

enjoy special conditions that are not provided for settlers in another irrigation area, who, in consequence, are compelled to pay a higher rate for water used by them. The Government is acting unwisely in inflicting high charges on settlers in certain irrigation areas. It is not fair that discrimination should be exercised between one settlement and another, and on this occasion, as on previous occasions, the members of the Country party in this Chamber are acting against the interests of the people they represent. I hope that the Government will accept the amendment and reduce the charges to the settlers on the Murrumbidgee Irrigation Area.

The Hon. J. M. CONCANNON [10.44]: I agree with the Hon. Mr. McGirr that the explanation of the Minister was extremely weak. He said that as a result of special inquiry the settlers on the Murrumbidgee Irrigation Area had had their rates fixed by Act of Parliament. I am endeavouring to give the same concession by Act of Parliament to the small settlers on the Mirrool Creek Irrigation Area. I suggest that the best inquiry is the petition which has been presented by the small landholders who are trying to make a living under adverse conditions. These settlers are being charged 8s. an acre-foot for water, whereas the Koomba Station is being charged 5s. an acre-foot. I should like the Minister to explain the differentiation in prices to which I have already referred.

The Hon. J. RYAN [10.45]: The matter to which the hon. member has referred has nothing to do with the amendment. We are now dealing with charges fixed per water right per annum. We would all like to be generous and to reduce the liabilities of the settlers, but I suggest that in the interests of the State it would be improper to accept an amendment which would reduce the charges to such an extent as not to meet the cost of maintenance and other costs in connection with the work.

Question—That the words proposed to be struck out stand—put. The Committee divided:

Ayes, 17; noes, 9; majority, 8.

AYES.

Armstrong, T.	Mitchell, E. M.
Bassett, G. D.	Rosenthal, Sir Charles
Binks, A. N.	Ryan, J.
Cambridge, W. C.	Steele, Major
Hawkins, H. M.	Tout, Sir Frederick
Holden, T. S.	Wragge, H. M.
Horne, H. S.	<i>Tellers,</i>
Kater, Sir Norman	Latimer, H.
Manfred, M. E.	Whiddon, H. W.

NOES.

Archer, G. S.	McGirr, P. M.
Concannon, J. M.	Smith, S. J.
Culbert, J.	<i>Tellers,</i>
Mahony, R.	Graves, J. J.
Martin, J. B.	Tyrrell, T. J.

Question so resolved in the affirmative.
Amendment negatived.

Clause as amended agreed to.

Bill reported with amendments; report adopted.

FIRST READINGS.

The following bills were received from the Legislative Assembly and read a first time:—

Prince Henry Hospital Bill.

Gaming and Betting (Amendment) Bill.

House adjourned at 10.57 p.m.

Legislative Assembly.

Tuesday, 23 June, 1936.

Printed Questions and Answers—Questions without Notice—Proposed Railway—Sutherland to Cronulla—Assent to Bills—Business of the House (Motion of Urgency)—Prince Henry Hospital Bill—Methodist Church, Rockdale, Cemetery Bill—Gaming and Betting (Amendment) Bill—Aborigines Protection (Amendment) Bill (second reading)—Extension of Sitting—Aborigines Protection (Amendment) Bill—Roman Catholic Church Trust Property Bill (second reading)—Newcastle Agricultural, Horticultural and Industrial Association (Amendment) Bill—Murrumbidgee Turf Club (Divesting) Bill—Public Reserves: Public Hall, Nevertire—The Presbyterian Church (New South Wales) Property Trust Bill.

Mr. ACTING-SPEAKER took the chair.

The opening Prayer was read.

PRINTED QUESTIONS AND ANSWERS.**TROLLEY OMNIBUSES.**

Mr. MATTHEWS asked the ACTING-PREMIER AND MINISTER FOR TRANSPORT,—Will he inform the House (a) the number of trolley omnibuses installed by the Commissioner of Road Transport; (b) the average annual cost per omnibus for upkeep; (c) the amount of profit or loss shown by the trolley omnibus service since its installation?

Answer,—I am informed:—

(a) Four; (b) £1,021, including depreciation; (c) profit, £2,294.

YOUNG AUSTRALIA LEAGUE.

Mr. QUIRK asked the COLONIAL SECRETARY,—(1) Will he inform the House (a) What is the Young Australia League; (b) is it in any way connected with the Federal or State Governments of Australia; (c) what becomes of the profits made by the League; (d) who are the main shareholders; (e) has it ever produced a balance-sheet for public information; (f) by whose authority the League uses the name, the flag, and the crest of the Commonwealth of Australia to advertise its performances? (2) Does he consider that it is in the interests of Australia that this League should send to other countries cheap vaudeville performances, as examples of Australian culture and dramatic art, as was done recently in South Africa? (3) Is he of opinion that it is in the interests of the education and health of boys that they should be induced to leave their homes to travel under the auspices of the Young Australia League? (4) Is it a fact that (a) all those who took part in the recent South African tour were children of working men; (b) the League claims that it desires no profit? (5) If the answers to question (4) are in the affirmative, will he recommend that the Government take action to see that not less than 50 per cent. of the profits of that tour are given to the boys' parents, instead of the 10 per cent. which has been given? (6) Will he also recommend that the Government hold an inquiry into the ramifications and dealings of the League so that all appropriate in-

formation may be made available to parents who contemplate allowing their boys to travel under the auspices of that body?

Answer,—(1) (a) The Young Australia League is an association incorporated under the Associations Incorporation Act, 1895, of Western Australia. The purposes and ideals of the League are stated to be the advancement of the moral and material welfare of the youth of Australia, and include "Education by Travel." The League is controlled by a governing council located at Perth; (b) the League, as far as can be ascertained, is not connected in any way with the Federal Government or the Government of New South Wales. No information is available as to whether it has any connection with the other State Governments; (c) no information is available to me as to the distribution of any profits made by the League; (d) no particulars are available to me as to any shareholders; (e) I have no knowledge as to whether a balance-sheet has been produced; (f) the use of the name, flag and crest of the Commonwealth of Australia is a Federal matter. (2) It is not within my province to offer an opinion on behalf of the Government as to the merits of the performances given by the Young Australia League recently in South Africa. (3) The question of the welfare of boys under the age of 14 years is one which is dealt with by the Department of Education. Representations, I understand, were recently made successfully by that Department to prevent four boys under the school leaving age of 14 years from travelling abroad as entertainers. This action was taken by the Federal Government, which refused to issue passports to the boys concerned, and insisted, in the case of two others who were over the age of 16 years, that their return fare should be deposited to ensure their safe return. Similar action, it is believed, will be taken in the future in any case where the welfare of boys of tender years is concerned. (4) (a) The family circumstances of the boys who recently toured South Africa are not known; (b)

no information is available to me as to the claims of the League concerning the allocation of its profits. (5) This Government has no authority to intervene in the distribution of any profits earned by the League on the South African tour. (6) The necessary steps have already been taken to deal fully with any affairs of the League so far as New South Wales is concerned. In this regard the League is being called upon to comply with the Companies Amendment Act, 1906-1907, by effecting registration under that Act. In addition, the League has been informed that, so far as its New South Wales activities are concerned, registration as a charity under the Charitable Collections Act, 1934, must be approved if the organisation makes any appeals to the public of New South Wales for support by way of donations, collections, concerts, entertainments, and the like. Four communications have been forwarded to Mr. J. R. Williams, of Melbourne, Deputy Director of the League, informing him that the Department regarded the organisation as a charity, and that it was incumbent upon it to be registered under the Act before appeals for support were made to the public in New South Wales. In addition, Mr. G. H. Thompson, honorary secretary *pro tem.* of the New South Wales Branch of the League, has been advised of the illegality involved in raising money in New South Wales by means of donations, subscriptions, bazaars, fetes, entertainments, socials, concerts, etc., unless registration as a charity has been approved. An application has not been lodged, and before any registration will be granted as a charity the most comprehensive inquiries will be made into the affairs of the organisation.

INCOME TAX (MANAGEMENT) BILL.

Mr. DAVIDSON asked the ACTING-COLONIAL TREASURER AND MINISTER FOR LOCAL GOVERNMENT AND SECRETARY FOR PUBLIC WORKS,—(1) Will he inform the House whether special provisions for rural workers are to be made under the Income Tax (Management) Bill (No.

2) now before the House? (2) If the answer to question (1) is in the affirmative, will he extend the same provisions to all societies registered under the Co-operation Act of New South Wales?

Answer,—(1) The bill now before the House does not make any special provision for rural workers. (2) See answer to question (1).

PREFERENCE TO RETURNED SOLDIERS.

Mr. W. DAVIES asked the ACTING-PREMIER AND MINISTER FOR TRANSPORT,—(1) Is it a fact that (a) the Returned Soldiers' Employment Board decided not to insist upon preference for returned soldiers on relief works; (b) one man with a wife and three children has been placed on the dole, whilst a single man (returned soldier) has been given his position on a Government work; (c) preference of employment to returned soldiers in the mining industry is likely to cause industrial trouble? (2) If the answers to question (1) are in the affirmative, will he consider the advisability of repealing the Returned Soldiers and Sailors Employment Act, 1919, because of the anomalies that have arisen and the hardships that have been inflicted upon workers by its application in various industries?

Answer,—(1) (a) and (b). The Returned Soldiers and Sailors' Employment Board has expressed the view that it should not take action to secure preference to returned men in any employment arranged for the provision of social relief to all persons who are unemployed in a particular locality, in which relief returned soldiers and sailors share; (c) I am not aware. (2) No.

QUESTIONS WITHOUT NOTICE.

UNEMPLOYED: BLANKETS AND CLOTHING.

Captain DUNN: Is the Colonial Secretary aware that applications by the very poor for clothing and blankets closed on the 31st May last, and that unless people wanting clothing and blankets were in receipt of food, or had relief work, they were not eligible to

apply? Furthermore, does the Minister know that many people who have never received food relief or been given relief work are in extremely poor circumstances, and need blankets and clothing? In view of the present cold weather in many districts throughout the State, will the Minister, in view of the urgency of the matter, take it up with his colleague, the Minister for Social Services, with a view to having the time for the issue of blankets and clothing extended?

Mr. W. F. M. ROSS: On the same question, will the Minister take into consideration the question I raised on the adjournment of the House last Thursday, when I asked that the present regulation, which compels applicants for clothing and blankets to be employed on relief work prior to the date of their application, be abolished, and will he issue an instruction that all applications for clothing and blankets shall be considered on their merits, irrespective of the date on which they are lodged?

Captain CHAFFEY: In reply to both hon. members, issues of boots and clothing have taken place in the same manner as in the past. The Government was allotted a certain sum—over £90,000—for the provision of boots and clothing for the needy poor. The practice has been to issue boots and clothing to persons in greatest need of them. I understand that the amount allotted has been exhausted, and it is true that under the regulation no applications were admitted after the 31st May last. The amount of money allotted having been exhausted, the question now is whether additional funds can be made available. No date is fixed for the closing of applications for blankets, and each case is dealt with entirely on its merits. An application is lodged, the case is investigated, and if the circumstances warrant it, the blankets are issued. In view of the discussion that took place on the adjournment on Thursday last, and the questions asked by both hon. members, I shall bring the matter under the notice of my colleague, the Minister for Social Services.

HOME BUSH ABATTOIRS.

Mr. WEAVER: In view of the fact that, until certain regulations have been gazetted, the Homebush Abattoirs are unable to institute the most up-to-date and modern methods of management, to attain which nearly £200,000 has been expended, will the Minister for Health give an undertaking to this House that he will place the notice upon the table and have the regulations gazetted before the end of this session?

Mr. FITZSIMONS: The regulations in question were delivered to me yesterday morning by the Crown Law officers. So far I have only made a preliminary examination of them, but I hope to complete my examination during the afternoon, after which I shall submit the regulations to Cabinet. It is anticipated they will be gazetted and tabled before Parliament rises.

KURRI KURRI HOSPITAL: MATRON'S DISMISSAL.

Mr. BADDELEY: Has the Minister for Health received a petition from certain subscribers who reside at Pelaw Main with regard to the dismissal of the matron of the Kurri Kurri Hospital? If the Minister has received the petition, will he see that a public inquiry is instituted immediately? If he has not received it, will he make inquiries into the matter and see what can be done?

Mr. FITZSIMONS: I am aware of the circumstances leading up to the dismissal of the matron of the Kurri Kurri District Hospital. When I was at Newcastle last week some members of the Kurri Kurri Hospital Committee met me and the members of the Commission, and explained the reasons that actuated them in taking the rather drastic step of asking the matron for her resignation. It is the policy of the Commission not to interfere in domestic matters of hospital management unless the public interest is in some way affected, but now that a petition has been received from certain residents of the district asking for an investigation, the matter is placed in a different category,

and at the next meeting of the Hospitals Commission, which will be held within the next few days, consideration will be given to whether or not the Superintendent of Hospitals shall hold a public inquiry.

MAIN ROADS (AMENDMENT) BILL.

Mr. LEE: In view of the fact that the Main Roads (Amendment) Bill involves an element of government by commission, and as it will definitely trespass upon local government and parliamentary control, will the Premier defer consideration of the bill for a period of, say, three months, so that hon. members and those who represent local governing bodies may have a chance to discover how far the bill will make inroads upon local government control, as against government by commission?

Lt.-Colonel BRUXNER: It is very essential that this measure should go through, particularly as four-fifths of the bill deals with definite Government policy that is actually in operation to-day, and the adjustment of the finances of the State to meet that policy. The greater part of it validates the policy of the Government that has been in operation since January last. The few clauses that deal with local government matters involve no principle that has not been incorporated in the Main Roads Act since its inception in 1924, but merely amplify the existing practice in one or two cases, which I can fully explain to any hon. member concerned. The statements which appear in the press to the effect that the measure involves a great departure from the present procedure, and places all sorts of wide powers in the hands of the Commissioner are not correct.

DEPARTMENTAL STORES: SALE OF LIQUOR.

Mr. LAZZARINI: Is the Minister of Justice aware whether his department has received information to the effect that a number of departmental stores, which have dancing rooms on their premises, are breaking the law by illegally selling liquor at dances conducted on

those premises? Is it a fact that a raid was made on the Blaxland Galleries last Friday night, and those concerned were caught redhanded selling liquor illegally to persons who had been detailed to make an investigation? If that is the case, is a prosecution going to follow that detection of an infringement of the law?

Mr. L. O. MARTIN: It is not a fact that my department has knowledge that departmental stores are selling liquor illegally.

Mr. D. CLYNE: Why not send someone to investigate?

Mr. L. O. MARTIN: That has already been done. I am informed that a prosecution is pending in regard to something that happened last Friday night and, following the general rule observed in this Assembly, I propose to say nothing about it until the prosecution is concluded.

RETURNED SOLDIERS: PREFERENCE.

Mr. J. C. ROSS: Is the Minister for Local Government aware that the Sydney County Council has advertised that positions are vacant in the electricity department for adults between the ages of 23 and 30 years? Will the Minister give consideration to this evasion of the provisions of the Returned Soldiers and Sailors Employment Act? Further, has the Minister or the Returned Soldiers and Sailors Employment Board given exemption to the Sydney County Council to engage staff in this way?

Mr. SPOONER: I am not aware that the Sydney County Council is advertising for the assistance mentioned by the hon. member, but I will have inquiries made into the subject. The Sydney County Council, as well as all other bodies concerned, must observe the provisions of the Returned Soldiers and Sailors Employment Act. No case brought under my notice recently, suggests that there has been a violation of the provisions of the Act. The Sydney County Council is empowered to engage its own employees and the Minister has no power to intervene in that respect, nor to grant exemptions from the provisions of the Act.

UNEMPLOYMENT: CITY OF SYDNEY.

Mr. D. CLYNE: Is the Minister for Labour and Industry aware that unemployment within the city area is now more acute than ever it was? Is it a fact that there has not been a call-up for city men at the City Labour Exchange for several weeks? In an endeavour to alleviate the extraordinary misery that prevails, will the Minister consult Cabinet and the Unemployment Relief Council for the purpose of providing work for these men at the earliest possible moment?

Mr. DUNNINGHAM: A question was asked by the hon. member for Phillip a few weeks ago relative to calls-up in the city of Sydney area, and I then gave detailed information covering a certain period. The Government is hoping that provision will be made to employ a number of the men who are now unemployed in the city area in connection with the completion of the city railway and many Metropolitan Water, Sewerage and Drainage Board jobs, which, it is expected, will be begun shortly. I will give consideration to the hon. member's question and see whether immediate action can be taken to relieve the position.

KING'S BIRTHDAY HONOURS.

Mr. MAIR: Has the attention of the Acting-Premier been drawn to a statement in the press that the King's birthday honours list was taken to London by Mr. Stevens, instead of such list being sent through the constitutional and regular channels? If the statement is correct, will the Acting-Premier kindly advise the House of the position?

Mr. LAZZARINI: I wish to know from the Acting-Premier on what qualifications was a gentleman by the name of Mr. Snow recommended to his Majesty the King for a birthday honour?

Lt.-Colonel BRUXNER: In reply to the hon. member for Albury, my attention was drawn to a statement appearing in the press to the effect that the list of recommendations was taken to England by the Premier, instead of the usual course being followed of presenting the list to his Majesty's repre-

sentative here, to be forwarded by him to the Dominions Office. I can assure this House and also the country that that statement is incorrect. The recommendations followed the usual channel of communication according to constitutional practice. They were presented to his Excellency the Lieutenant-Governor here, and he in turn forwarded them for the consideration of his Majesty the King. In reply to the hon. member for Marrickville, I would suggest that he direct his question to the Commonwealth authorities, who may supply him with the information he requires. In this State Sir Sydney Snow is looked upon as a man of high integrity.

Mr. LAZZARINI: His only qualification is the sweating of female labour and young girls!

Lt.-Colonel BRUXNER: No doubt his various activities, both in the commercial and the charitable world, have been taken into account.

Mr. LEE: May I ask the Acting-Premier what explanation he can give of the action of the Government in face of the following resolution carried by this House in 1923 on the motion of Mr. George Cann:

That in the opinion of this House the granting of titles is contrary to the sentiment of the citizens of New South Wales? In view of the fact that three members of the present Government—the Acting-Premier, the Minister for Education and the Minister for Mines—supported that resolution, can the Acting-Premier inform the House why a departure has been made from its terms?

Lt.-Colonel BRUXNER: The last list under which the various recipients today received their honours was prepared by the Premier prior to his departure and was sent to the Lieutenant-Governor. The resolution the hon. member quotes was carried in this House in the time of Sir George Fuller, and if the hon. member wants an explanation from me as to why I supported it, and why I have now acquiesced in honours being granted, to be quite candid, I may tell

him I supported the resolution as a protest against the kind of persons who had been recommended for honours.

Mr. LEE: This House has not changed its opinion!

Lt.-Colonel BRUXNER: The present House did not carry the resolution. To assist the hon. member's memory I might mention that recommendations for honours were submitted to the King's representative in New South Wales during the life of the Bavin-Buttenshaw Government, which paid no regard to the resolution.

RELIEF WORK.

Mr. BOOTH: Is the Minister for Labour and Industry aware that instructions have been issued that no new applications are to be considered for relief work in the Kearsley Shire Council area? In view of the distress existing in that district, will the Minister inform the House whether it is the definite policy of the Government not to allow any new applications for relief work in that area; if not, will he take immediate steps to ensure that the young men there who are denied the right to register and to obtain work under the relief scheme are given favourable consideration?

Mr. DUNNINGHAM: I am not aware of the issue of any such instructions. The last intimation that I received relative to anything being done in that district was from a deputation led by the hon. member for Cessnock the other day, which intimated that certain drainage work was to be carried out. I then stated that no obstacle would be placed in the way of men being called up.

