of the premium, there will be no tributing. The evidence is overwhelmingly in favour of the tributers, and therefore I intend to support the retention of the clause.

Hon. R. G. ARDAGH: I realise the absolute necessity for carrying the clause. About seven months ago all the mines were paying 90 per cent. extraction but for some unknown reason they suddenly turned a somersault. Mr. Black, in his evidence before the Commission, admitted that he was paying 90 per cent. up to the time he closed down his mine. A good deal has been said about the member of the Royal Commission who secured the insertion of this clause in another place. Though he signed the report he added an addendum and, if I am correctly informed, the other members of the Commission knew the nature of that addendum. They also probably knew of his intention to move for the insertion of the clause. That member acted quite within his rights. The question of royalty has been a burning one throughout Australia for many years. But for the tributers in the old days, many of the big mines would not have yielded the hundreds of thousands of pounds worth of gold which has been won. In Tasmania, legislation has been passed empowering the Minister to arrange tributes between companies and the men when the parties have been unable to come to an agreement. It may be necessary to pass similar legislation here if some of the things rumoured actually come to pass. Mr. Cunningham put up a fair and honest statement of the case, and members supporting the clause have had a long way the best of the argument. I cannot see how

any fair-minded member can oppose the clause.

Hon. H. STEWART: I would like to point out to Mr. Panton that the warden, as chairman of the Royal Commission, was not dealing with a technical metallurgical question, but with one phase of an industry. The Commission had to deal with the financial aspect as regarded the proportion of the reward which should go to the two parties.

Hon. A. SANDERSON: It would be a triumph for the Committee if we could come to some arrangement. It is about time the Minister intervened and assisted us to do so. The margin is very small. Whichever way the vote goes, there will be a very sore feeling with the losing side. The whole discredit for this rests with the Minister for Mines and his colleagues. I have been reading what I said last year—

The Minister for Mines, I understand, is in Melbourne. Surely we are justified in asking that Ministers of the Crown should take their responsibilities seriously and very seriously indeed when they are dealing with such important issues as oil and mining.

The Minister was attending a bowling match at the time. Now he is absent in Singapore trying to do a trade which he knows perfectly well he cannot do. Here is a big industry hanging on this Bill, and the Minister is away. It is a disgrace to himself and a discredit to his colleagues that such a thing should be permitted. If the Minister were here attending to his duties, I think some agreement could be arrived at. Both parties put their case before the Royal Commission and the verdict was in favour of the mine owners. It would be creditable to this Chamber and discreditable to the Minister if we could even now secure an agreement. There is only a small margin on two small points. I appeal to the Minister to report progress and consult the proper authorities with a view to getting the matter adjusted in a fair and reasonable way. The Minister should go to his colleagues and tell them that there is only a narrow margin which, with a little adjustment, could be settled with satisfaction to both parties.

The Minister for Education: How can you say we have come to such a narrow margin?

Hon. A. SANDERSON: The narrow margin is the difference between 40 per cent. and 50 per cent.

The Minister for Education: That has been the question all along.

Hon. J. Cunningham: The Act last year provided that the tributers should get the whole of the gold premium.

Hon. A. SANDERSON: Of course that was preposterous. But surely this is a narrow margin on which the parties can be sent back to confer.

Hon. T. Moore: We have to do the conferring.

Hon. A. SANDERSON: If we were the mining industry, that would be perfectly sound.

Hon. F. A. Baglin: I do not accept you as an authority on the mining industry.

Hon. A. SANDERSON: What impertinence! Have I ever asked anybody to accept me as an authority on the mining industry? There is nobody here to speak on behalf of the mine owners. Who has ventured to come forward here and say that he directly represents the mine owners, as all other interests are directly represented in this Chamber or in another Chamber? If I were justified last year in putting up a fight, surely I am justified in putting up a fight now! The Leader of the House says we have been fighting all the time on the difference between 40 per cent. and 50 per cent. At all events I have not.

Hon. E. H. Harris: As the mining companies are not represented here, what about hearing them at the bar of the House?

Hon. A. SANDERSON: It is a very cumbersome proceeding. They can be heard in the office of the Minister for Mines.

Hon. R. G. Ardagh: They have been heard there many times.

Hon. A. SANDERSON: And what has the Minister done?

Hon. R. G. Ardagh: Perhaps he thinks they are wrong.

Hon. A. SANDERSON: This is a Government measure of first-class importance. No self-respecting Government would permit such a thing to go in the Bill.

The CHAIRMAN: Perhaps it would be as well if the hon. member stuck more closely to the point.

Hon. A. SANDERSON: The Leader of the House can go back to his colleagues and say that the point in dispute is now 10 per cent. of the gold premium, and that if the tributers will agree to split the difference the difficulty will be smoothed over. In regard to the 90 per cent. extraction, I suggest that the Leader of the House go back and say the difference is as between 80 per cent. and 90 per cent.

Hon. A. H. Panton: No, the difference is as between 90 per cent. and what the companies like to give.

Hon. A. SANDERSON: I do not believe the position is as bad as that. It seems to me the difference is as between 80 per cent. or 85 per cent. and 90 per cent. If the Minister will get this adjusted, it will be of great assistance to the industry.

Hon. R. G. Ardagh: Why not do it in the House?

Hon. A. SANDERSON: Because it is for the Minister to accomplish in his office. I hope the Minister will accept my suggestion.