Mr. BOOTH: The regulation as read to me states that no new applications for work in the Kurri Kurri electorate or any part of the Kearsley Shire area would be accepted!

Mr. DUNNINGHAM: I am not aware of the circumstances, but I will look into the matter.

Mr. KILPATRICK: The scale laid down for relief work in connection with water and sewerage works is

one week in four weeks for single men and two weeks in five weeks for married men. Will the Minister for Labour and Industry endeavour to obviate the long space of time between periods of work by allowing these men to be registered on the unemployed relief list, and to be employed by different contractors on the condition that they are so registered?

Mr. O'SULLIVAN: When the Minister is answering the question of the hon. member for Wagga Wagga, will he also inform the House why men who have daughters or sons working are not allowed to register for relief work? Is the Minister aware that men at Paddington have reported at the depot for registration, but the officials will not allow them to register because they say the permissible income regulations do not allow of their registration if they have a son or daughter working? Will the Minister take steps to see that men are not thus debarred from registration because they have a son or daughter earning money?

Mr. DUNNINGHAM: There is no such instruction or regulation that prevents any unemployed person from registering for relief work.

Mr. O'SULLIVAN: If these men apply for registration for relief work, the officials refuse to register them!

Mr. DUNNINGHAM: Any person out of employment is eligible for relief work, and the services of the Labour Exchanges are available to him. In reply to the hon. member for Wagga Wagga, if he desires that these persons be registered that will be attended to at once. If his request refers to making relief work available for them and permitting participation in other work, that is absolutely impossible.

WATER SUPPLY: THE HILLS DISTRICT.

Mr. LANG: Will the hon. Minister inform me what has become of the promised scheme of water supply for domestic purposes and irrigation for the Hills district?

Major SHAND: There is to be an investigation by the Minister for Public Works and Local Government and myself, as well as other persons interested, to see what steps can be taken to ensure an adequate supply of water for the Hills district and towns in the immediate vicinity, namely, Windsor and Richmond.

PUBLIC HOSPITALS: CHARGES TO VISITORS.

Mr. FRANK BURKE: Is the Minister for Health aware that the public hospitals in the metropolitan area make a charge of 6d. to relatives visiting patients on visiting days? Visits by two relatives only are allowed each patient while other relatives are subjected to the charge. Is the Minister aware that this is a great hardship as it is not always possible for relatives to pay 3s. or 4s. a week to visit patients in a hospital? Will the Minister take the matter up with the Hospitals Commission with a view to finding other means of securing revenue?

Mr. FITZSIMONS: It has been the practice for many years in public hospitals to provide regular visiting days when all and sundry may visit persons in hospitals.

Mr. FRANK BURKE: If they pay!

Mr. FITZSIMONS: Free of all cost on visiting days.

HON. MEMBERS: No, no!

Mr. FITZSIMONS: If they are direct relatives of persons who are sick they can visit them at all times, free of cost.

HON. MEMBERS: The Minister is wrong!

Mr. FITZSIMONS: Hon. members must recognise that if there is to be a constant stream of visitors at all hours of the day and night at public hospitals, it will result in unnecessary trouble and inconvenience to the staff: the public hospitals contend that as extra staff is on duty while visitors are present, it has been found necessary to have a minimum charge to meet that service. I will take up the matter with the Hospitals

Commission. I think most public hospitals are following the right course in the interests of the patients themselves of seeing that there is some supervision over this constant stream of visitors.

PRISONS DEPARTMENT: FORTH- COMING APPOINTMENTS.

Mr. C. A. KELLY: Is the Minister of Justice aware that two very important appointments are about to be made in the Prisons Department? Is he further aware that the Prisons Department Branch of the Public Service Association has held meetings throughout the country protesting against preference in these appointments being shown to the clerical as against the disciplinary staff. Is the Minister further aware that these appointments call for work of a disciplinary nature, and will he ask the Comptroller-General whether it is his intention to appoint to these positions men from the disciplinary section or from the clerical section, as at Bathurst.

Mr. L. O. MARTIN: It is not at all a matter for the Comptroller-General to make these appointments.

Mr. C. A. KELLY: He can make recommendations!

Mr. L. O. MARTIN: Quite true, and the appointment rests not with him nor with me, nor with the Government, but with the Public Service Board. The factor mentioned by the hon. member is taken into consideration by the board before any appointment is made, and that practice will be vigorously followed in this case. With regard to the other part of the question, I am not aware that meetings of protest have been called, but I would suggest to the hon. member that if they were the representations from those meetings should be made in writing so that they may be fully considered, as they would be whether meetings were called or not.

WIRELESS: PROPAGANDA PURPOSES.

Mr. WEAVER: In view of the fact that a person by the name of R. A. Pearson, who was the Douglas Credit candidate for Warringah, in the 1934

Federal elections, has been using wireless for very many months under the nom-de-plume of "The Plain-speaking Gentleman," will the Acting-Premier make representations to the Federal authorities and suggest that any person who uses wireless under the cloak of anonymity, and all persons who use wireless for propaganda purposes, should disclose their names?

MR. ARDILL: Is the Acting-Premier aware that this person, whoever he may be, who styles himself "The Plain-speaking Gentleman," speaking over 2SM last night, made reference to the Sydney City Mission and the Sydney Rescue Work Society, and stated that those institutions had found that there was more poverty existing to-day than hitherto. As one closely connected with the Sydney Rescue Work Society, I can state to the House that that is definitely untrue. [Interruption.]

MR. ACTING SPEAKER: Order! That is not on the same question.

LT.-COLONEL BRUXNER: In reply to the hon. member for Neutral Bay, I am not aware that the person who speaks over the air as "The Plain-speaking Gentleman" is identical with Mr. Pearson, but I see no reason why anyone who wishes to use that means of speaking to the public should not at least say who he is, and what he is. I will bring the matter under the notice of the Prime Minister, as the hon. member suggests.

EVICCTIONS: WOLLONGONG DISTRICT.

LT.-COLONEL BRUXNER: On 2nd June the hon. member for Illawarra addressed a question to me with regard to alleged evictions in the Wollongong district. I desire to inform the hon. member that section 6 (1) of the Landlord and Tenant (Amendment) Act, 1932, contains provisions for the postponement of the ejectment of impoverished occupiers for a period not exceeding three months, and by virtue of subsection (6) of the same section the court has power, in special circumstances, to make a further order, postponing the date of possession for a further period not exceeding one

month. I am advised that since the beginning of this year seven warrants have been issued by the Wollongong Court against tenants for possession of premises, but in all these cases the tenant moved on before it was necessary to execute the warrant. In some cases they obtained houses erected by the Homes for Unemployed Trust or secured suitable temporary accommodation pending decision on their applications for building materials. The Director of Government Relief advises me that since April, 1936, thirteen cases in this district have been considered by the Charitable Relief Branch, and in none of these has it been necessary for the department to make monetary assistance available to secure other premises. I am also informed that while the Homes for Unemployed Trust has not provided any ready-built cottages in Wollongong itself, the following homes have been erected in the district:—Port Kembla, 16; Corrimal, 13; Coniston, 10; Bulli, 3; Keiraville, 1; Bellambi, 1. In addition, in a number of cases materials have been supplied to enable applicants who are able to provide their own land to erect properly-constructed homes.

MARRIED WOMEN SCHOOL TEACHERS: PERMISSIBLE INCOME.

MR. CAHILL: Is the Acting-Premier aware that married women school teachers who are in the service of the Department of Education are maintaining their husbands and several children on a little over £2 per week, and that the permissible income regulation prevents their husbands from receiving relief work? In view of the fact that this actually amounts to relief work conditions for the teaching service, will the Acting-Premier make provisions that the husbands of these women may become eligible for work?

LT.-COLONEL BRUXNER: I will have inquiries made.

PROPOSED RAILWAY: SUTHERLAND TO CRONULLA.

LT.-COLONEL BRUXNER: In accordance with section 38 of the Government

Railways Act, 1912, I now lay on the table the statutory report of the Commissioner for Railways regarding the proposed railway from Sutherland to Cronulla.

ASSENT TO BILLS.

Royal assent to the following bills reported:—

Public Service Salaries (Amendment) Bill

Fruit Cases (Amendment) Bill.

Maritime Services (Pension of Vice-President) Bill.

Public Instruction and University (Amendment) Bill.

School Forest Areas Bill.

Government Railways and Transport (Amendment) Bill.

BUSINESS OF THE HOUSE.

MOTION OF URGENCY.

Motion (by Lt.-Colonel Bruxner) agreed to:

That it is a matter of urgent necessity that the following bills be brought in and passed through all their stages in one sitting:—

Newcastle Agricultural, Horticultural, and Industrial Association (Amendment) Bill; Murrumbidgee Turf Club (Divesting) Bill; Methodist Church (Rockdale) Cemetery Bill; Gaming and Betting (Amendment) Bill.

Motion for the suspension of standing orders agreed to.

PRINCE HENRY HOSPITAL BILL.

IN COMMITTEE.

(Mr. BATE in the chair.)

(Consideration resumed from 17th June, *vide* page 4686.)

Clause 5. (1) The board first constituted under this Act shall consist of fifteen directors, one of whom shall be the Director-General of Public Health and fourteen of whom shall be appointed by the Governor.

(2) Of the directors so appointed—

(a) one shall be a member of the Commission who is not a member of the medical profession;

(b) two shall be appointed on the nomination of the Senate of the University of Sydney;

(c) one shall be appointed on the nomination of the Council of the Royal Australasian College of Surgeons;

(d) one shall be appointed on the nomination of the Council of the Association of Physicians of Australasia;

(e) one shall be appointed on the nomination of the New South Wales Post-Graduate Committee in Medicine of the University of Sydney;

(f) eight, who shall not be members of the medical profession, shall be appointed on the nomination of the Minister.

(4) The Governor shall appoint one of the directors to be chairman and another of the directors to be the vice-chairman of the board first constituted under this Act.

Upon which Mr. Heffron had moved:

That there be inserted in paragraph (f), after the word "profession," the words "and one of whom shall be a representative of the employees of the hospital upon the nomination of such employees."

Mr. LANG: Will the Minister accept the amendment that was moved by the hon. member for Botany?

Mr. FITZSIMONS: I regret I cannot accept it!

Mr. MATTHEWS (Leichhardt) [3.14]: I ask the Committee to support the amendment moved by the hon. member for Botany. The board of directors will consist of fifteen persons, including representatives from the Senate of the University of Sydney, a representative of the Council of the Royal Australasian College of Surgeons, and a representative of the Council of the Association of Physicians of Australasia. I have followed the debate closely, and cannot see why the workers should not have a representative on the board. Hon. members have pointed out the difficulties which would arise in the case of a matron or a nurse who was working in the institution being appointed as a director, but there should be no obstacle in that direction. Whoever may be selected, and whatever means are adopted of selecting the workers' representative, whether by ballot or by the selection of the Minister, that person will be able to give great help in directing the board upon staff matters. In conducting the hospital, many contentious matters will arise from time to time with respect to the conditions of the employees, and advice tendered by one of their own number must be of

advantage to the board. During the recent debate on the Government Railways and Transport (Amendment) Bill, the Minister in charge of the bill, and Government supporters, objected to meeting representatives of the workers to confer upon the bill, but when the measure went to the Legislative Council the Minister in charge of that Chamber saw fit to meet the representatives of the workers and discuss the matter with them, and from the information he was able to obtain during that discussion, he was able to frame amendments that were agreeable to the Government, to the Commissioner for Railways, and also to the workers. The same position will arise in the present instance. After all, the employees' representative will have only one vote out of fifteen, and will merely be able to guide the directors with regard to the working conditions in the hospital. In every case where a representative of the workers has been admitted to a board it has been a success.

When progress was reported the other day I was hopeful that the Minister would be able to come back and report to the Committee that he could agree to the amendment. I can assure him he has nothing to fear and everything to gain if he will agree to it. Complete co-ordination is needed in matters relating to the staff, and they should be considered in the interests of not only the department and the patients, but also of the employees. History has repeated itself in the past, and will do so again. Men who have held the humblest positions have risen to the highest offices in the Commonwealth. There are many who have the brains if they are only given the opportunity. For many years I was a union representative on the committee of the Balmain Hospital, and I can assure the Minister from personal experience that a representative of the working classes on a board such as this will be very helpful. I am confident that if the amendment were accepted, the Committee would soon have reason to congratulate itself. The hon. member for Neutral Bay

and other hon. members have pointed out that there has been a great increase in the number of intermediate awards, and it is only fair that a representative of the employees should have an opportunity of presenting their case before the board, and of co-ordinating matters between employer and employee. I hope that the Minister will reconsider his decision and accept the amendment. If he did so, he would find that the result would be beneficial and helpful to his department. I urge him and the Committee not to regard this as a party issue, but as one seeking to help the directors and do justice to the employees.

Mr. HEFFRON (Botany) [3.22]: I had hoped that when the Minister again brought this bill before the Committee he would agree to my amendment. Various speakers have contributed to the debate, and not one of them has advanced a sound argument against the principle of having an employees' representative on the board. I want hon. members who were not present when the bill was last discussed to realise that the Prince Henry Hospital is a great institution, employing some 500 men and women, ranging from medical practitioners to artisans. Those employees are to be placed under the administration of a board and will come under a new system. Of necessity a good deal of misunderstanding will arise as a result of the change-over, and if my amendment is not accepted, the rights of those 500 employees will almost inevitably be disregarded.

There seems to be an impression among hon. members opposite that if the workers' representative sits on the board everything will become topsyturvy. They conveniently overlook the fact that he will be only one out of fifteen, the remainder representing nominees from the Royal Australasian College of Surgeons, the Senate of the University of Sydney, the Council of the Associations of Physicians of Australasia, and so on. The purpose is to have the points of view of these various bodies placed before the board. Yet

nothing is being done to provide for an expression of the point of view of those who really run the hospital. That is one of the fatal weaknesses of the bill. It is regrettable that such an important measure is to be rushed through its various stages without receiving adequate consideration. The employees are to be transferred from the public service to the board, and they will have no security of tenure except through the medium of a letter from the Minister to the Public Service Board. I should like to have an amendment inserted in the bill, giving them security for at least twelve months, so that, if they desired to retransfer to the public service, they could do so. Perhaps I am not in order in mentioning some of these matters, but I foresee the application of the brutal and barbaric guillotine within a relatively few minutes, if the Government's programme is rigidly adhered to. Hon. members should have the right to vote and express themselves as to the right of employees having representation on this board, so that they could express their grievances concerning wages, conditions and hours. If such representation is not given, the work of the board will be confined to learned dissertations among representatives of the Royal Australasian College of Surgeons, the Senate of the University, and others, while the conditions of resident doctors, wardsmen, nurses, housemaids and artisans, who do the work of the establishment for three hundred and sixty-five days of the year will be as shockingly neglected in the future as they have been in the past. I want to see an employees' representative on the board, not only of the Prince Henry Hospital, but on the board of every other hospital in New South Wales. If it is right that the employees should have representation on the board this is the time to make proper provision for it. Although the Minister has evidently made up his mind to oppose my amendment, I ask him again in the interests of the hospital employees, who are doing wonderful work, to accept the amend-

ment, and thus give those employees the representation on the board to which they are justly entitled.

Mr. FITZSIMONS (Lane Cove), Minister for Health [3.31]: I shall indicate briefly the reason why the Government is not prepared to accept the amendment. On the surface it might seem to be a reasonable suggestion that the large number of people employed at the institution should have representation on the board, but when we examine the suggestion and strip it of sentiment we must realise that it is impracticable, not only in respect of this hospital, but also in respect of the 180 public hospitals in the State. If, in this instance, we create a precedent, it will have to be the policy in respect of every other hospital that comes within the jurisdiction of the Hospitals Commission. Even the boards of our industrial hospitals would be resentful if their rights were interfered with, as is suggested by the amendment. The board, as constituted under this bill, will be appointed for a short period to tide things over for the hospital until the new board comes into being. In two years' time what were formerly Government nominees will be elected. The vote is on the recommendation of certain bodies, and they will be nominated on their scientific merit and value.

This hospital will serve a dual function. It will carry out the work of an ordinary general hospital in respect of every section of disease, and, in addition, it will be a teaching hospital unique in this State, and, perhaps, in Australia. There are three other similar institutions in the world. One is the famous British Post-graduate Hospital, which has a magnificent board, under the chairmanship of Sir Austen Chamberlain, and the others are the Minnesota Post-graduate Hospital and the Post-graduate Hospital of New York. The board will consist not only of technical persons, but also of laymen who will be responsible for the business side of the institution. The range of subscribers is being widened as far as possible. The bill provides that any person who contributes 10s. a year, or 6d. per week, to

the Metropolitan Contribution Fund may, upon application, become a subscriber to the Prince Henry Hospital.

Dr. WEBB: Is there not an inconsistency there? If a medical practitioner were a subscriber he would have a vote, but he could not stand for election to the board!

Mr. FITZSIMONS: He could not stand for election to the board unless his nomination went through the proper channel.

Dr. WEBB: That amounts to an inconsistency!

Mr. FITZSIMONS: It is an inconsistency exceedingly difficult to overcome. We are laying down the definite principle that the medical representation must come only through the recognised channels—either through the Faculty of Medicine, the Royal Australasian College of Surgeons, the Association of Physicians, or the Post-graduate Committee. We are giving the medical profession four means of entrance to the hospital. I suggest to the hon. member for Botany that the employees could be represented on the board, not necessarily by an employee, but by a person like himself, who would be a most excellent advocate for the employee.

Mr. TONGE: Why not appoint the hon. member to the board?

Mr. FITZSIMONS: The appointment is to be made, not by me, but by the Government. The hon. member for Vacluse has pointed out the invidious position that would arise if an employee were appointed to the board. It is incompatible in law that a person should be an employee of an institution and at the same time a director of the institution. If the amendment were accepted, any nurse appointed to the board would to some extent have control of the medical superintendent, the matron, and other of her superior officers.

Mr. TONGE: The Minister is only splitting straws!

Mr. FITZSIMONS: That position would lead to no end of bickering and disruption within the hospital itself. I suggest to the hon. member that there will

be many nominations by the subscribers to the hospital in the district concerned, so the door is left wide open for democratic thought in the deliberations of the board. The hon. member for Leichhardt raised the question of the disabilities of employees in relation to the board, and in that respect I would point out that within the last week or two Mr. Justice Webb has given judgment in a case affecting hospital employees, which had been before him for some considerable time. He has prescribed certain conditions for the nursing staff of hospitals, and, as a result, the Government has been placed in an embarrassing position. I say frankly that the Public Service Board will have to offer bonuses, in addition to award rates, in order to induce persons to join the nursing staff.

Mr. BADDELEY: They should be paid a decent wage. The Minister will get sufficient staff, if he pays them!

Mr. FITZSIMONS: Quite so. Staff conditions, however, do not now come under the regulation of the board. The board does not determine hours, conditions, the amount of leave, sick pay and days off. That has all been taken out of the board's hands, and every case from Prince Alfred Hospital and right down the list is now covered by an award, which is a very wide and generous one. All hospitals have been informed that the award must be complied with within fourteen days.

Mr. JAMES MCGIRR: Who is going to watch the doctors' interests?

Mr. FITZSIMONS: Cannot we get away from the question of watching interests?

Mr. JAMES MCGIRR: It was the Minister who used the argument!

Mr. FITZSIMONS: No, it was raised by the hon. member for Botany.

Mr. D. CLYNE: The fact that there is an award is not the end of everything. Endless things crop up in the running of an institution, and often the workers' interests are trodden on or walked over. It is necessary that they should have some authority through whom to appeal.

I know, of course, that the board will not fix wages and conditions, but some representation for the employees is necessary nevertheless!

Mr. FITZSIMONS: As one who has worked in a secondary industry all his life, and is well accustomed to a big industrial undertaking, I know that union officials are the guardians of the employees in minor matters, and that they soon make their presence felt with the management. Rightly so; that is what they are there for. Under these circumstances the representations of employees are put in a more adequate form than they would be by someone who was not constantly handling such matters and was elected by popular choice. The hon. member referred to permanent officers of the Department of Public Health who will go over to the Prince Henry Hospital when the bill is passed. There is a clause which clearly and completely shows that the rights of superannuation, pensions, long and accrued leave, and other matters are fully protected. That is clause 15. It sets out the whole of their rights over a lifetime, and shows that they are fully protected under the bill.

Mr. D. CLYNE: At the end of subclause (1) of clause 15 it is set out that the persons so transferred shall continue in the employ of the board at the will of the board only. That is extremely dangerous!

Mr. FITZSIMONS: No, it is perfectly right. The board must have control of the staff. In subclause (6) of clause 15 the hon. member will find a provision that at any time within twelve months after the commencement of the bill any officer or employee who has been transferred to the board and retained in its employ may, at the discretion of the Public Service Board and with the consent of such officer or employee be re-transferred to any office in the public service. The board will know within a few months, probably, whom it wants. Anyone who wishes to go back can apply for readmission to the public service.

Mr. D. CLYNE: But it rests at the discretion of the board as to whether

they will be transferred or not. What would happen in the case of the board not wanting to transfer an employee. How would he get on?

Mr. FITZSIMONS: That was one of the points raised by the hon. member for Botany. I say that there is no necessity for further provision. It is the policy of the Government not to interfere with any staff under the Public Service Board. That is why I used in the subclause the words "at the discretion of the Public Service Board."

Mr. D. CLYNE: If the Minister inserted the condition that the board might, at the request of the employee, transfer him back into the service, that would meet the situation!

Mr. FITZSIMONS: We will look at that when we come to it.

Mr. D. CLYNE: Shall we come to it?

Mr. FITZSIMONS: I put this question to the full Public Service Board before I used the wording I have referred to. I received a letter from the board in which it undertook to transfer without loss of salary, on the basis of the amount previously paid any officers who did not desire to continue in the hospital service or who were found not to be required. The Public Service Board has given a definite undertaking that such persons will be taken back without loss of salary. They will be taken back if they desire to go back, or if their services are not required at the hospital.

Mr. D. CLYNE: Why not put that in the bill!

Mr. FITZSIMONS: I have a definite undertaking from the Public Service Board which I am prepared to accept. In conclusion, while the suggestions made by the hon. member on the surface appear to merit some consideration, when the real practical test is considered there appears no necessity for his request. Apart from a few personal qualifications they can bring, there is no official qualification that will not be adequately safeguarded by the awards of the courts, by the unions, and, later, by the subscribers themselves within a

period of two years, electing some person from the district to safeguard and watch over the whole interests of the hospital, not merely the employees.

Mr. O'SULLIVAN (Paddington) [3.47]: I am sorry the Minister will not accept the amendment of the hon. member for Botany. I can see no reason why he should not do so. The Minister raised the question of where the representatives on the board would come from. He said they would be elected from among persons who live in the vicinity of the hospital and are conversant with the wishes and desires of the employees. That is not so, and I can quote the case of the Eastern Suburbs Hospital to support my contention. The Eastern Suburbs Hospital is at present comparatively small, but we hope that it will grow into a very big institution. On the board of the Prince Henry Hospital the Minister might not find one person who is a resident of that particular district.

Mr. FITZSIMONS: It would be their own fault!

Mr. O'SULLIVAN: It would not be their fault. At present nearly every member of the board of the Eastern Suburbs Hospital lives away from the suburb in which it is situated. The chairman, the hon. member for Vaucluse, lives in Vaucluse. He would not know what was going on at the hospital unless he interested himself to find out. Other members of the board, Mr. Thoroughgood and Mrs. Sinclair, the treasurer, and Miss Fuller live at Vaucluse also. The Mayor of Waverley, Mr. Nott, and Alderman Caffyn are the members living closest to the hospital. How many members of the board of the Prince Henry Hospital will the Minister nominate?

Mr. FITZSIMONS: I nominate two, and the subscribers six!

Mr. O'SULLIVAN: When these lists are sent out most of the subscribers do not take a scrap of interest in who might be on the board. They send along a donation of £1 1s. or £2 2s., and if they have subscribed 10s. 6d. they are entitled to a vote.

Mr. FITZSIMONS: That is not in the bill!

Mr. O'SULLIVAN: For this 10s. 6d. they may cast their vote once every three years. I take it that the board is elected every three years. Many subscribers come from some other district from that in which the hospital is situated—a number of people who subscribe to the Eastern Suburbs Hospital live in the North Sydney district.

Mr. FITZSIMONS: The Royal North Shore Hospital authorities would be pleased about that!

Mr. O'SULLIVAN: A gentleman in town saw Sir Daniel Levy some time ago and told him that he had a few pounds which he wished to subscribe to a public hospital. Sir Daniel Levy prevailed on him to send it to the Eastern Suburbs Hospital. An amount of £200 was sent. That gentleman does not live in the eastern suburbs, and it is quite likely that people who live in some other part of the State to that in which the Prince Henry Hospital is situated will desire to contribute to the funds of that hospital.

Mr. FITZSIMONS: I hope they will contribute!

Mr. O'SULLIVAN: So do I. Nominations are called and ballot-papers are sent out, and the persons who are entitled to vote do not in many cases know the qualifications of those nominated. Where there are 500 employees, as in the case of the Prince Henry Hospital, I do not think it would be too much to ask that they should have representation on the board. If the Minister is not prepared to do that, at least the member for the district, Mr. Heffron, should be one of the Minister's nominees. This is not a party matter. Mr. Heffron lives in Botany, is conversant with what is happening, and knows the requirements of the hospital. He would be able to put anything before the board on behalf of the employees. The Minister says that the employees will be able to do that through the Superintendent or the

Director, but he will not be on the board. I am a member of the Eastern Suburbs Hospital Board.

Mr. FITZSIMONS: Was the hon. member elected?

Mr. O'SULLIVAN: Yes, I was elected, but if they had not helped me I would not be there. I am the only Labour man on the board. Politics, of course, does not enter into this matter. I am very pleased to be on the board. Those who were nominated by the Minister, and justly so, were Alderman Grimley, Miss Fuller, Mrs. Sinclair and Mr. Thoroughgood. Those persons do a great deal of charitable work. In the case of Mr. Thoroughgood, he has a record that very few people in this State could equal. The first meeting to form this hospital was called fourteen years ago. Mr. Thoroughgood attended that meeting, and has never missed a meeting since that time. He was one of the Minister's nominees, and he was fully entitled to that distinction. If the Minister cannot see his way to accept the amendment, he should see that one of his nominees is the hon. member for Botany.

There are other matters that have entered into the discussion. With regard to the Eastern Suburbs Hospital, at all times all members of that board have paid me the courtesy of asking me with respect to any questions of an industrial nature, and whenever there is any question to be discussed on behalf of the employees I get in touch with the secretary of the Hospital Employees' Union, Mr. Rutherford. I think it can be said that the pay and conditions of work of the employees at that hospital are equal to those of any hospital in the State.

It would be possible to get a board that did not concern itself very much about the employees, but was only concerned about the welfare of the hospital. So far as the doctors are concerned, they might easily overlook certain conditions and privileges to which these employees are entitled. I do not think there is any hon. member in this house who would say that these employees are not entitled to the very best privileges that it is possible to give them. Take, for instance, the nurses. They have to work

long hours under extremely arduous conditions, and they get their satisfaction when, after seeing a cripple brought in in a shattered condition through a tram accident, or a person admitted in a very low state of health, they see that person go out into the world fit and well again.

I think the Minister should reconsider his decision not to accept the amendment. It is not too much to ask that these 500 employees of such a wonderful institution should have representation on the board. If the Minister is not prepared to do that, I sincerely hope he will nominate the hon. member for the district, who is conversant with the wishes of the people in the district, and knows the requirements of the staff. The hon. member for Botany would be able to see that these employees receive that consideration to which they are entitled.

Mr. HENRY (Clarence) [3.57]: The amendment proposed is one that sounds very well and for which reasonable argument could be advanced. It does seem cogent and convincing when those who support the amendment say, here are 500 employees, they surely are interested in the functioning and correct and proper working of the institution, and they are therefore entitled to representation on the board. While that may seem very desirable, however, let hon. members look at it from another angle. After all, those 500 employees represent a very small percentage of the whole mass of the community. There are many hundreds of thousands of potential patients and subscribers to the institution who, in fact, do not ask for any direct representation except that they ask that the board be constituted of reputable, trustworthy and experienced men—those known in public life and also in their own business for their fairness. If the public, the hundreds of thousands of the public that I have mentioned, are content to permit their interests in this great hospital to be in the hands of this board, then surely the employees in the hospital should have the same confidence in the board themselves. It seems to hark to me of the old cry of job-control for the employees—that because they are employees they should have a say in the management.

We know that that does not work. It did not even work in many enterprises that the Labour Government tried to start. There must be a manager, and he must have authoritative powers and he must be obeyed. There must be no question of deflecting from duty and proper business principles, whether it is in the running of a hospital, a factory or an organisation.

Mr. HEFFRON: This amendment does not suggest that!

Mr. HENRY: It goes to that extent. The board will deal with the appointment of honorary medical officers. Does the hon. member say that the employees of the hospital should have an interest in seeing who is to be appointed as honorary medical officer?

Mr. HEFFRON: Some of the employees at the Prince Henry Hospital would be more qualified to select an honorary medical officer than many who would be on the board.

Mr. HENRY: The representative of these 500 employees may be the yardman, and however intelligent he may be and however assiduously he may swish the broom and make for the cleanliness of the hospital, would anyone say that he would know the qualifications of one doctor from another? A member of the clerical staff, the cook or the bottle-washer might be elected to represent the employees on the board. What is the main qualification of the employees' representative? It is generally the qualification that gets men into Parliament; he may be a good talker.

Mr. HEFFRON: Is it not likely that the man who could talk best would be elected by the subscribers to the board?

Mr. HENRY: Committees are elected by public institutions and sporting bodies, but generally the members of those committees are individuals who have for many years taken a deep interest in the institution or in the sport. The hon. member does not ask that an employee of the baths should be on the committee of the swimming association.

Mr. HEFFRON: This is a different thing altogether; in this case the employees are concerned!

Mr. HENRY: Are the employees concerned in the policy of the hospital on the clinical or any other side? If it is a matter of wages or working conditions the employees' representative should go to the Industrial Commission to advocate the cause of the employees.

Mr. HEFFRON: The application of an award or an industrial agreement is in the hands of the Hospital Board!

Mr. HENRY: It is in the hands of the inspectors.

Mr. HEFFRON: If it were left to the inspectors, the employees would get a rough spin!

Mr. HENRY: I cannot see that the employees of the Prince Henry Hospital, of whom there are 500, have any reasonable claim for representation on the board. Their remuneration and working conditions are fixed by the Industrial Commission. If the employees have a complaint, surely the hon. member does not want them to wait a month for their representative to bring it before the next board meeting. If the food is bad the employees should have a deputation to the superintendent or the manager, and the matter would be fixed up right away. If the cook were at fault, he would be reprimanded immediately.

Mr. HEFFRON: The manager might not reprimand the cook; he might take the view that everything was all right!

Mr. HENRY: These are domestic matters which should not come before the board. The firm of Anthony Hordern and Sons employ 3,000 persons, and it provides them with the services of a medical officer and a nurse. Because that firm provides its employees with remarkably fine social services, does the hon. member say that the employees should have a representative on the board of management?

Mr. HEFFRON: That is a different thing altogether!

Mr. HENRY: It is not. Anthony Hordern and Sons have to comply with industrial awards, and the factory, shop and health laws. A departmental inspector can enter their premises, and if they are not complying with the law they are fined.

Mr. HEFFRON: About a year ago the adjournment of this House was moved to complain of girl trainees of 18 and 19 years of age being sent from the Prince Henry Hospital to the auxiliary at Randwick to nurse patients in the last stages of T.B., as a result of which their health was impaired!

Mr. HENRY: That is not a reason why the employees should have representation on the board. If the health of young trainees is being jeopardised there is no need to wait for a board meeting to ventilate the matter. It can be brought before the medical superintendent; if he does not attend to it, it can be ventilated in the newspapers, and if the public find that the board takes no action to correct the evil, it can elect another board.

Mr. HEFFRON: The public does not care!

Mr. HENRY: The public does care when it becomes alarmed or when its sympathy is aroused because unjust conditions are being forced upon any section, more particularly if they are unjust social conditions. Can the hon. member for Botany suggest any complaint that cannot be brought forward under existing conditions when the employees have no representation on the board?

Mr. HEFFRON: There might be a tyrannical superintendent, a tyrannical matron, or a tyrannical manager, and the employees could not get beyond them!

Mr. FITZSIMONS: In that case the proper person to talk to would be the Minister!

Mr. HEFFRON: The employees cannot go over the head of the board!

Mr. HENRY: When I invite the hon. member to give a specific instance of injustice which could only be ventilated by the employees having representation on the board he says there might be a tyrannical superintendent, a tyrannical matron, or a tyrannical manager. The hon. member does not give any specific instance. A charge cannot be made against a matron merely because she is tyrannical. The complaint must be definite and specific. A man cannot be

charged with being a rogue and a vagabond; he has to be charged with a felony or a misdemeanour, and must know the charge he has to answer. If a matron hit a nurse with a flat iron and rendered her unconscious she could be charged with assault and be compelled to answer the charge either before a court of law or a board of inquiry. The hon. member may say that the conditions at the Prince Henry Hospital are intolerable. In what way are they intolerable? Are the staff being supplied with insufficient bedclothes, or are three of them being compelled to sleep in one bed? If so, there is a definite complaint to answer, and the authorities know what they have to meet.

Mr. HEFFRON: If the complaints were made to the employees' representative would not they be more likely to receive fair consideration?

Mr. HENRY: No. If some of the stoves or the cooking utensils were worn out, there would be no use in the employees' representative inquiring into the matter, because he might be drawn from the clerical staff, and he would probably know nothing about them.

Mr. HEFFRON: Supposing an employee were dismissed for unsatisfactory cooking, might not that be the result of faulty equipment, and who is going to prove it?

Mr. HENRY: Surely on a board of twelve, as proposed, there would be some person competent to listen to complaints and to settle them. Surely some member of the board could attend to complaints made by the nurses, the ambulance drivers, the gardeners or other employees, and deal out justice. What is there sacrosanct about the individual so long as he represents the right section? If a member of the medical staff requisitioned for certain medical supplies, which were not delivered for a fortnight or longer, when it might be too late to use them, could not a complaint be made to the Minister, who would follow it up and place the blame on the person responsible? As hon. members on the Opposition benches know the employees are not represented

on the boards of large commercial institutions. Occasionally a former employee wins a seat on the board, if he has sufficient enterprise and ability to rise to the position of a manager. The men who occupy the high positions in our commercial life to-day are the men who started on the bottom rung of the ladder. They are not men who were "born in the purple." A director of a large commercial house told me the other day that the difficulty they had in filling positions on their board was to obtain men willing to accept the necessary responsibility. Most men are content to earn up to £5 a week, and they have no desire to earn any more. Those who want to earn £7 a week, and more, have to keep on thinking, and to work after 5 o'clock on week days, and also on Saturday afternoons and Sundays. You cannot prevent such men from getting to the top, and that is the history of the late Mr. Andrew Carnegie and the late Sir Thomas Lipton. There are many successful men in the community, like Mr. T. E. Rofe, who set an example to the people. They are just as approachable as others on the lower rungs of the ladder and they desire to help their fellow men. The democratic cry of the hon. member for Botany that there should be an employees' representative on the board of the Prince Henry Hospital is illusory.

Mr. BADDELEY (Cessnock) [4.17]: The Hon. member for Botany is to be congratulated on having moved his amendment. The hon. member for Clarence should bear in mind that the hospitals of the State are largely administered by the workers in industry and not by the commercial managers, as suggested by him. Usually the hon. member, like many others of his class, comes into this House at 4 o'clock in the afternoon, after he has attended to his private business. The hon. member, and men like him, supposing they were members of a hospital board, would lose their seats for failing to attend meetings as required. The present Government particularly has nominated business men for membership of hospital boards, and it is well known that they do not

attend the meetings as they should do. It is left to men who work in factories and in the mines to carry out the work of the boards. In many cases money has been handed down to successful business men, of the kind referred to by the hon. member for Clarence, which has enabled them to occupy positions in the community that otherwise they would be unable to hold. The hon. member for Botany suggests it would be better in the interests of the hospital to give the employees representation on the board. I agree with one member of the board being a member of the Hospitals Commission. I notice that two are to be appointed by the Senate of the University. Surely the employees working at the hospital know as much about the institution as two members of the Senate would? My experience of members of the University Senate is that they are particularly interested in the social side of life, as, for instance, Sir Sydney Snow. Sir Daniel Levy is also a member of the Senate, so is Sir John Peden. Look at Sir John Peden's work. Consider how he is given chickens to pluck! On this hospital board we want men who will be interested in the institution, and not men who are used to picking up a few guineas on directorships. They get so used to being directors that they will come into a meeting of the hospital board, and, after five minutes, grab up their papers and say, "Excuse me, Mr. Chairman, but I have another appointment." The same applies to the medical profession. Some of these doctors will be getting telephone messages, and will say that they have to leave these board meetings. There will be a large number of doctors running the show. It will be a doctors' hospital.

Mr. FITZSIMONS: There will be six doctors!

Mr. BADDELEY: They will constitute a big force. I have no objection if men are put on the board who will stand up and fight. The British Medical Association might be an all-important factor. The Minister knows the force the British Medical Association wields in his own Government.

Mr. FITZSIMONS: I do not know it!

Mr. BADDELEY: If one man gets out of step they will tell him he must get into line again. If the British Medical Association can get a Minister out of Cabinet, and say that he must keep out, what can it not do with the board of the Prince Henry Hospital? It can play ducks and drakes with it. The Minister knows the Government is in a bad way with regard to finance, judging from replies that have been given in this House to questions. The Government wants money for this institution, and how better can it get it than by enlisting the aid of the workers, who are the main contributing factor so far as the finances of this hospital are concerned. Personally, I think that this will prove to be merely a temporary measure. I think that the nationalisation of hospitals will be a plank at the next elections.

Mr. FITZSIMONS: It will be a loser!

Mr. BADDELEY: It may prove a loser, but the Government is getting extremely close to it now. It is providing general treatment, as well as hospital services, and it will become a question for the Government to take over the whole of the hospitals of the State.

Mr. HEFFRON: We shall take the Coast—Prince Henry Hospital back as soon as we get in again!

Mr. BADDELEY: Yes. The men and women engaged in the industry are entitled to representation on the board. The Minister has only to remember what has taken place in Europe, including Belgium, recently. I refer to the economic disabilities.

Mr. FITZSIMONS: I have not read of it!

Mr. BADDELEY: The Minister should follow international affairs. He will find that the workers are gradually getting control of industries. Either he must be content to continue to represent vested interests, as he is doing, or he must give the workers some control in the affairs of industry, and give them more leisure and better conditions. If a representative of these 500 employees were elected to the board, he might be able to place the employees' views before his colleagues far better than even a

member of the Hospitals Commission could, and if so he would be rendering a valuable service to this State. I do not know that anyone really wants the clause. The secretary of the Hospitals Employees' Association has sent letters to the municipalities in whose vicinity the hospital is situated, asking for an opinion as to whether the employees should have representation on the board. Replies have already come to hand. The municipality of Botany says definitely that it was decided to protest to the fullest extent against the proposed alteration in control of the Prince Henry Hospital. They are quite satisfied with the administration and control as it is now. Surely local people ought to know what they require. Why should the Government interfere?