The MINISTER FOR EDUCATION: I am afraid it is a question which the Committee will have to decide. Mr. Sanderson speaks as if he thought we had arrived at

some new point. But the point we are arguing has been argued by the Royal Commission and by the Assembly. The Royal Commission has decided that these two questions must be left for decision between the tributer and the mine owner, for each individual agreement. I do not see that it would be of any use going back and fighting the battle all over again. We have to decide whether the Royal Commission was right in saying that these two points should be left for decision between the mine owner and the tributers.

Hon. J. NICHOLSON: It is a great pity that there should be only one outstanding point in the way of a satisfactory settlement. We are asked to adjudicate on a point of vital importance to both sides. We, as a higher tribunal than the Royal Commission, might well place ourselves in the position of a court of appeal, and send back the evidence to the lower court for further consideration. The point suggested by Mr. Cornell is worthy of some consideration. It is true that by the clause the point of difference is left to the two parties. It is a matter of free contract, and the tributers, apparently, are afraid that they will not get a fair deal except by Act of Parliament.

Hon. A. H. Panton: That is right.

Hon. J. NICHOLSON: I appeal to the Leader of the House to report progress and arrange for a conference between the parties.

Hon. J. W. Hickey: They have been conferring for the past 12 months.

Hon. J. NICHOLSON: We cannot fail to be impressed by men of wide experience in mining matters.

Hon. F. A. Baglin: Why not be guided by them?

Hon. J. NICHOLSON: The Royal Commission took evidence on oath from representatives of the tributers. On the other hand we have the ex parte statements of hon. members. Would we be justified in allowing the decisions of the Royal Commissions to be set aside by the ex parte statements of hon. members? It would be a wrong course to adopt. We are practically asked to set aside the findings of the Royal Commission on the ex parte statements of hon. members. I consider it the duty of this Committee to try and bring the parties together.

Hon. A. H. Panton: You will never do it.

Hon. J. NICHOLSON: It might be possible to do it by next Tuesday if progress could be reported. I respect the opinions of hon. members, but I would not be justified in allowing these to sway me to the extent of setting aside the findings of the Royal Commission.

Hon. J. A. GREIG: I do not intend to make a second reading speech on this occasion, as some hon. members have done.

The CHAIRMAN: That is a reflection upon the Chair, and the hon. member must withdraw the remark.

Hon. J. A. GREIG: I did not intend to reflect upon the Chair, and was only referring to the length of time taken by members in

speaking. The whole business appears to hang upon the 90 per cent. extraction. If a company gets a 95 per cent. extraction, what becomes of the extra 5 per cent.?

Hon. A. H. Panton: The company keeps that, as has always been the case.

Hon. J. A. GREIG: That is not fair. What would be the result if the company only got an 85 per cent extraction?

Hon. E. H. Harris: That would balance the 95 per cent.

Hon. J. A. GREIG: If the company were honest it would charge more for treating 85 per cent. ore than for treating the 95 per cent. ore.

Hon. E. H. Harris: Some of them adopt the sliding scale.

Hon. J. A. GREIG: It makes very little difference whether the clause is struck out or left in, for the parties could then fall back upon the freedom of contract. The only difference may be that mining companies may be compelled to charge different prices for treating different kinds of ores, and this would probably cause dissension amongst tributers.

Hon. J. Cunningham: They do it now.

Hon. J. A. GREIG: I would rather see the men get what they are entitled to. If the clause is cut out, they will get a fair deal.

Hon. G. W. MILES: I do not think we shall get any further ahead by reporting progress. In order to prevent the clause from being defeated, I would suggest that the word "ninety" be struck out and the words "eighty-five" inserted in lieu thereof. I think the tributer is fully entitled to 50 per cent. of the gold premium, and I will gladly give him more than that. Some years ago I sent some stone to be treated at a battery, and we were given an extraction of 8 dwts., although the ore was worth 3 ozs. to the ton. I am going to vote for the retention of the clause. I consider the tributer is entitled to a fair deal.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	10
Majority for					2

AYES.

Hon. R. G. Ardagh	Hon. J. W. Hickey
Hon. F. A. Baglin	Hon. J. W. Kirwan
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. J. Cornell	Hon. T. Moore
Hon. J. Cunningham	Hon. A. H. Panton
Hon. J. Duffell	(Teller.)
Hon. E. H. Harris	

NOES.

Hon. H. P. Colebatch	Hon. A. Sanderson
Hon. V. Hamersley	Hon. H. Stewart
Hon. C. McKenzie	Hon. Sir E. H. Wittenoom
Hon. J. Mills	Hon. J. A. Greig
Hon. J. Nicholson	(Teller.)
Hon. E. Rose	

PAIR.

Ayes: Hon. J. E. Dodd; Noes: Hon. R. J. Lynn.

Clause thus passed.

Clause 11—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 10.44 p.m.

Legislative Assembly,

Wednesday, 23rd November, 1921.

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

QUESTION—NORTH-WEST DEVELOPMENT.

Mr. ANGELO asked the Premier: Will he, when introducing the Estimates for the North-West Department, enunciate to this House his Government's policy for the development of the northern portion of this State?

The PREMIER replied: I will make the usual statement when introducing the Estimates.

QUESTION—TUBERCULOSIS, TREATMENT.

Mr. SAMPSON asked the Colonial Secretary: 1, Have any inquiries or tests been made as to the efficacy of Professor Le Monaco's treatment for tuberculosis? 2, If the evidence shows any possibility of success of the treatment, would he be prepared to allow patients in the Wooroloo Sanatorium to undergo the prescribed treatment, as, it is understood, several are anxious to do?