The TEMPORARY CHAIRMAN (Mr. SINCLAIR): Order! The question before the Committee is the representation of employees.

Mr. BADDELEY: The Mascot Council has stated that the present administration is adequate and fair, and it does not want any alteration. If there is an alteration the Mascot Council considers it fair to give representation on the board to those working at the hospital. The municipalities of Redfern and Randwick think similarly. There is also a reply from Waterloo. All these councils believe in the principle that the hon. member for Botany is advocating, representation on the board for employees. The same opinion is shared by the Alexandria Council. They all say they are not in favour of this clause. It should be amended, as the hon. member for Botany suggests, before incorporation in the bill. I support the amendment moved by the hon. member for Botany.

Mr. FRITH (Lismore) [4.34]: When I heard the amendment moved by the hon. member for Botany I thought it was a reasonable proposition, and probably one that the Minister would accept. As the debate has proceeded, and the different points have been brought out, it has occurred to me that if the amendment is carried it would not accomplish that which the hon. member desires. I

take it that if there is an employees' representative on the Prince Henry Hospital Board he would have to be somebody representing the whole of the employees. During the course of the remarks of the hon. member for Clarence and the hon. member for Cessnock, I was trying to run out a list of the number of different callings there are in a public hospital, and trying to see what the position would be if any one member of the particular callings was elected as employees' representative, and whether that representative would be able to represent the employees embraced in the other callings. First of all, there are doctors, nurses, wardsmen, clerks, yardmen, gatekeepers, cleaners, laundrymen, laundresses, cooks, housemaids, chemists, pathologists, X-ray technicians, carpenters, plumbers, engineers, firemen, gardeners, electricians and typists. There are, of course, many others, but these are some that occurred to me while listening to the debate. The difficulty I see in getting an employees' representative who in reality would represent the whole of the employees is this: Supposing the employees appointed a clerk, would he be in a position efficiently to advance the claims of the doctors in the institution? In other words, supposing the employees elected an electrician, would he know very much about the employees connected with laundry work? If they elected one of the gatekeepers, what knowledge would he have to entitle him at a board meeting to look after the welfare of the electricians or the nurses?

Mr. HEFFRON: He would have the same knowledge as we would have in a representative capacity in speaking for any particular section of our constituents!

Mr. FRITH: I think the amendment would fail in its object. I do not think it would be the success that is expected by the hon. member for Botany. For that reason, I think the hon. member for Botany should take into consideration whether it will be possible for an employee in one particular calling of the industry adequately to represent the whole of the employees. That employee would represent only a very small section, and hon. members should remember the

great diversity of employment and the many interests embraced within the employees.

Mr. JAMES MCGIRR (Bankstown) [4.38]: I do not think that any hon. member has given any reason why the employees should not be given representation on this board. Hon. members should remember that the Minister proposes to do something to this institution that has never been done before with regard to any other of the 180 institutions to which the Minister has referred. This institution is to be placed under a committee that, in its constitution, does not compare with any other hospital in the State. The Prince Henry Hospital, whether the Minister admits it or not, will be handed over to the Sydney University as an auxiliary body for the training of doctors to deal with their particular work. By its action the Government is, so far as their employment is concerned, throwing to the wolves the 500 employees of the institution. The bill provides that the employees will have the right to say whether they will remain under the Public Service Board, but the final determination will be in the hands of the Public Service Board. The employees will be under the control of the Hospital Board, and they should have representation on that board. The hon. member for Lismore said that a gatekeeper or a technician on the staff might be elected to represent the employees and he would know nothing about the conditions of those employed in other branches. The majority of the employees of the Prince Henry Hospital are members of the same industrial organisation and the man they would elect would be competent to represent them. The Minister informed the Committee that the Public Service Board told him what it would do. I never heard such a confession of weakness. It is the first time I heard a Minister of the Crown say that the Public Service Board would tell him what to do. The Minister is responsible for the administration of this bill, and he is responsible for the 500 persons whose employment is being interfered with by this legislation. Every

hon. member knows why the Public Service Board was brought into existence. It was brought into existence to enable Ministers of the Crown to shirk their responsibilities. The Prince Henry Hospital Board will be composed principally of medical men, who know nothing about the internal management of a hospital. It is not the job of the medical man to understand the internal management of a hospital.

Mr. SINCLAIR: The duties of the medical man take him all over the hospital, whereas the employees are confined to their own particular sphere!

Mr. JAMES MCGIRR: That may be so, but the board will manage the institution. The hon. member knows that the best marks for "go-getters" who have "dud" propositions to put up are medical men and lawyers.

Mr. SINCLAIR: Unfortunately, they are the men who have money; others would be equally easy marks if they had money!

Mr. JAMES MCGIRR: That may be. Medical men generally are so keen on their professional work that they have no time to attend to the business side. If the employees had representation it would make for a contented staff, and a contented staff is essential to the successful conduct of any hospital. Good nursing is just as important as efficient medical attention. The medical profession has adequate representation, and an employees' representative could well be provided for on a board of fifteen. The Minister is making the Prince Henry Hospital an auxiliary of the University of Sydney, and he is providing that on the board there shall be two members nominated by the Senate of the University, one by the Council of the Royal Australasian College of Surgeons, one by the Council of the Associations of Physicians of Australasia, and one by the New South Wales Post-graduate Committee in Medicine of the University. Eight members of the board are to be nominated by the Minister. Surely it is not asking too much that there should be a representative of the employees on the board. The hon. member for Botany, who has

moved the amendment, is acquainted with the management of the Prince Henry Hospital, and he knows what the employees want. The Minister has given us no good reason why the amendment should not be accepted.

Question—That the words proposed to be inserted be so inserted—put. The Committee divided:

Ayes, 29; noes, 38; majority, 9.

AYES.

Arthur, J. G.	Lang, J. T.
Baddeley, J. M.	Lazzarini, C. C.
Booth, G.	McGirr, James
Burke, Frank	McKell, W. J.
Cameron, R.	Matthews, C. H.
Carlton, W. J.	O'Sullivan, M.
Clyne, D.	Quirk, J.
Davidson, M. A.	Shannon, T. J.
Davies, W.	Stanley, F.
Dunn, Captain	Sweeney, J. T.
Gorman, R. D.	Tonge, A.
Heffron, R. J.	Tully, J. M.
Horsington, E. M.	<i>Tellers,</i>
Kelly, C. A.	Cahill, J. J.
Knight, H.	Hawkins, F. H.

NOES.

Ardill, G. E.	Morton, M. F.
Ball, R. T.	Moverly, A. H.
Bennett, C. E.	Ness, J. T.
Brown, M.	Primrose, H. L.
Budd, A. E.	Reid, Major
Buttenshaw, E. A.	Richardson, A.
Chaffey, Captain	Ross, J. C.
Elliott, H. O.	Ross, W. F. M.
Fitzsimons, H. P.	Shand, Major
Fleck, Dr.	Sinclair, C. A.
Frith, W.	Spooner, E. S.
Gollan, G. C.	Vincent, R. S.
Howarth, W. A. H.	Waddell, J. W.
Jackett, H. G.	Wade, B. M.
Jackson, J.	Weaver, R. W. D.
Kilpatrick, M.	Yeo, A. W.
Lawson, J. A.	
Main, H.	
Martin, L. O.	
Monro, C. O. J.	

Tellers,

Reid, A. E.
Reid, J. T.

Question so resolved in the negative.

Amendment negatived.

Amendment (by Mr. Fitzsimons) agreed to:

That in subclause (4) after the words "directors" there be inserted the words "who shall not be a member of the medical profession."

Clause as amended agreed to.

Clause 6. (1) On and from the first day of September, one thousand nine hundred and thirty-eight, the board shall consist of fifteen directors, one of whom shall be the Director-General of Public Health, eight

of whom shall be appointed by the Governor, and six of whom, who shall not be members of the medical profession, shall be elected by the subscribers.

(2) Of the directors so appointed—

(a) one shall be a member of the Commission;

Amendment (by Mr. Fitzsimons) agreed to:

That there be added to subclause (2) (a) the words "who is not a member of the medical profession."

Mr. BADDELEY (Cessnock) [5.0]: I propose to move an amendment.

Mr. GOLLAN: I move:

That the question be now put. (Under standing order 175B.)

The Committee divided:

Ayes, 36; noes, 29; majority, 7.

AYES.

Ardill, G. E.	Monro, C. O. J.
Ball, R. T.	Morton, M. F.
Bennett, C. E.	Ness, J. T.
Brown, M.	Primrose, H. L.
Budd, A. E.	Reid, A. E.
Buttenshaw, E. A.	Reid, J. T.
Chaffey, Captain	Reid, Major
Dunningham, J. M.	Richardson, A.
Elliott, H. O.	Ross, W. F. M.
Fitzsimons, H. P.	Shand, Major
Fleck, Dr.	Sinclair, C. A.
Frith, W.	Vincent, R. S.
Gollan, G. C.	Wade, B. M.
Howarth, W. A. H.	Weaver, R. W. D.
Jackson, J.	Yeo, A. W.
Kilpatrick, M.	
Lawson, J. A.	<i>Tellers,</i>
Main, H.	Ross, J. C.
Martin, L. O.	Waddell, J. W.

NOES.

Arthur, J. G.	Knight, H.
Baddeley, J. M.	Lang, J. T.
Booth, G.	Lazzarini, C. C.
Burke, Frank	McGirr, James
Cahill, J. J.	McKell, W. J.
Cameron, R.	Matthews, C. H.
Carlton, W. J.	O'Sullivan, M.
Clyne, D.	Quirk, J.
Davidson, M. A.	Shannon, T. J.
Davies, W.	Swcney, J. T.
Dunn, Captain	Tonge, A.
Hawkins, F. H.	Tully, J. M.
Heffron, R. J.	<i>Tellers,</i>
Horsington, E. M.	Gorman, R. D.
Kelly, C. A.	Stanley, F.

Question so resolved in the affirmative.

Question—That the remaining amendment in clause 6, as printed and circulated, be inserted—put. The Committee divided:

Ayes, 39; noes, 29; majority, 10.

AYES.

Ardill, G. E.	Monro, C. O. J.
Ball, R. T.	Morton, M. F.
Bennett, C. E.	Ness, J. T.
Brown, M.	Primrose, H. L.
Budd, A. E.	Reid, A. E.
Buttenshaw, E. A.	Reid, J. T.
Chaffey, Captain	Reid, Major
Dunningham, J. M.	Richardson, A.
Fitzsimons, H. P.	Ross, J. C.
Fleck, Dr.	Ross, W. F. M.
Foster, W. F.	Shand, Major
Goldfinch, Sir Philip	Sinclair, C. A.
Gollan, G. C.	Vincent, R. S.
Howarth, W. A. H.	Waddell, J. W.
Jackson, J.	Wade, B. M.
Kilpatrick, M.	Weaver, R. W. D.
Lawson, J. A.	Yeo, A. W.
Main, H.	<i>Tellers,</i>
Mair, A.	Elliott, H. O.
Martin, L. O.	Frith, W.

NOES.

Arthur, J. G.	Knight, H.
Baddeley, J. M.	Lang, J. T.
Booth, G.	Lazzarini, C. C.
Burke, Frank	McGirr, James
Cahill, J. J.	McKell, W. J.
Cameron, R.	Matthews, C. H.
Carlton, W. J.	O'Sullivan, M.
Clyne, D.	Quirk, J.
Davidson, M. A.	Stanley, F.
Davies, W.	Swcney, J. T.
Dunn, Captain	Tonge, A.
Hawkins, F. H.	Tully, J. M.
Heffron, R. J.	<i>Tellers,</i>
Horsington, E. M.	Gorman, R. D.
Kelly, C. A.	Shannon, T. J.

Question so resolved in the affirmative.

Amendment agreed to.

Question—That the clause as amended stand—put. The Committee divided:

Ayes, 39; noes, 29; majority, 10.

AYES.

Ardill, G. E.	Goldfinch, Sir Philip
Ball, R. T.	Gollan, G. C.
Bennett, C. E.	Howarth, W. A. H.
Brown, M.	Jackson, J.
Budd, A. E.	Kilpatrick, M.
Buttenshaw, E. A.	Lawson, J. A.
Chaffey, Captain	Main, H.
Dunningham, J. M.	Mair, A.
Elliott, H. O.	Martin, L. O.
Fitzsimons, H. P.	Morton, M. F.
Fleck, Dr.	Ness, J. T.
Foster, W. F.	Reid, A. E.
Frith, W.	Reid, J. T.

Reid, Major
Richardson, A.
Ross, J. C.
Ross, W. F. M.
Shand, Major
Sinclair, C. A.
Vincent, R. S.

Waddell, J. W.
Wade, B. M.
Weaver, R. W. D.
Yeo, A. W.
Tellers,
Monro, C. O. J.
Primrose, H. L.

NOES.

Baddeley, J. M.
Booth, G.
Burke, Frank
Cahill, J. J.
Cameron, R.
Carlton, W. J.
Clyne, D.
Davidson, M. A.
Davies, W.
Dunn, Captain
Gorman, R. D.
Hawkins, F. H.
Heffron, R. J.
Horsington, E. M.
Kelly, C. A.

Knight, H.
Lang, J. T.
Lazzarini, C. C.
McGirr, James
McKell, W. J.
O'Sullivan, M.
Quirk, J.
Shannon, T. J.
Stanley, F.
Sweeney, J. T.
Tonge, A.
Tully, J. M.
Tellers,
Arthur, J. G.
Matthews, C. H.

Question so resolved in the affirmative.

Clause as amended agreed to.

Question—That the remaining amendment, as printed and circulated, be inserted in the bill—put. The Committee divided:

Ayes, 42; noes, 29; majority, 13.

AYES.

Ardill, G. E.
Ball, R. T.
Bennett, C. E.
Budd, A. E.
Buttenshaw, E. A.
Chaffey, Captain
Dunningham, J. M.
Elliott, H. O.
Fitzsimons, H. P.
Foster, W. F.
Frith, W.
Goldfinch, Sir Philip
Gollan, G. C.
Howarth, W. A. H.
Jackett, H. G.
Jackson, J.
Kilpatrick, M.
Lawson, J. A.
Main, H.
Mair, A.
Martin, L. O.
Monro, C. O. J.

Morton, M. F.
Moverly, A. H.
Ness, J. T.
Primrose, H. L.
Reid, A. E.
Reid, J. T.
Reid, Major
Richardson, A.
Ross, J. C.
Ross, W. F. M.
Shand, Major
Sinclair, C. A.
Solomon, E. S.
Vincent, R. S.
Waddell, J. W.
Wade, B. M.
Weaver, R. W. D.
Webb, Dr.
Tellers,
Brown, M.
Yeo, A. W.

NOES.

Arthur, J. G.
Baddeley, J. M.
Burke, Frank
Cahill, J. J.
Cameron, R.
Carlton, W. J.
Clyne, D.

Davidson, M. A.
Davies, W.
Dunn, Captain
Gorman, R. D.
Hawkins, F. H.
Heffron, R. J.
Horsington, E. M.

Kelly, C. A.
Knight, H.
Lang, J. T.
Lazzarini, C. C.
McGirr, James
McKell, W. J.
Matthews, C. H.
O'Sullivan, M.

Quirk, J.
Shannon, T. J.
Stanley, F.
Tonge, A.
Tully, J. M.
Tellers,
Booth, G.
Sweeney, J. T.

Question so resolved in the affirmative.

Amendment agreed to.

Question—That the remaining clauses and the schedule stand—put. The Committee divided:

Ayes, 39; noes, 29; majority, 10.

AYES.

Ardill, G. E.
Ball, R. T.
Brown, M.
Budd, A. E.
Buttenshaw, E. A.
Chaffey, Captain
Dunningham, J. M.
Elliott, H. O.
Fitzsimons, H. P.
Fleck, Dr.
Foster, W. F.
Frith, W.
Goldfinch, Sir Philip
Gollan, G. C.
Howarth, W. A. H.
Jackett, H. G.
Jackson, J.
Kilpatrick, M.
Lawson, J. A.
Main, H.

Martin, L. O.
Monro, C. O. J.
Moverly, A. H.
Ness, J. T.
Primrose, H. L.
Reid, A. E.
Reid, J. T.
Reid, Major
Ross, J. C.
Ross, W. F. M.
Shand, Major
Sinclair, C. A.
Solomon, E. S.
Vincent, R. S.
Wade, B. M.
Weaver, R. W. D.
Yeo, A. W.
Tellers,
Bennett, C. E.
Richardson, A.

NOES.

Arthur, J. G.
Baddeley, J. M.
Booth, G.
Burke, Frank
Cahill, J. J.
Cameron, R.
Clyne, D.
Davidson, M. A.
Davies, W.
Dunn, Captain
Gorman, R. D.
Heffron, R. J.
Horsington, E. M.
Kelly, C. A.
Knight, H.

Lang, J. T.
Lazzarini, C. C.
McGirr, James
McKell, W. J.
Matthews, C. H.
O'Sullivan, M.
Quirk, J.
Shannon, T. J.
Stanley, F.
Sweeney, J. T.
Tonge, A.
Tully, J. M.
Tellers,
Carlton, W. J.
Hawkins, F. H.

Question so resolved in the affirmative.

Clauses and schedule agreed to.

Question—That the bill be reported with amendments—put. The Committee divided:

Ayes, 39; noes, 28; majority, 11.

AYES.

Ardill, G. E.
Ball, R. T.
Brown, M.

Budd, A. E.
Buttenshaw, E. A.
Chaffey, Captain

Dunningham, J. M.
 Elliott, H. O.
 Fitzsimons, H. P.
 Fleck, Dr.
 Foster, W. F.
 Frith, W.
 Goldfinch, Sir Philip
 Gollan, G. C.
 Henry, A. S.
 Howarth, W. A. H.
 Jackett, H. G.
 Jackson, J.
 Kilpatrick, M.
 Lawson, J. A.
 Main, H.
 Martin, L. O.
 Monroe, C. O. J.

Ness, J. T.
 Primrose, H. L.
 Reid, J. T.
 Reid, Major
 Richardson, A.
 Ross, J. C.
 Ross, W. F. M.
 Shand, Major
 Sinclair, C. A.
 Solomon, E. S.
 Vincent, R. S.
 Wade, B. M.
 Weaver, R. W. D.
 Yeo, A. W.

Tellers.

Moverly, A. H.
 Reid, A. E.

NOES.

Arthur, J. G.
 Baddeley, J. M.
 Booth, G.
 Burke, Frank
 Cahill, J. J.
 Cameron, R.
 Carlton, W. J.
 Clyne, D.
 Davidson, M. A.
 Davies, W.
 Dunn, Captain
 Gorman, R. D.
 Hawkins, F. H.
 Heffron, R. J.
 Horsington, E. M.

Kelly, C. A.
 Knight, H.
 Lang, J. T.
 Lazzarini, C. C.
 McGirr, James
 O'Sullivan, M.
 Shannon, T. J.
 Stanley, F.
 Sweeney, J. T.
 Tonge, A.
 Tully, J. M.

Tellers.
 Matthews, C. H.
 Quirk, J.

Question so resolved in the affirmative.

Bill reported with amendments.

Question—That the report be adopted
 —put. The House divided:

Ayes, 40; noes, 29; majority, 11.

AYES.

Ball, R. T.
 Bate, H. J.
 Brown, M.
 Budd, A. E.
 Chaffey, Captain
 Dunningham, J. M.
 Elliott, H. O.
 Fitzsimons, H. P.
 Fleck, Dr.
 Foster, W. F.
 Frith, W.
 Goldfinch, Sir Philip
 Gollan, G. C.
 Henry, A. S.
 Howarth, W. A. H.
 Jackett, H. G.
 Jackson, J.
 Kilpatrick, M.
 Lawson, J. A.
 Mair, A.
 Martin, L. O.

Monro, C. O. J.
 Moverly, A. H.
 Ness, J. T.
 Reid, A. E.
 Reid, J. T.
 Reid, Major
 Richardson, A.
 Ross, J. C.
 Ross, W. F. M.
 Shand, Major
 Sinclair, C. A.
 Solomon, E. S.
 Vincent, R. S.
 Waddell, J. W.
 Wade, B. M.
 Weaver, R. W. D.
 Yeo, A. W.

Tellers.
 Ardill, G. E.
 Primrose, H. L.

NOES.

Arthur, J. G.
 Baddeley, J. M.
 Booth, G.
 Burke, Frank
 Cahill, J. J.
 Cameron, R.
 Carlton, W. J.
 Clyne, D.
 Davidson, M. A.
 Davies, W.
 Dunn, Captain
 Hawkins, F. H.
 Heffron, R. J.
 Horsington, E. M.
 Kelly, C. A.

Knight, H.
 Lang, J. T.
 Lazzarini, C. C.
 McGirr, James
 McKell, W. J.
 O'Sullivan, M.
 Quirk, J.
 Shannon, T. J.
 Stanley, F.
 Sweeney, J. T.
 Tonge, A.
 Tully, J. M.

Tellers.

Gorman, R. D.
 Matthews, C. H.

Question so resolved in the affirmative.

Report adopted.

THIRD READING.

Question—That the bill be now read a
 third time—put. The House divided:

Ayes, 37; noes, 29; majority, 8.

AYES.

Ardill, G. E.
 Ball, R. T.
 Bate, H. J.
 Brown, M.
 Chaffey, Captain
 Dunningham, J. M.
 Elliott, H. O.
 Fitzsimons, H. P.
 Fleck, Dr.
 Frith, W.
 Goldfinch, Sir Philip
 Gollan, G. C.
 Howarth, W. A. H.
 Jackett, H. G.
 Jackson, J.
 Kilpatrick, M.
 Lawson, J. A.
 Mair, A.
 Martin, L. O.

Monro, C. O. J.
 Ness, J. T.
 Primrose, H. L.
 Reid, A. E.
 Reid, J. T.
 Reid, Major
 Richardson, A.
 Ross, W. F. M.
 Shand, Major
 Sinclair, C. A.
 Solomon, E. S.
 Vincent, R. S.
 Waddell, J. W.
 Wade, B. M.
 Weaver, R. W. D.
 Yeo, A. W.

Tellers.

Budd, A. E.
 Henry, A. S.

NOES.

Baddeley, J. M.
 Booth, G.
 Burke, Frank
 Cahill, J. J.
 Carlton, W. J.
 Clyne, D.
 Davidson, M. A.
 Davies, W.
 Dunn, Captain
 Gorman, R. D.
 Hawkins, F. H.
 Heffron, R. J.
 Horsington, E. M.
 Kelly, C. A.
 Knight, H.

Lang, J. T.
 Lazzarini, C. C.
 McGirr, James
 McKell, W. J.
 Matthews, C. H.
 O'Sullivan, M.
 Quirk, J.
 Shannon, T. J.
 Stanley, F.
 Sweeney, J. T.
 Tonge, A.
 Tully, J. M.

Tellers.

Arthur, J. G.
 Cameron, R.

Question so resolved in the affirmative.

Bill read a third time.

METHODIST CHURCH, ROCKDALE,
CEMETERY BILL.

Mr. FITZSIMONS (Lane Cove), Minister for Health [5.44], moved:

That leave be given to bring in a bill to authorise the trustees of certain Methodist Church lands situated at Rockdale to remove slabs and tombstones from portions of the said lands and to re-erect such of those tombstones as are reasonably capable of re-erection in another portion of the said lands; and for purposes connected therewith.

He said: This is another of those small Church bills which come before the House from time to time, nearly always dealing with some problem connected with a disused cemetery. The cemetery in this case surrounds the Methodist Church at Rockdale. It is in Rocky Point road, near Chapel-street. The history of the cemetery is that on the 18th September, 1858, Mr. James Beehag, conveyed to the trustees one acre of land to be used by the Methodist Trustees as a cemetery to meet the needs of the Church. In more recent years the trustees erected a Sunday school at a cost of upwards of £3,000 adjacent to the cemetery. Adjoining is another building, which the trustees have recently built at a cost of £900, and which is now to be used as a free kindergarten. Dotted all round this free kindergarten are graves. The last interment there took place over forty years ago. As, very unfortunately, often happens, the graves are grossly neglected. Some of the tombstones have fallen over, and others are tilted sideways. The whole place presents a picture of grim neglect. There is a line of graves on the frontage to Rocky Point road, and passers-by can almost touch them. As the Church authorities have recently built this new kindergarten school, they think it is desirable that the graves should be removed.

Mr. W. DAVIES: Why not introduce a bill to make this general, so that it can be done in other places, and so that particular cemeteries will not have to be singled out each time for a special bill? I know of a number of cases where it could be done!

Mr. FITZSIMONS: I quite agree. During the time I was attached to the Treasury as Assistant Minister, as the hon. member for Annandale knows, I became interested in having action taken with regard to some of the old cemeteries, notably the one at Balmain, and the old Camperdown Cemetery. I had gone so far in connection with the matter as to recommend to Cabinet that a bill should be introduced to deal with the problem of all old disused cemeteries. At the old Camperdown Cemetery there are 17,000 graves. Since then, however, the administration of this matter has been transferred to the Minister for Lands, who, I understand, has ready for presentation to Parliament a bill dealing with all disused cemeteries. The proposal in this bill is exactly the same as I wished to adopt in regard to the old Camperdown Cemetery. In the latter case there are many thousands of graves of which there are no records at the church, and to which there are no headstones. There would be no attempt to remove bodies that have been buried there-for upwards of sixty years, but the tombstones would be re-erected in some portion of the church grounds. That is exactly what is proposed by this short bill which deals with the Methodist Church at Rockdale. They will not attempt to exhume any of the bodies, but will re-erect the tombstones, and, as far as possible, preserve identity and ownership.

Mr. CAHILL: Is the Minister sure that this is in Bay-street?

Mr. FITZSIMONS: Yes, it is quite definite. The Main Roads Board has planned to widen part of the Highway. The information I have very definitely gives the frontage as being on Rocky Point road. I think we all agree it is desirable to devise some general scheme of dealing with these old and disused cemeteries. The House has already agreed to a similar request with respect to Saint Charles' Church, Ryde, where it is proposed to extend the church building. The authorities of the Methodist Church at Rockdale say that an extension is necessary in a section where

some of these graves are situated. The Church authorities require this as a matter of urgency, and, following the principles that have been established in other cases, I ask the House to agree to this small bill, which will be beneficial to the district, useful to the Church, and, I believe, the solution of the very difficult problem of old and disused cemeteries.

Mr. CAHILL (Arnccliffe) [5.55]: I think this proposition is in a different category to the other cases mentioned by the Minister. I think this area is right in the shopping centre, and, if that is so, it might be wise to consider whether, if these graves are to be disturbed at all, the whole of the bodies should be removed to a general cemetery, such as Rookwood. If these graves are to be disturbed it would be better to remove them to a general cemetery than to shift them to a particular portion of this cemetery. This area is closely congested, and perhaps it would be advisable to do as was done at Lewisham, where the bodies were removed to Rookwood. It seems that this area is adjacent to a hospital. The Minister also said that a school had been erected, and that children attend school in these grounds. If that is so, the area required by the authorities is not so very large, and if there is any difficulty at the present time in the children having a suitable playing area, that difficulty will not be removed, because the tombstones are to be shifted and re-erected somewhere else within the grounds. I do not think the frontage is in Rocky Point road. I think it is in Bay-street, opposite where the Australian Gaslight Company has erected new premises, and where there are other commercial houses.

Captain CHAFFEY: Does the hon. member know Chapel-lane and Bay-street?

Mr. CAHILL: The Minister for Health has stated that the area is in Rocky Point road. I do not think it is. If these changes are to be made, I suggest that, with the concurrence of the church authorities, provision might be made for the shifting of the whole cemetery, as

was the case with the Lewisham Cemetery, when the bodies were removed to Rookwood. No doubt, at a later stage, when hon. members see the bill, they will be better able to deal with it.

Question resolved in the affirmative.
Bill presented and read a first time.

[*Mr. Acting-Speaker left the chair at 5.58 p.m. The House resumed at 7.30 p.m.*]

GAMING AND BETTING (AMENDMENT) BILL.

Captain CHAFFEY (Tamworth), Colonial Secretary [7.34], moved:

That leave be given to bring in a bill to amend the Gaming and Betting Act, 1912, and certain other Acts in certain respects; and for purposes connected therewith.

He said: This bill is designed to do one thing only, and that is to remove the restriction on the holding of race meetings within a radius of forty miles of the principal post-office in Newcastle. Because of the existing restriction, racing in the Newcastle district has ceased altogether, but this bill will place the racing club at Newcastle in precisely the same position as country racing clubs.

Mr. W. DAVIES: Will the same provision be made with respect to other towns, if they ask for it?

Captain CHAFFEY: Under the Gaming and Betting Act no restriction is imposed on country towns with respect to horse racing.

Mr. BADDELEY (Cessnock) [7.35]: I understand that a number of conferences have been held in connection with this matter, and that representations have been made to the Colonial Secretary with a view to having lifted the restriction imposed on the holding of race meetings within a radius of forty miles of the principal post-office in Newcastle. In the Newcastle area, and in my electorate, this restriction has proved to be a serious handicap, and has been responsible for the closing of a number of racecourses. I am not a racing man, and I do not know much about racing, but it is only fair that this House should extend fairplay to any club that desires to continue the sport. There should be no opposition to the bill. The Act, as it

stands, imposes a restriction on racing in the Newcastle area, while other country areas are exempt. I do not think it can be said that the electorate I represent is wholly industrial, for I represent a large number of agriculturists, as well as industrialists. My colleagues representing the Newcastle and the coal-fields electorates have gone into this question, and they consider that the request made by the racing fraternity in Newcastle is reasonable. As I do not propose to speak on the second reading I am speaking now to make clear where we stand with regard to this bill.

Question resolved in the affirmative.

Bill presented and read a first and a second time.

IN COMMITTEE.

(Mr. SINCLAIR in the chair.)

Clause 2 (Race meetings, Newcastle).

Mr. LANG (Auburn) [7.39]: What I am about to say is for the particular edification of the Colonial Secretary and the hon. member for Dulwich Hill. The objective of the bill, we have been told, is to enable the racing fraternity in Newcastle to hold race meetings on week days, instead of Saturdays, because it has been found that on Saturdays they cannot compete with the starting-price bookmakers. As the Minister is endeavouring to put down starting-price betting, and as hon. members support him in that regard, it seems rather surprising that he should give the starting-price people an "open go" in this way.

Clause agreed to.

Bill reported without amendment; report adopted.

Bill read a third time.

ABORIGINES PROTECTION (AMENDMENT) BILL.

SECOND READING.

Captain CHAFFEY (Tamworth), Colonial Secretary [7.42], moved:

That this bill be now read a second time.

He said: On the motion for leave to introduce the measure I explained why the bill had been brought down, and I directed hon. members' attention to certain aspects of the subject. The object

is to enable the Aborigines Protection Board to function more effectively, and to safeguard the health of the aborigines and of the community generally. The amendments, as contained in the bill, are the result of long experience, and I think that when hon. members have examined them they will admit they are necessary. The first amendment deals with aborigines who come from other States where adequate powers exist to deal with them. But when they leave those States and enter New South Wales they are outside the jurisdiction of the law of their own State, and they are not subject to the law of New South Wales. That has caused a number of complications, and has been found to be undesirable. It is felt that the law regarding aborigines in New South Wales should be brought into line with the law of Queensland, South Australia, and Western Australia in the interests of proper administration. It is also proposed to add methylated spirits to the definition of "liquor."

Mr. O'SULLIVAN: The Minister ought to apply that to some other Acts!

Captain CHAFFEY: Perhaps it would be a good thing if I did. It is known that some aborigines use methylated spirits for drinking purposes, and when that becomes a habit it is likely to become a menace to the public. The bill also deals with aborigines who leave their reserves and take up residence in an adjacent town. Many of those aborigines suffer from contagious diseases, and in order to prevent a public nuisance power is to be given the court to deal with them. Such action will be initiated by a magistrate who will determine whether or not an order against them shall be issued. Judgment will be in the hands of a competent court. It is found that in many cases aborigines, and particularly aboriginal girls, have been exploited by their employers. That is very undesirable, and it is proposed to vest the board with power to protect these people. The Aborigines Protection Board was constituted for the purpose of protecting the aborigines, and it is felt that it

should have power to terminate the engagement of an aboriginal in cases where it is considered he or she is not receiving fair treatment or a reasonable wage. I do not want to weary hon. members with citing other types of cases because I think hon. members will accept the provisions of the bill. There is another matter, however, that makes the bill urgent. Unfortunately, there have been some outbreaks of an eye disease which, as I told the House the other day, is called gonococcal ophthalmia. It is very serious and our medical officers, as well as the board, have pointed out the dangers. It is rather an extraordinary fact that must be recognised, that where this disease attacks the aborigines the number of cases of blindness resulting is very small, but in cases where it is contracted by white persons coming in contact with clothing, or through flies carrying these gonococcal germs, it is almost invariably followed by blindness unless immediate action is taken to treat it. That treatment is known to the medical authorities, the Director-General of Public Health and all medical men, who have pointed out that these outbreaks can only be properly treated by providing an alteration in the law on the lines suggested in the bill.

Another bad practice that has developed, concerns boxing promoters and certain types of theatrical managements, who induce aborigines to enter into engagements and then, when they can make no further use of them, leave them stranded in other parts of Australia and elsewhere. It is proposed to give the board power to refuse permission for these people to exploit aborigines in that way. Alternatively, with the board's approval, they may be required to abide by conditions precedent to any contract with aborigines in order to properly safeguard the latter and in the public interest. Where the board approves of the engagement, it would be subject to certain specified conditions relating to the return of the aboriginal to his home after his engagement was completed and other guarantees. In other words, the management would have to enter into a definite contract, with certain penalties for non

observance. Power is also taken to safeguard wages of aborigines. Where an aboriginal is entitled to proper wages the board can arrange for recovery, and thus prevent unscrupulous persons from exploiting our Australian natives. There is also a provision laying down the procedure the court will adopt in determining whether a person is an aborigine or not. The last provision in the bill brings it into line with other measures in regard to the making of regulations in accordance with modern practice which the existing law does not provide for. Where a regulation is made it will be laid on the table of the House and objected to by the House in the usual way. The whole of it can be objected to or any part of it. Those are the essential points of the bill and I ask hon. members to agree to the second reading.

Mr. DAVIDSON (Cobar) [7.51] : While many provisions of the bill can reasonably be approved, certain of its provisions will be resented by the aborigines. As hon. members are aware, the aborigines of New South Wales are fast becoming extinct. Since the Aborigines Protection Act was passed there have been various amendments to it. In 1917 the Government in which Sir George Fuller was Colonial Secretary, introduced a bill to amend the Act; in that measure it was proposed to get rid of the quadroons and octoroons from the various reserves. It was recognised at that time that owing to the mingling of whites with the aborigines the full-blooded aborigines were fast becoming extinct. In 1919, according to the report of the Aborigines Protection Board, of which Mr. Donaldson, who was a valuable officer and thoroughly conversant with all the customs of the aborigines, was chairman, there were only two full-blooded aborigines born in New South Wales to every five half-castes.

The idea of the bill was that as the full-blooded aborigines were becoming extinct, the Government did not consider that quadroons and octoroons were the responsibility of the State. If they were drafted out of the aborigines missions or reserves and sent about their business to

earn their living the problem would disappear. An amendment was passed, however, which included in the definition of "aborigine," any person who had aboriginal blood in his veins. That defeated the object of the bill with the result that we now have more of these quadroons and octoroons in the State than aborigines. Most of them are in the aborigines camps. I have always been in favour of giving the aborigines as much liberty as possible, at the same time recognising that there is a duty we owe to them, because this was originally their country. The definition of "aboriginal" in the dictionary is, of course, quite different from the definition of "aborigine" in the *Aborigines Protection Act*. The dictionary definition is "A person who is the original occupier of a country." Of course it cannot be said that the half-castes and quarter-castes are the original occupiers of the country, although they are descendants of the original occupiers. Those half-castes and quarter-castes now preponderate. The question is whether we have the right to make separate legislation for these people. I know many of them, and they are just as good citizens as any other section of the community. Most of them I know of are good, hard-working people, and if they have an opportunity to make good in the State they will do as well as any other man who is working under the system under which we live. At the same time, if they do not have an opportunity, while the law provides they may be included as aborigines, they take advantage of these laws, and we cannot blame them for doing so. This bill seeks, in the first place, to bring within the operation of the *Act* aborigines who enter New South Wales from other States. Whether that can, or cannot, be done I do not know. I am not sufficiently conversant with the Constitution to advise the Government whether they can interfere with aborigines who come from another State. The legal officers of the Government would, no doubt, be able to give an opinion. I do not know whether the Governments of Queensland or Victoria could interfere with the rights of aborigines who were

moved from, say, New South Wales. If they did, perhaps there would be a legal argument on that aspect of the Federal Constitution.

Mr. LANG: When they come from the Northern Territory there is no provision to cover that!

Mr. DAVIDSON: That is so. It is also sought to prohibit the drinking of liquor, including methylated spirits. That is a very good thing, although it appears to me that the prohibition on supplying aborigines with intoxicating liquor has had very little effect in country districts. They seem to get it somehow and somewhere. While people are liable for supplying them with liquor, at the same time, when one is travelling in the country one has often seen aborigines under the influence of intoxicating liquor. It may be that they will take methylated spirits into their camp, their reserve, or their mission station, and use it there. No one would object to the clause which seeks to prohibit the supplying of liquor to these people. It is known that methylated spirits is very harmful to the health of the human being. It is also desired to apply to the court in certain circumstances for an order directing an aboriginal to remove to a reserve, or other place, controlled by the board. I doubt whether it is right that we should say to these people that, notwithstanding that they are descendants of the aborigines, they are to be excluded from living in a reserve. These reserves are provided for the aborigines, and certain moneys are made available for the protection and upkeep of aborigines each year, and it is questionable whether Parliament should alter the definition of "aborigine" in the *Principal Act*, so as to exclude these people from living in these reserves. I would not be a party to taking any liberty away from the aborigines. It has been recognised that the community must protect them from certain vices that do exist. At the same time, we must do our best to protect them in other respects. I do not think the House should be prepared to accept a further curtailment of the privileges of the aborigines. They are here, and,

as somebody has said, we took their country from them, and it would be only right if we handed it back and apologised for making such a mess of it. That may be wrong, but in any case it will not be long, owing to the continual decrease in numbers, before the full-blooded aborigines will cease to trouble this country any more.

It is also proposed to terminate the engagement of an aboriginal in cases where it is considered he is not receiving fair and proper treatment, and is not being paid a reasonable wage, and to remove him to a reserve, or such other place as the board may consider desirable. This is a very contentious clause. I appreciate to the full that the Government considers it its duty to protect the rights of these aborigines so far as wages are concerned. I know, and every hon. member who represents a country district knows, that these people are exploited to the full. As a matter of fact, they are worked as much as they will work, merely for their upkeep, and a very poor upkeep at that—just their bed and food. They can sleep where they like, but not when they like. Provision is made in the bill that an aboriginal should be paid a reasonable wage. If an aboriginal is performing the same work as a white man he should receive the same wage, and if I have the opportunity in Committee I will move an amendment to provide that he shall.

It is also proposed to give the Aborigines Protection Board power to remove an aboriginal to a reserve or such place as it may consider desirable. It is questionable whether that is not an interference with the liberty of these people. They are a nomadic race and cannot conform to the customs of the white man. If they choose to go about the country and pick up a living in their own way they should be allowed to do so, and it is wrong to try to prevent them. To compel an aboriginal to go into a reserve or to a mission is tantamount to putting him in gaol, because it is an interference with his liberty. I know a number of aborigines—that are excellent horsemen and good

shearers and general workmen. Some of them have married white women and have proved to be good husbands.

It is also proposed to give the board power to authorise the medical examination of an aboriginal and to take adequate steps to ensure that he receives appropriate treatment. We know what that means. It means that owing to the association of the blacks with whites the aborigines have been infected with venereal disease. There is no worse form of venereal disease than that contracted between an aboriginal and a white, and I am not surprised that the Government has at least realised that drastic action must be taken to deal with the menace. It is said that while it is possible by means of proper treatment to cure a white person infected with venereal disease it is impossible to cure a white person who contracts venereal disease from an aboriginal. If a nurse who has given her life to this class of work becomes infected I believe it is impossible for her to get any relief. If the aborigines wish to live in close proximity to the white people they must submit to proper treatment.

Speaking at the introductory stage I drew the attention of the Minister to the proposal to remove a certain group of aborigines from Angledool to Brewarrina. It was proposed to put some of them who were sick in the Brewarrina hospital. The hospital was crowded with patients and the people objected. I complained to the Minister, and an agreement of some sort was made between the Aborigines Protection Board and the Brewarrina Hospital board. At first I thought the agreement was all right, but after considering it I do not think it is. Anyone who knows the customs and habits of the aborigines knows that they go about in groups and that it is very difficult to induce a tribe from Angledool to live in the same reserve as a tribe from Brewarrina. The aborigines are very strong on their tribal divisions, and it is not advisable to shift tribes from one place to another in an endeavour to create a sort of compound. I do not know how many reserves that are now in New South Wales, but I do know that

about 1917 there were 112. The reason the Government of that day refrained from concentrating the aborigines in certain reserves was because it realised that they would not allow their tribal relations to be interfered with. For this reason it would be advisable for the Government to alter its decision and to allow the aborigines who belong to Brewarrina to remain there, and to allow the aborigines who belong to Angledool to remain in the area that comprised their old hunting grounds.

This bill imposes a penalty on any person who entices an aboriginal to remove from a reserve, or who, without the written consent of the board, removes an aboriginal from New South Wales. It also imposes a penalty on any person who takes away an apprenticed aboriginal child from his lawful service, or who, without the consent of the board, takes away the child of any aboriginal from any school, home or institution. Here again much depends upon the administration of the law. No matter what the law is, if it is not sympathetically administered it will serve no useful purpose. My experience has been that the members of the Aborigines Protection Board are well intentioned people, but some of them are ignorant of the customs and traditions of the aborigines. That applies also to a number of the managers in control of missions. No special attempt has been made to obtain the services of men conversant with the customs and traditions of the aborigines. Men imported into this country may be very good managers, and may have the very best intentions, as I believe they have, but they know nothing about the temperament or the customs and traditions of the aborigines. The consequence is that they want to discipline the aborigines in a way that is repugnant to their nature. They are not susceptible to discipline and will not stand it. If I were appointing a manager of a mission I would appoint a man who had been working in the back country, who had mingled with the blacks, who knew their customs and traditions, and who understood their temperament. I

would not be so much concerned about whether he was a good manager from the domestic standpoint. I understand that the object of the bill is to assist the remnant of the aborigines in New South Wales. Some time ago the aboriginal camp at Ivanhoe was transferred to Menindie for water supply reasons. There are a fairly large number of aborigines in the camp, both full-blood and half-caste. But the board built them huts of galvanised iron in which there is little ventilation. To place these people in such huts was like putting them in a cage. It was almost as bad as taking fish out of water and expecting them to live in an unventilated box.

Mr. BATE: Are the walls of the huts constructed of iron?

Mr. DAVIDSON: Yes.

Mr. ARDILL: How long ago was that?

Mr. DAVIDSON: Two or three years.

Mr. BATE: We were compelled to remove them!

Mr. DAVIDSON: Yes, for want of water. But it would have been better to let them live in their own "mia mias." The hon. member for South Coast knows the customs of the aborigines, and he knows also that to place them in huts built of galvanised iron, and to pack them almost like sardines in a tin without ventilation, is asking too much of them. Aborigines require plenty of ventilation and freedom. I was surprised when I saw the huts that these people at Menindie were expected to live in. The board demands from them as much discipline as would be demanded from a regiment of soldiers. The only way to get the co-operation of the aborigines is to understand their temperament. It is also proposed to give the board power to terminate the engagement of an aboriginal in cases where it is considered he is not receiving fair and proper treatment, and is not being paid a reasonable wage, and to remove him to a reserve or such other place as it may consider desirable. There should be no necessity for that. If any aboriginal, half-caste, or quarter-caste

leaves the camp and takes work he should be entitled to the same wages and conditions as are enjoyed by any other man doing the same class of work. He should also be entitled to the same protection of the law as all other men who choose to sue for wages.

Mr. VINCENT: Supposing he is a youth!

Mr. DAVIDSON: The provision applies to all. Under the law minors are protected. The man who works for a squatter should be entitled to the same protection as any other man.

Mr. VINCENT: The hon. member argues that the aboriginal should not have the protection of the board!

Mr. DAVIDSON: Not if he is working. He takes his place in the industrial life of the country, as anybody else does.

Mr. VINCENT: That kind of man always gets protection!

Mr. DAVIDSON: If he does the provision in the bill is not necessary. If a white man is shearing with a half-caste or quarter-caste shearer, should not the latter enjoy the same conditions of employment as the white man?

Mr. VINCENT: They will!

Mr. DAVIDSON: Will they have the same protection under the law?

Mr. VINCENT: Yes!

Mr. DAVIDSON: Well, why is the provision inserted in the measure?

Mr. VINCENT: Such a man is a free agent!

Mr. DAVIDSON: I do not see it in the bill. The measure provides that the aboriginal shall receive, not the award, but a "reasonable" rate of wages. The board would have the right to say what is a reasonable wage, and that is not satisfactory.

Mr. SINCLAIR: If he were a member of the Australian Workers' Union, which most of them who work on a station are, he would get the award rate, but quite a number of them work independently on farms, and they get no wage at all!

Mr. DAVIDSON: Quite so. That was because a previous Government repealed the industrial awards in the rural

industries. If a man is a shearer, and he belongs to the Australian Workers' Union, there is no necessity for the provision.

Mr. SINCLAIR: It is necessary in the interests of men working outside!

Mr. DAVIDSON: If a man does not receive the Australian Workers' Union award, that organisation will take up his case. This provision will permit the aboriginal, or the half-caste, to continue working for an unscrupulous employer.

Captain CHAFFEY: That is not a fair statement. The board will have power to protect aborigines against unscrupulous employers. The object is to ensure that they shall have fair treatment.

Mr. DAVIDSON: I shall contest the point in Committee. The bill also is intended, according to paragraph six of the explanatory note:

To provide that the averment in an information or complaint laid or made under the Act that any person therein named or referred to is an aborigine, shall be sufficient evidence of the truth of such averment, unless the contrary is shown to the satisfaction of the court.

Hon. members will agree that this will be very difficult. Apparently, if a man or a woman is brought before a justice of the peace the latter will decide whether or not he or she is an aborigine. Under the present definition of "aborigine" I will guarantee that I could bring before hon. members a hundred men, and they could not tell whether they were Australian aborigines, Indians, or anything else. A justice of the peace would not know what they were. The bill provides that a man can be referred to as an aborigine simply because someone makes a declaration and submits it to a justice of the peace. The justice of the peace might not know an aborigine if he saw one. It seems to me that since the introduction of various social laws by Labour Governments, such as endowment and pensions, an aborigine is entitled to these endowments. An aborigine or quarter-caste who has never been in a mission or reserve in his life may have a wife who applies for endowment. She is told that the endowment is to be

paid through the Aborigines Protection Board, which decides how the money is to be spent. The manager decides what will be provided out of the money for the aboriginal woman and her children. There is an idea underlying the bill. A man whose wife applies for endowment, and who is told by the board that the endowment will be paid through the Aborigines Protection Board may say that he is not an aborigine, has not received any of the benefits under the Aborigines Protection Act, and has never been in a mission.

Why should we say his wife is incompetent to spend a few shillings she gets from endowment? It rather humiliates these people. Someone from the department may tell the Aborigines Protection Board that Jack Jones has applied for endowment and is an aborigine. Jack Jones may say that he is not an aborigine and has always worked for his living like everyone else.

Captain CHAFFEY: In a practical way, if the board is satisfied that the persons, whether full-bloods or half-castes, will apply the money from endowment faithfully to the needs of children, it allows those parents to handle the money!

Mr. W. DAVIES: No, it does not!

Captain CHAFFEY: But in cases where it is obvious the children do not receive the benefit of the child endowment money, then it is the practice of the board to protect those aborigine children in regard to the spending of the endowment money the State provides!

Mr. SINCLAIR: That does not apply only to aborigines, either!

Mr. DAVIDSON: No, but why should not the same law apply to the aborigine as applies to the rest of the people?

Mr. ARDILL: It does!

Mr. DAVIDSON: It does not. This provision is designed for the purpose of deciding who is an aborigine and who is not.

Mr. ARDILL: The hon. member is talking about endowment!

Mr. DAVIDSON: Yes, this is for the purpose of endowment. I have had hundreds of letters from these people. I have taken them to the Director of

Social Services. I have been told that endowment money for them has been paid into the Aborigines Protection Board, and I have, perhaps two or three months later, received letters from them to say that the money has been paid into the board, and that the local manager of the aborigines mission is deciding what the recipient of the endowment shall receive. That is unfair and unreasonable.

Mr. HENRY: It is not unfair, if the husband or mother is a drunkard or waster!

Mr. DAVIDSON: In those cases it is quite all right, but why should we pick out these people and practically say that, because they are aborigines, they are all bad characters.

Mr. HENRY: It does not mean that at all. We are protecting the children!

Mr. DAVIDSON: No. If it can be proved that these people do not spend the money in a manner that will provide the best for their children, I would say let the Aborigines Protection Board step in and protect the children's interests as in the case of anyone else. In this case, however, once it is decided they are aborigines, whether they are in a camp or mission, or come under the protection of the Aborigines Protection Board or not, the money is sent to that board. Some of these people are just as decent folk as can be found anywhere; I have worked with them, and I know them. No hon. member can tell me that because a man is a quarter-caste or half-caste aborigine, he is a bad character. Those of them who have done wrong in the past have only done so because of the irritating tactics of the white people. It is hardly fair, so to speak, to put the onus on the accused of deciding whether he is an aborigine or not. The next thing the Government will demand is that these people shall go down to the Registrar-General's Department to get a copy of their birth certificates, which is what the Government is doing now to make money in the case of students and school children who apply to the Railway Department for concession tickets.

While some provisions of the bill are necessary, it must be remembered that we have brought this necessity about ourselves by interfering with the aborigines in the first place. The least that can be done is to leave them now as much liberty as possible. We at least owe this to them; we owe it to them to protect them. While we must control them the least we can do is to protect them.

Mr. BATE (South Coast) [8.41]: I have a very small contribution to make to this debate, although I would have liked to have said a lot, but I have worked for so long a period to get this measure before the House that I do not wish to be responsible for any delay in having it passed. Many hon. members have wondered why I have been so keenly interested in this matter. I have been a member of the Aborigines Protection Board longer than any other member, and I think I can say I have had longer experience of the aborigines than any other member. I was born among the aboriginals, lived amongst them, and my first school was an aboriginal school because it was the only school where I lived as a boy. I wish to assure the House that all this bill desires to do is to help the aboriginals. It is being introduced for no other purpose. As a result of my experience over a period of years I know that the members of the board have found many weaknesses and difficulties which it is proposed in this bill as far as possible to remedy.

Before dealing with some of the provisions of this bill, I wish to say that the position of these people is a very pitiable one. I do not know of any way in which we can help to preserve the race, and the men who have been working for years on the Aborigines Protection Board have been making a desperate effort to deal with the problem by making their present position somewhat easier. Notwithstanding one or two cases referred to by the hon. member for Cobar, the manager, and the matrons on the various stations are very splendid people. They are doing a very wonderful work, and devoting their lives

to the betterment of these people. Now follows the terrible fact that while to-day there are 10,000 people of aboriginal blood in this State there are only 1,000 full-blooded aboriginals left. Out of those 10,000, 9,000 are half-castes, quarter-castes, and people of that kind. While by the admixture of blood in the early days when we had in the community tough and hardy pioneers it might have been possible to have desirable offsprings, to-day the only people who are responsible for the offspring are the undesirable and lowest type of whites who frequent the shanties and habitats of these people. I wish to lay emphasis upon this point, although I hate to touch upon it. The real harm is being done by our own people, the lower type of people, because it is only people of that type who are responsible. Unfortunately, I was not in the House when the Minister delivered his second-reading speech. I was in another part of the House attending to another important matter, and nobody took the trouble to tell me that the Minister was speaking, although most hon. members know of the great interest I have always taken in this matter. I know that the hon. member for Cobar and the members of his party will support the second reading of this bill in the interest of the aboriginals of this State. There has been a lot of loose talk about what is being done for the aboriginals of this State, but I wish to paint a picture of one station as an indication of the work being done and the sanctuary provided. There are twenty-two stations throughout this State with from 100 to 200 people on each station. There are several stations in my district. I wish to tell hon. members of one of those stations so that what I say may go into *Hansard*, and people may realise some of the things that are being done for the aboriginals of this State. Hon. members on both sides of the House have visited the station I have in mind, that at Walaga Lake. I will describe very briefly some of the conditions that obtain there. It is an extraordinarily beautiful place. There is a large lake which abounds in fish, and

everything that possibly could be done is being done to provide for the aborigines. The matron visits the place every day and sees to the sanitation of the huts. Milk is provided for every child that may be born on the station. There are golf links which are equal to any ordinary golf links. Some time ago some hon. members of this House were showing the aborigines how to drive a ball. When these aborigines took up the golf sticks which they had made out of the roots of trees the hon. members did not say very much more after seeing what these fellows could do. Football is provided for, and the aborigines have their football rig-outs. Provision is also made for cricket and other sports and a full-time school. The board has done everything that it possibly could to make the lives of these people somewhat happier than the position they found themselves in through no fault of their own. There may be one or two misfits among the managers who do not understand the instincts and customs of these people, but most of the men and women who are doing this work are perfectly marvellous. If hon. members gave me any salary I could name I would not attempt to do the work. It is very difficult. These men and women are working among a disappointed people.

Mr. DAVIDSON: Would the hon. member admit this: While we all realise that the work that these managers and matrons have to do is a delicate one, if they do not understand the customs of the aborigines it would make the position worse?

Mr. BATE: I was coming to that point. The Acting-Premier did not like this bill at the beginning. He did not like to interfere with the people he understands so well. The reason for the urgency of this measure is because the health of our own people is very seriously threatened at the present moment. We have to choose between two positions. Either we allow these people to roam far and wide and spread possible disease, or take them from the precincts of the villages and towns where all this wrongdoing happens. In one

disease gonococcal ophthalmia smears were taken from the eyes of fifteen aborigines, and in fourteen cases it was shown that these people were suffering from this very horrible disease. The white people most likely to contract this disease are those who are showing such strict devotion to duty—matrons and nurses. There is the added danger in the western district where the fly carries the disease from eye to eye. The position that the House has to face is whether these people are to be allowed to roam at will or whether they will be placed in a habitat away from the undesirable class to which I have referred. This afternoon I asked the secretary for the Aborigines Protection Board if he would give me photographs of shanties that the board had had collected with reference to the aborigines who frequent the towns and villages in the country districts. Nothing could be more undesirable or dangerous, because the disease is spreading. During recent months women officers have contracted this horrible type of ophthalmia. One of the matrons, at her own cost, flew from a country station to Sydney the same day as she thought that she had contracted the trouble, and she was saved.

Mr. DAVIDSON: Did she have to fly to Sydney at her own cost?

Mr. BATE: I am informed that she did, but the matter was fixed up later. Another woman officer thought she was infected, but she did nothing for a couple of days, and she is now lying in St. Vincent's Hospital with one eye gone, and the doctors are making a desperate effort to save the other. We must get the aborigines in some place where we can have them medically examined in order to save them from themselves and to save the whites who come in contact with them. Are we, through a wrong sense of justice, to allow these people to wander about to be a danger to themselves and others? I have been amongst the aborigines the whole of my life, and I understand their habits and customs, and I would like to let them roam. Those who are the roaming type

will still roam. The only reason we ask for them to be brought to us is to provide the amenities to which I have referred. Members of municipal councils have begged the board to do something, and it has been impossible to do anything. The West Australian, the South Australian, and the Queensland Acts provide that the aborigines shall be concentrated in stations. The Chief Protector of Aborigines in each of those States directs that they be placed in stations, but in New South Wales they have the right to apply to the court to have it decided whether they shall or shall not go to a station. The board has done splendid work on behalf of these people and wants to continue it. The hon. member for Cobar objects to the aborigines being confined in reserves, but all the board wants is to have them in places where they can be properly controlled from the standpoint of sanitation. I prefer to call it a sanctuary.

The hon. member for Cobar mentioned family endowment, and said that when family endowment was paid the board took it away from the aborigines. The action of the board in this direction has been the result of experience. The chief desire of the aborigine, like the white man, is to own some sort of motor vehicle, and in many cases every penny paid to aborigines by way of endowment has been used to buy a motor car or a motor lorry that ran for a few days or a few months. The result was that the "kiddies" received nothing. All the board desires is that endowment shall be paid to the mothers and children. Unfortunately, in some cases the husbands have got hold of the money and have squandered it. In the administration of the Aborigines Protection Act, as in the administration of any other Act, there are sure to be some unfortunate happenings, but if they are brought under notice they can be attended to. Instead of allowing the fathers to get hold of the money and squander it, the board has put the money in trust for the young people.

The hon. member for Cobar also referred to the provision that the aver-

ment in an information or a complaint laid or made under the Act, that any person therein named or referred to, is an aborigine shall be sufficient evidence of the truth of such averment unless the contrary is shown to the satisfaction of the court. That has nothing to do with family endowment. Aborigines live round towns under the most insanitary conditions, and all the board wants to do is to take them away so that they may live under decent conditions. A certain solicitor thought he would be very clever, and he said that the board must prove whether the person concerned was an aboriginal. It is impossible for the board to show whether the person concerned is an aboriginal, because, even if the birth certificate were produced, it would not state whether he was wholly or partly an aboriginal.

Mr. DAVIDSON: How does the hon. member suggest it can be proved?

Mr. BATE: If they went before a court there would be no difficulty. As I said, the only desire of the board is to help the aborigines and incidentally the people in the towns where aborigines are living under wretched conditions. The Government has provided more money for the stations in order that the aborigines may live under decent conditions. A female officer who is called a child welfare officer visits the stations to see that the aborigines are properly cared for. The board has an inspector of stations who sees that the water supplies and the sanitary arrangements are all that they should be. The constant endeavour of the board is to work in the interests of these people, and the main reason for the urgency of this bill is to deal with health matters. I obtained copies of the Acts which are in operation in the other States of the Commonwealth. Our main difficulty with regard to medical treatment is that the aborigines refuse to be examined, and we have no power to compel them. In the other States medical examination is insisted upon, and, if necessary, the aborigines are put in a lock hospital, but we do not propose to do anything of that kind. We merely ask for power to medically examine.

- The hon. member for Cobar also mentioned the matter of wages. In this direction the board has experienced difficulty, particularly in respect of girls employed in domestic service. In a certain case the board made inquiries about the payment of a girl, but could not obtain any information. It was only when the board, by some subterfuge, got her away from the place where she was employed, that she admitted that she had received no wages for two years. Whenever an officer of the board met the girl previously she was afraid to tell the truth, and she said that she was receiving wages. That is the class of aboriginal that we want to protect.

MR. W. DAVIES: Would not the board have power to prosecute?

MR. BATE: It will have power when this bill is passed. With respect to the use of the word "Australian" instead of "New South Wales" it was found by the board that if aborigines came from an adjoining State and were not classified as Australian aborigines the board has no way of dealing with them. If they play up we have no means of dealing with them. In many cases aborigines have been enticed away to other States as members of boxing shows or circuses, and having found themselves stranded they have become a charge upon the Aborigines Protection Board to bring them back. There is the case of an aboriginal who came into a large sum for insurance, and who mortgaged his money to a bookmaker, who obtained from him £800 or £900. We were able to get the whole of that money back, and we returned it to the aboriginal. The sole desire of the Aborigines Protection Board is to protect the aborigines. I urge hon. members to allow the bill to be passed as quickly as possible. There is no need to amend it in Committee.

MR. HEFFRON (Botany) [9.3]: I listened with close attention to all that was said by the hon. member for South Coast, who, I know, has had a long experience of the aborigines, and I am sure that he spoke with sincerity. He painted a tragic picture of the black man's lot here, and it is much the same

in every country settled by white men. The so-called civilising influence of the white man on the black man has proved demoralising to the latter. The evil effects amongst the aborigines of such civilising influence result from the taking of strong drink, the use of tobacco, and from venereal disease. As the result of our so-called civilising influence on the aborigines of New South Wales, all we can point to is that, of the numerous tribes that roamed the country when Captain Cook landed on the shores of Botany Bay, there are only 1,000 full-blooded survivors in the State to-day. What a sorry story it is! It is due to the shocking neglect of past Governments to do their duty to the aborigines, not only in New South Wales, but in other parts of the Commonwealth. We owe a special duty to the aborigines as a race. The Australian aboriginal is different in type from other aborigines. He has in Parliament no spokesman of his own race to champion his cause. In New Zealand the Maoris have representation in the Legislature, and occupy positions from Cabinet rank right down the scale. They are even members of the professions. The late Sir James Carroll, who was Prime Minister of New Zealand, was a three-quarter caste Maori.

MR. W. DAVIES: They are a better type than the Australian aborigines!

MR. HEFFRON: That does not matter. The fact is that the Government of New Zealand accepted its responsibility to look after the native race. It did all it could to preserve the Maoris, with the result that to-day the race is rapidly increasing in numbers. Perhaps it is rather late in the day to attempt to do much for the Australian aboriginal. But it is never too late to mend. We have been told to-night of the spread of venereal disease amongst the aborigines, which in many cases has caused blindness. That shows how necessary a measure of this kind is, because the aborigines have been the victims of the white man for too long. At La Perouse, in my electorate, there is an aboriginal mission, and, when compared with the manner in which some other aborigines are treated, they are comparatively well

off. At the same time, their treatment does not attain the standard that I should like to see.

Mr. BATE: In the country districts we are able to provide milk and other necessities for them. It would be difficult to do so at La Perouse!

Mr. HEFFRON: It might be. A few years ago we provided the aborigines at La Perouse with comfortable fibro-cement cottages. Their old galvanised huts were pulled down and much of the material was transferred to "Happy Valley." There was much competition for the iron and timber. I mention that, in passing, to show that although we have a responsibility to look after our aborigines we also have the job of looking after our white Australians. I am pleased that something of a practical character is to be done. I see in the bill nothing with which I can disagree. Anything that will restrict the use of alcoholic liquors by aborigines and prevent their being turned into "metho" fiends, I heartily support. I know something of the interference and immoral practices of certain persons who wander round La Perouse, although I pay every tribute to those who are running that mission and making a good job of it. However, visited as the aborigines are by large numbers of people at week-ends and other times, the mission is not so easy to control as one might imagine.

I also agree with the hon. member for South Coast, who has referred to the type of person who intermixes with the aborigines. The people who hang round these huts and hovels occupied by the blacks on many of the outskirts of the missions, are the worst types in the community and the breed that comes about as a consequence is of the most undesirable type. It is a difficult problem; it is not a question merely of keeping the black man on the path of rectitude, for the black man very often is the victim. It is because of this that I favour anything that will prevent a continuance of practices that have had such a devastating effect on the health and morality of the aborigines in the past. I would support anything tending to prevent their becoming victims in the

future. The tragic story of our own blacks is on all fours with that of the aboriginal inhabitants of other places, including the Solomon Islands.

I agree with the protection afforded against unscrupulous employers. Anything of that nature should be put down, and the bill will go some way in that direction. On many big stations it has for a long time been the practice to employ aborigines as boundary riders, rouseabouts and general hands. They are used for the busy part of the season and then turned adrift just as a man turns adrift a horse, when he is finished with him. For a long time little regard has been paid to giving these people decent wages and conditions. If this bill will in any way improve the state of affairs it will be doing something worth while. I should like to draw attention to the provision of proposed new section 13c:

In any case where it appears to the board to be in the best interests of the aborigine concerned the board may direct employers or any employer to pay the wages of the aborigine to the secretary or some other officer named by him, and any employer who fails to observe such directions shall be deemed to have not paid such wages. The wages so collected shall be expended solely on behalf of the aborigine to whom they were due, and an account kept of such expenditure.

I ask the House whether this proposed new section is in the best interests of the aborigines?

Captain CHAFFEY: The board would take that action only where it was found necessary for the protection of the aborigine against unscrupulous persons!

Mr. HEFFRON: That may be so. If the board thinks that an unscrupulous employer is cheating the aboriginal out of his wages, that is all very well.

Mr. ARDILL: Sometimes the relatives of an aboriginal take what they should not from him!

Mr. HEFFRON: Yes. All those things can happen to one who is not well versed in the affairs of the world, but I want to raise the point that with an officious person in charge of a mission there might be interference in the spending of the man's wages. The aboriginal might feel he was entitled to spend his wages as he pleased, just as any other

persons, but the money might be eked out to him by the manager of the mission in dribs and drabs. It must be remembered that amongst these aborigines are to be found many intelligent and highly-intellectual people. There are men who are capable of looking after their own interests. I know many of them in my own electorate who are quite capable of doing that. If a person goes out to purchase a boomerang or to do some other business with them, he finds they are very shrewd men. Many of them are backward in education, and are not well versed in the affairs of the world. These people fall ready victims to unscrupulous persons who employ them, and do not pay them what they are entitled to. On the other hand, as I have stated, many of them are capable of looking after their own interests. I have mentioned that to ask the House to consider whether possibly we are not making this bill a little too stringent and curtailing unnecessarily the liberty of these people.

In the matter of medical examinations, I think the health of these people is such a serious matter that steps should be taken to see that in all cases where it is considered that a medical examination should be made that examination should be undertaken. These people have been the prey of unscrupulous individuals for so long that their health has been so seriously affected and such inroads have been made that the very existence of the aboriginal race is threatened. It is a duty we owe to them to see that any steps by way of health examination that are considered necessary should be taken in order to preserve this race. I hope that when the bill is finally passed it will improve the lot of the people from whom we have taken this country, and to whom we owe a duty to make of them a better and a healthier race than they are at the present time.

MR. ARDILL (Yass) [9.23]: It is not my intention to delay the House very long. The purpose of this measure, as hon. members know, is to make an improvement in the Aborigines Protection Act that will give the Aborigines

Protection Board further powers that are needed in the interests of the aborigines themselves. It is known and several of the speakers who have already addressed the House have stated that the aborigines in New South Wales are fast diminishing. This bill is designed for the very purpose of giving further protection and further amenities to the few that now remain. The board has been hampered, in times past by the lack of certain definite powers, and this bill will give the board additional control. The great urgency of this measure has been stressed, I believe, by practically every speaker. That is, from the health point of view. At the present time in some of the western areas of the State where aboriginal stations are situated we find that there has been a serious outbreak of a very contagious disease. It has been stressed that this disease, gonococcal ophthalmia, affects the eyes of the aborigines and causes loss of sight. As a matter of fact, to the aborigines it is not a very serious disease, but once it is contracted by white persons one can almost rest assured that in ninety-nine cases out of every hundred the white patients will lose their sight. The hon. member for South Coast gave the House an instance regarding one of the servants of the board who, through her faithfulness to duty and her unremitting care of the aborigines on one of the stations where this dread scourge had made its appearance, is to-day lying in St. Vincent's Hospital having completely lost the sight of one eye, and as he said, doctors are making a desperate but, I fear, futile effort to save the sight of the other eye. But the hon. member for South Coast forgot to tell the whole story. In addition to the woman herself, there are her three children. They, too, are under medical treatment, having contracted this dread scourge. It is necessary in the treatment for the aborigines that the treatment should be regular and frequent. The trouble is that the aboriginal is rather careless, and he is not prepared to submit to medical examination periodically. The board has found in the past that it has been unable to compel the aboriginal to

submit to medical examination. This bill provides that he shall be compelled, where the board deems it necessary, to come up for medical examination and treatment. Surely there is nobody who will not admit that this is a very necessary and a very wise provision, not only in the interests of the aborigines themselves but in the interests of the white people, those who are closely associated with them on the station and those who live within the vicinity. It has also been stressed that this dread disease is carried by flies and that anybody is likely to become affected with the disease anywhere in the vicinity. It is definitely necessary and urgent that the board should be given this power.

Mr. LANG: If that is all that is in the bill hon. members would not have spoken at all. Why the other provisions?

Mr. ARDILL: The other provisions are necessary. I stress this one particularly, because of its urgency. I do not know anything in the bill that is not necessary.

Mr. LANG: Yes, there is!

Mr. ARDILL: I cannot see anything unnecessary. I do not think the leader of the Opposition will accuse any member of speaking in the House on this measure with any ulterior motive.

Mr. LANG: I do not!

Mr. ARDILL: The one desire of members on both sides of the House is to improve the condition of the aborigines and to improve the control under which they are looked after to-day. This bill will make that control so efficient that their lot will be improved. That is the only desire of the House. I have looked through the bill very carefully and I cannot see any clause to which any grave exception can be taken. I believe that the clauses in the bill have been drafted with the sole idea of conferring a benefit on the aborigines through the Aborigines Protection Board.

Mr. W. DAVIES: Where an aboriginal works side by side with another person in an industry, does not the hon. member think the aborigine should have as much liberty as the other man?

Mr. ARDILL: In most cases he has.

Mr. W. DAVIES: Take, for instance, a quarryman. If an aboriginal who is working in a quarry goes along to a hotel to have a drink he is not allowed to have one!

Mr. ARDILL: Does not the hon. member think that is done for the benefit of the aboriginal?

Mr. W. DAVIES: He does the same work as the other man!

Mr. ARDILL: The hon. member can speak on that aspect.

Mr. W. DAVIES: I am asking the hon. member!

Mr. ARDILL: And I gave the hon. member my opinion. For the protection of the aboriginal it is necessary that the clause should be inserted in the bill. It is also there for the protection of the white people in the towns and villages. Those who have had any experience know the very serious effect that strong drink has upon the individual.

Mr. W. DAVIES: It also has a very serious effect upon a number of white people!

Mr. ARDILL: We do not take the risk with the aboriginal, because we know the danger that exists. The board is trying to do its job under difficulties. This bill will help it, but the Government should provide more money to make it possible for the board to improve the conditions of the aborigines under its care. The bill does three things. In the first place, it gives the board the right to remove an aboriginal to a reserve, and, in the second place, it gives the board power to terminate the engagement of an aboriginal if it believes that he is being exploited by his employer. In the third place, it authorises the medical examination to which I have already referred. Surely those are three things that every hon. member desires should be done.

With regard to the right to remove an aboriginal to a reserve, most of us have seen the unsightly and insanitary conglomeration of dwellings that aborigines erect, usually in close proximity to a town or village. I am sure no hon. member would like a collection of

these habitations to be set up outside the town in which he lives. I am sure no member of the Committee wants to see aborigines living in unsightly dwellings under insanitary conditions which are inimical to health.

Mr. W. DAVIES: White men are living in worse shacks than aboriginals are!

Mr. ARDILL: I am now dealing with aborigines. The board has found that aborigines come from other States and gather on the outskirts of towns and villages, and establish unsightly and insanitary settlements, from which disease spreads. As the Act now is, the board has no authority to break up those settlements, but the bill provides that where, in the opinion of the board, such undesirable conditions exist, the aborigines concerned may be removed to a settlement.

Mr. LANG: There are only 1,000 aborigines in the State, so they cannot be everywhere!

Mr. ARDILL: I did not say that they were everywhere. In addition to the 1,000 full-blooded aborigines there are 9,000 half-castes who are classed as aborigines under the Act. To be precise, 10,374 aborigines were provided for by the board last year, and the amount made available to the board by the Government was £54,624, but hon. members must remember that £54,624 had to cover the cost of education, public health, stores, and resumed properties, so that if hon. members work it out they will find that the *per capita* amount spent on aborigines in New South Wales last year was not very much. That is why I say the Government will have to seriously consider increasing the amount of money made available for the protection of aborigines in New South Wales.

Mr. LANG: We are not paying them much for the use of their country!

Mr. ARDILL: Unfortunately, we are not.

An Hon. Member: They get family endowment!

Mr. ARDILL: They do. One member of the Opposition said that family endowment should be paid direct to the

recipient and not to the Aborigines Protection Board, but I think it will be agreed that in some instances it is necessary that endowment should be paid to the board, because, if it were paid direct to the recipient, it would not reach the source for which it is intended.

Mr. DAVIDSON: How does the hon. member know?

Mr. ARDILL: The board knows from experience, and the hon. member knows it, too. For that reason the board protects these people against themselves. The board is prepared to take steps to protect aborigines where they will not protect themselves, and I contend that the board, which is the protector and the guardian of these people, should see that family endowment reaches its proper source. It has been proved over and over again that the money has not been expended in the channel for which it was intended, but if it has been it is paid direct in cash to the person who is entitled to receive it.

Mr. BOOTH: Nothing of the kind!

Mr. ARDILL: In the Kurri Kurri electorate there are no aborigines. If aborigines are decent and do not spend their money on drink or in gambling, as some do, family endowment is paid direct to the mother, who uses it for the benefit of her children.

Mr. BOOTH:

Mr. ACTING-SPEAKER: Order! I ask the hon. member for Kurri Kurri to desist from interjecting.

Mr. ARDILL: Hon. members know that where the money is used properly it is paid direct in cash to the recipient.

Mr. DAVIDSON: "Bunkum!"

Mr. ARDILL: It is not "bunkum," and the hon. member knows it is not. As has been said, the control of our aborigines is a difficult problem.

Mr. DAVIDSON: Is the hon. member on the Aborigines Protection Board?

Mr. ARDILL: I am. That is why I am in sympathy with the aborigines. It has been said that the board has appointed managers of stations who have not been sympathetic and who do not understand the aborigines. The objective of the board has always been to select

the very best people offering to be its officers. There may be individual cases where an employee of the board has not shown the sympathy, understanding and interest that the board would desire, but the board is not slow to dispense with the services of an officer who does not possess those qualities.

Mr. BADDELEY: How many stations are there in New South Wales?

Mr. ARDILL: There are twenty-two under the administration of the board. The other day the board appointed a welfare officer, and considerable time was taken over the selection of that officer. One of the chief objects that the board had in view was to ensure that the person who occupies the position must have had a definite knowledge of, and have had contact with, aborigines.

Mr. LANG: Why did the Government that the hon. member supports put foreigners on the board? Does he think all the members of the board understand the aborigines?

Mr. ARDILL: All I have met do. They are all gentlemen whose sole desire is to help the aborigines in all circumstances. I have no desire to delay the passage of the bill by speaking at greater length, but I commend it to hon. members. I believe it is a step in the right direction, and that it will provide something that has long been wanted by the board to enable it to more effectively control the aborigines in New South Wales.

Mr. GOLLAN: I move:

That the question be now put.

The House divided:

Ayes, 40; noes, 25; majority, 15.

AYES.

Ardill, G. E.	Goldfinch, Sir Philip
Ball, R. T.	Gollan, G. C.
Bate, H. J.	Henry, A. S.
Brown, M.	Howarth, W. A. H.
Bruxner, Lt.-Col.	Jackett, H. G.
Budd, A. E.	Kilpatrick, M.
Buttenshaw, E. A.	Lawson, J. A.
Chaffey, Captain	Main, H.
Dunningham, J. M.	Martin, L. O.
Elliott, H. O.	Monro, C. O. J.
Fleck, Dr.	Morton, M. F.
Foster, W. F.	Moverly, A. H.
Frith, W.	Ness, J. T.

Primrose, H. L.
Reid, A. E.
Reid, J. T.
Reid, Major
Richardson, A.
Ross, W. F. M.
Sinclair, C. A.
Tonking, A. U.

Vincent, R. S.
Waddell, J. W.
Wade, B. M.
Yeo, A. W.

Tellers,
Bennett, C. E.
Solomon, E. S.

NOES.

Arthur, J. G.
Baddeley, J. M.
Burke, Frank
Cahill, J. J.
Cameron, R.
Carlton, W. J.
Clyne, D.
Davidson, M. A.
Davies, W.
Gorman, R. G.
Hawkins, F. H.
Horsington, E. M.
Knight, H.

Lang, J. T.
Lazzarini, C. C.
McGirr, James
McKell, W. J.
Matthews, C. H.
O'Sullivan, M.
Quirk, J.
Shannon, T. J.
Stanley, F.
Sweeney, J. T.
Tellers,
Booth, G.
Tonge, A.

Question so resolved in the affirmative.

Original question resolved in the affirmative.

Bill read a second time.

IN COMMITTEE.

(Mr. BATE in the chair.)

Clause 2. (1) The Principal Act is amended—

(c) by inserting next after section eight the following new sections:—

8B. Whosoever, without lawful authority or excuse the proof whereof shall lie on him, removes an aborigine or causes, assists, entices or persuades an aborigine to remove from a reserve shall be guilty of an offence against this Act.

(i) by inserting next after section 13A the following new sections:—

13B. In any case where an aborigine is living with, or employed by, any other person, and the board has reason to believe that such aborigine is not receiving fair and proper treatment, and is not being paid a reasonable wage, or the board is of opinion that his moral or physical wellbeing is likely to be impaired by continuance in such employment, or that he is being influenced to continue in such employment, the board shall have the power to terminate same and remove the aborigine concerned to such reserve, home or other place as it may direct. For the purposes of this section any officer of the board, or member of the police force, shall have access to such aborigine at all reasonable times for

the purpose of making such inspection and inquiries as he may deem necessary.

13C. In any case where it appears to the board to be in the best interests of the aborigine concerned the board may direct employers or any employer to pay the wages of the aborigine to the secretary or some other officer named by him and any employer who fails to observe such directions shall be deemed to have not paid such wages. The wages so collected shall be expended solely on behalf of the aborigine to whom they were due, and an account kept of such expenditure.

13D. All actions and other proceedings against any person for the recovery of wages due to an aborigine who is, or has been, employed by such person, or for any breach of an agreement made with an aborigine, may be instituted and carried on by, or in the name of, an officer of the board, a member of the police force, or any other person authorised by the board.

- (j) by inserting next after section fourteen the following new section:—

14A. The board may authorise the medical examination of any aborigine and may have such aborigine so examined, removed to and kept in a public hospital or other institution for appropriate curative treatment, or may require such aborigine to undergo such treatment as and where provided.

Any such examination shall be performed only by a medical practitioner authorised in that behalf either generally or in a particular case by the Chief Medical Officer of the Government.

- (l) by inserting next after section 18 the following new sections:—

18B. In any legal proceedings or inquiry, whether under this Act or otherwise, if the court, judge, coroner, magistrate, justice or justices do not consider that there is sufficient evidence to determine whether a person concerned or in any way connected with the proceedings or inquiry is or is not an aborigine, such court, judge, coroner, magistrate, justice or justices having seen such person may determine the question according to his or their own opinion.

Mr. LANG (Auburn) [9.47]: There is something in proposed new section 8B, the principle of which I do not agree to, and never have agreed to. The proposed new section states that "whosoever without lawful authority or excuse, the

proof whereof shall lie on him," and so on. I cannot agree to allow the proof to rest on the person who is accused. To say that a man is guilty unless he can prove his innocence is anti-Australian and anti-British.

Mr. L. O. MARTIN: It does not say that!

Mr. LANG: It means that.

Mr. L. O. MARTIN: It does not!

Mr. LANG: The proposed new sections states "the proof whereof shall lie on him."

Mr. L. O. MARTIN: That means the proof that he has lawful authority!

Mr. LANG: It may be, but I cannot agree to the proposal. I move:

That in proposed new section 8B the words "the proof whereof shall lie on him" be struck out.

Mr. HENRY (Clarence) [9.49]: The leader of the Opposition has on other occasions expressed his dislike to the incorporation of this principle in Acts of Parliament, and I also have intimated my dislike to it. There is a growing tendency to insert this kind of wording in Acts of Parliament making the proof of innocence lie on an accused person, or person interested. It is importing into our law a principle of Continental law under which an accused person is regarded as guilty until he disproves the charge against him. I do not think these words are necessary in Acts of Parliament in this country. They are not found in the ancient precedents on which our law has been built up. There is no need for them. The charge should be that the accused party enticed an aborigine to leave a reserve. If the facts are proved he should be convicted. To tell a man that he is charged with enticing an aborigine from a reserve and he is presumed guilty until he proves otherwise, is a horse of a different colour. I agree with the clause but not with the wording and intend to support the amendment.

Mr. DAVIDSON (Cobar) [9.53]: I mentioned at the second-reading stage what would be the effect of this bill in this regard.

Captain CHAFFEY: Might I mention that all that is proposed is that a man should show he has lawful authority for enticing an aboriginal away from the reserve. That is not accusing a person!

Mr. DAVIDSON: If a person approached a reserve and an aboriginal voluntarily went away with that person the latter would be accused of enticing the aborigine away. The man might have to prove that he had not enticed him away. The onus should be on the accuser, not on the accused, that is a principle of British justice. The same principle as this is to be noticed throughout the bill. The onus, for instance, is placed on a person of proving that he is not an aboriginal. For these reasons I support the amendment.

Mr. FOSTER (Vaucluse) [9.55]: I cannot quite see the truth of what the hon. member says. I appreciate the principle he refers to and I do not think the onus of proof should be on the accused. Might I point out to hon. members that if a man is travelling in any country on a passport he must, in order to prove his bona fides, produce that passport on demand. That has been so also in Australia since the passport system was introduced. If a person can show that he has authority to remove an aboriginal it is his duty to produce that authority. I take it that in an ordinary way we are not allowed to remove aborigines from reserves, as their position is somewhat different from that of white men. If, however, I have authority to entice an aboriginal away

Mr. LANG: No one can get an authority to entice an aboriginal!

Mr. FOSTER: I think the clause is plainly put.

Mr. LANG: What happens when someone entices an aboriginal lady out of the reserve?

Mr. FOSTER: They are not regarded as entirely responsible. A man might say he did it because he had such and such a reason. If it were a valid reason it would satisfy the person making the inquiry. Provided I had reasonable ex-

cuse I could rebut the charge of removing an aboriginal. I might say that it was in the interests of the man himself, for instance. It is my duty to explain my reason. Although I agree with the principle that the onus of proof should not be on the accused, I think, in this case, the position is quite clear.

Progress reported.

EXTENSION OF SITTING.

Motions of urgency and for suspension of standing orders agreed to.

Motion (by Lt.-Colonel Bruxner) agreed to:

"That so much of the sessional orders be suspended as would preclude the continuation of the present sitting after 10.30 p.m."

ABORIGINES PROTECTION (AMENDMENT) BILL.

IN COMMITTEE.

(Consideration resumed from an earlier hour.)

(Mr. NESS in the chair.)

Question—That the words proposed to be struck out (Mr. Lang's amendment) stand—put. The Committee divided:

Ayes, 37; noes, 26; majority, 11.

AYES.

Ardill, G. E.	Mair, A.
Ball, R. T.	Martin, L. O.
Bate, H. J.	Morton, M. F.
Bennett, C. E.	Moverly, A. H.
Brown, M.	Primrose, H. L.
Budd, A. E.	Reid, A. E.
Buttenshaw, E. A.	Reid, J. T.
Chaffey, Captain	Reid, Major
Dunningham, J. M.	Richardson, A.
Elliott, H. O.	Ross, W. F. M.
Fleck, Dr.	Sinclair, C. A.
Foster, W. F.	Solomon, E. S.
Frith, W.	Tonking, A. U.
Geldfinch, Sir Philip	Vincent, R. S.
Gollan, G. C.	Wade, B. M.
Howarth, W. A. H.	Yeo, A. W.
Kilpatrick, M.	<i>Tellers,</i>
Lawson, J. A.	Monro, C. O. J.
Main, H.	Waddell, J. W.

NOES.

Arthur, J. G.	Clyne, D.
Baddeley, J. M.	Davidson, M. A.
Booth, G.	Davies, W.
Burke, Frank	Gorman, R. D.
Cahill, J. J.	Hawkins, F. H.
Cameron, R.	Heffron, R. J.
Carlton, W. J.	Henry, A. S.

Knight, H.	Quirk, J.
Lang, J. T.	Shannon, T. J.
Lazzarini, C. C.	Sweeney, J. T.
McGirr, James	
McKell, W. J.	<i>Tellers,</i>
Matthews, C. H.	Stanley, F.
O'Sullivan, M.	Tonge, A.

Question so resolved in the affirmative.

Amendment negatived.

Mr. DAVIDSON (Cobar) [10.5]
I move:

That in proposed new section 13B the words "a reasonable wage" be struck out and there be inserted in lieu thereof the words "a wage in accordance with award rates of wage where such rates are applicable or a reasonable wage when no award appropriate to his calling exists."

I mentioned during the second-reading stage of the bill that when a half-caste is employed in any industry, and he is generally employed in the rural industry, if he is a member of the Australian Workers' Union he must be paid the award rate applicable to the work he is doing, and if he is not paid the award rate the Australian Workers' Union is there for the purpose of seeing that his rights are protected. In many instances, owing to the action of the anti-Labour Governments, the whole legislation which protected rural workers has been repealed. There are many occupations in the rural industry where no award rate applies. For that reason, if a man is working and is entitled to the award rate of wages, he should get that award rate, but if there is no award for that occupation the aboriginal should be entitled to a reasonable wage for the work that he is doing. If this amendment is carried, the Aborigines Protection Board would be able to intervene in such cases and see that where there is no award rate a reasonable wage is paid.

Mr. BATE (South Coast) [10.10]: I do not wish to delay the Committee, but I would ask the hon. member to read the whole clause. This clause is designed to deal with those unfortunate cases where girls have been taken into the homes of white people, and it has been discovered that they are working without wages.

Mr. DAVIDSON: A reasonable wage should be fixed for that class of employee!

Mr. BATE: We want to provide for specific cases such as that of the girl who was employed in domestic service for ten years and received no wages.

Mr. BOOTH (Kurri Kurri) [10.12]: I wish to draw attention to certain statements made at the second-reading stage.

The TEMPORARY CHAIRMAN (Mr. NESS): Order! I will not allow the hon. member to do that; he must deal with the amendment.

Mr. BOOTH: I support the amendment, but the person concerned should have control of the family endowment allowance, which is part of the basic wage.

The TEMPORARY CHAIRMAN (Mr. NESS): Order! There is nothing about family endowment in this clause; the question before the Committee is the payment of the award wage, or where there is no award, a reasonable wage.

Mr. BOOTH: The award wage should be paid. Government supporters said that if an aboriginal mother spends her endowment money in a proper way family endowment is paid in cash. That is absolutely untrue.

The TEMPORARY CHAIRMAN (Mr. NESS): Order! The hon. member must confine himself to the amendment.

Mr. BOOTH: The amendment provides that award rates shall be paid, and if there is no award a reasonable wage shall be paid. Family endowment is part of the basic wage, and I submit that I am in order in dealing with the matter on the amendment. The Aborigines Protection Board takes family endowment paid to aboriginal mothers and decides how the money shall be spent. I will cite a case from Cardiff. A woman there asked the board for sufficient money to enable her to buy a perambulator, but the board refused.

Mr. ARDILL: "Bunkum!"

Mr. BOOTH: It is futile for the hon. member to say "bunkum." If the husband is working for a private employer or is engaged on relief work he receives the wages to which he is entitled, but the board retains family endowment and instructs the storekeeper how it shall be

spent. If that is not humiliating, I do not know what is. What is more humiliating than for a half-caste, who has never been in a camp, and whose husband has never been in a camp to be told that the local storekeeper has the endowment cheque and that the money must be spent either on groceries or not spent at all.

Mr. ARDILL: The hon. member does not know what he is talking about. The storekeeper does not get the cheque!

Mr. BOOTH: The hon. member asked for specific cases, and I am quoting one. The cheque is paid to the storekeeper, and the lady concerned is bound to go to that particular store to spend the money. She cannot even nominate the store that she will deal with. For a respectable woman who does not drink and whose integrity has never been questioned to be told by the Government that it has no confidence in her, that she is dishonest, and that she cannot spend her endowment money properly, is humiliating in the extreme. The Minister should accept the amendment that has been moved by the hon. member for Cobar.

Question—That the words proposed to be struck out stand—put. The Committee divided:

Ayes, 38; noes, 26; majority, 12.

AYES.

Ardill, G. E.	Main, H.
Ball, R. T.	Martin, L. O.
Bate, H. J.	Monro, C. O. J.
Brown, M.	Morton, M. F.
Budd, A. E.	Moverly, A. H.
Buttenshaw, E. A.	Primrose, H. L.
Chaffey, Captain	Reid, A. E.
Dunningham, J. M.	Reid, J. T.
Elliott, H. O.	Reid, Major
Fleck, Dr.	Richardson, A.
Foster, W. F.	Ross, W. F. M.
Frith, W.	Sinclair, C. A.
Goldfinch, Sir Philip	Solomon, E. S.
Gollan, G. C.	Vincent, R. S.
Henry, A. S.	Wade, B. M.
Howarth, W. A. H.	Yeo, A. W.
Jackett, H. G.	
Jackson, J.	Tellers,
Kilpatrick, M.	Mair, A.
Lawson, J. A.	Tonking, A. U.

NOES.

Arthur, J. G.	Lazzarini, C. C.
Baddeley, J. M.	McGirr, James
Booth, G.	McKell, W. J.
Burke, Frank	Matthews, C. H.
Cahill, J. J.	O'Sullivan, M.
Carlton, W. J.	Quirk, J.
Clyne, D.	Shannon, T. J.
Davidson, M. A.	Stanley, F.
Davies, W.	Sweeney, J. T.
Gorman, R. D.	Tonge, A.
Heffron, R. J.	
Horsington, E. M.	Tellers,
Knight, H.	Cameron, R.
Lang, J. T.	Hawkins, F. H.

Question so resolved in the affirmative.

Amendment negatived.

Mr. DAVIDSON (Cobar) [10.20]: I move:

That in proposed new section 13C the words "the secretary or some other officer named by him, and any employer who fails to observe such directions shall be deemed to have not paid such wages. The wages so collected shall be expended solely on behalf of the aborigine to whom they were due, and an account kept of such expenditure" be struck out and there be inserted in lieu thereof the words "such aborigine."

The bill provides that in the case of a prosecution against an employer for wages for an aboriginal the wages shall be paid to the secretary of the board, supposing the prosecution is successful. The proposed new section states that the secretary or some other officer named by him, and any employer, who fails to observe such directions shall be deemed to have not paid such wages, and that the wages so collected shall be expended solely on behalf of the aboriginal to whom they were due, and an account kept of such expenditure. That means that instead of the wages being paid to the aboriginal who does the work they will be paid to the secretary of the board, or to some other officer appointed by the board. It will be similar to the payment of family endowment. The wages will be taken control of by the board, and the board will decide how the money shall be expended. I know from experience that the aboriginals would resent such treatment. They feel that if they do the work and earn the money they are justified in saying now the money shall be expended. They know

better than the board what the requirements of their families are. To say to an aboriginal, "You are competent to do the work and earn your wages, but you are not competent to spend the money," is going too far. I know of dozens of cases in connection with which endowment has been confiscated by the board. The managers of the aboriginal missions decide in what manner the money shall be expended, and often they buy something which, for the time being, is useless to the aboriginal's family. I realise it is important that the board should have some control where it is proved beyond doubt that the man who has done the work and earned the money would not use it in the best interests of his family. In such cases the board should step in and take control. But the board has power to do that now, and it does so. The proposal goes too far, because it takes away completely the liberty of these people. Instead of doing that, we should give them more liberty. The least Parliament can do is to say that if these men are competent to earn money they should be allowed to spend it.

Mr. BATE (South Coast) [10.30]: I hope the Committee will not agree to striking out these words. The board wishes to act only where it considers it will be in the interest of the aborigines concerned. The hon. member for Cobar said that it seemed to be considered that the aboriginal is not competent to spend the money. The trouble is that he is not competent to hold the money. That is where the whole difficulty lies. It may be a young aboriginal who is receiving wages from an employer, and some older aboriginal gets the whole lot from him. All that is desired is that the money should be placed in some trust account for the use of the person who earns it. That is the whole idea.

Mr. DAVIDSON: Why not set up a similar board to protect white people?

Mr. BATE: It would be a very good thing in many cases. I have already pointed out to the Committee a startling case of a man leaving a legacy to a young aboriginal that would be worth in time £800 or £900. The young aboriginal

sold the rights of this legacy to a fellow in the city, who, I think, was a book-maker, for a few pounds.

Mr. DAVIDSON: That is an isolated case. The Government does not hang the whole community because someone commits a murder!

Mr. BATE: We contrived to get the money back and it is now held in a trust account for this young man. If we had not been doing our duty he would have squandered it. We only ask the right to do this in other cases where it is known that the money will be taken from them by other aborigines.

Mr. DAVIDSON: According to the hon. member's account, the right of doing that already exists!

Mr. BATE: No. We took the risk. We put fear into this fellow's heart and he disgorged the money. The same sort of thing has happened over and over again. The older fellows frequent places where younger aborigines, especially girls, are employed and get their money from them. We only ask that power be given to place the money in a trust account so that the money shall go to the person who earns it.

Question—That the words proposed to be struck out stand—put. The Committee divided:

Ayes, 33; noes, 26; majority, 7.

AYES.

Ardill, G. E.	Monro, C. O. J.
Bate, H. J.	Morton, M. F.
Brown, M.	Moverly, A. H.
Budd, A. E.	Primrose, H. L.
Buttenshaw, E. A.	Reid, A. E.
Chaffey, Captain	Reid, J. T.
Dunningham, J. M.	Reid, Major
Fleck, Dr.	Ross, W. F. M.
Frith, W.	Sinclair, C. A.
Goldfinch, Sir Philip	Solomon, E. S.
Gollan, G. C.	Vincent, R. S.
Henry, A. S.	Waddell, J. W.
Howarth, W. A. H.	Wade, B. M.
Jackson, J.	Yeo, A. W.
Kilpatrick, M.	<i>Tellers,</i>
Lawson, J. A.	Elliott, H. O.
Mair, A.	Jackett, H. G.

NOES.

Baddeley, J. M.	Carlton, W. J.
Booth, G.	Clyne, D.
Burke, Frank	Davidson, M. A.
Cahill, J. J.	Davies, W.
Cameron, R.	Hawkins, F. H.

Heffron, R. J.
Horsington, E. M.
Knight, H.
Lang, J. T.
Lazzarini, C. C.
McGirr, James
McKell, W. J.
Matthews, C. H.
O'Sullivan, M.

Quirk, J.
Shannon, T. J.
Stanley, F.
Sweeney, J. T.
Tonge, A.

Tellers,
Arthur, J. G.
Gorman, R. D.

Question so resolved in the affirmative.

Amendment negated.

Mr. LANG (Auburn) [10.38]: I do not seem to be very successful in getting objectionable and unprincipled clauses taken out of bills. I do not approve of the objectionable course proposed in the bill of making accused persons prove their innocence. There is only one reason the anti-Labour Government is doing this. The proper course will be to pay it back in kind. If I repeated the process in proposed new section 30D and aimed it at the employers, every hon. member opposite would vote against it. These poor aborigines want protection. The employer may not be paying them their wages. According to what I have heard during this debate, they want a lot of protection and I propose to give it them if this Committee will agree. I move:

That in proposed new section 13D after the word "aborigine" second occurring there be inserted the words "(and the averment in the information shall be sufficient evidence of the truth of such averment unless the contrary is shown to the satisfaction of the court)."

I do not like it, because it is a bad principle. The principle is bad wherever it is applied, but this Government has been applying a bad, rotten principle in bill after bill. Now, to show the rottenness of it, I have moved this amendment. What is sauce for the goose should be sauce for the gander. What harm is there in asking the employer to do that? Has not the employer a receipt for the wages he has paid? Has he not got his books of account? Cannot he bring them along and produce them?

Mr. SINCLAIR: What about a breach of agreement?

Mr. LANG: Let him prove it. If there is any case where it is alleged that wages are due to an aboriginal or there

has been a breach of agreement let the employer prove his innocence. Let us apply this principle all round.

Mr. MAIR: Perhaps this is the first bill to eliminate it!

Mr. LANG: What does the hon. member mean?

Mr. MAIR: Well, the leader of the Opposition has been arguing pretty solidly in the past, and perhaps this is the first bill that eliminates the provision!

Mr. LANG: The Government will be in this position that it will vote to reject my amendment. It will be rejected when it is against the employer, but it is accepted when it is against the other individual. The Government will have to stand up to it. It is put in bill after bill in this House. I do not believe in the principle, but if it is included in the bill the Employers' Federation will soon want the Government to take it out.

Captain CHAFFEY [10.50]: The leader of the Opposition knows that he is asking the Committee to agree to something that he confesses should not be incorporated in any bill.

Mr. LANG: It should not, because it is a bad principle!

Captain CHAFFEY: The leader of the Opposition referred to his previous amendment. The Committee decided that it shall lie upon the person to prove that he has lawful authority for the action he takes.

Mr. LANG: No man can have lawful authority to entice a person, because that is a criminal offence. If a man entices a young person from a reserve he is guilty of an offence!

Captain CHAFFEY: Unless he can prove that he has lawful authority.

Mr. LANG: But he cannot have lawful authority for that purpose.

Captain CHAFFEY: An officer can hold authority from the Aborigines Protection Board to remove an aboriginal if he is being exploited by an unscrupulous employer or someone else. Provision is made for a proper method whereby that principle can be applied in such a case. If it is a case of wages

Both sides can state their case to the court, and the court can determine the matter on the evidence. If it is a case of breach of agreement, the agreement will be submitted to the court, which will determine the matter on the evidence. I ask the Committee to reject the amendment.

Question—That the words proposed to be inserted be so inserted—put. The Committee divided:

Ayes, 26; noes, 34; majority, 8.

AYES.

Arthur, J. G.	Lang, J. T.
Baddeley, J. M.	Lazzarini, C. C.
Booth, G.	McGirr, James
Burke, Frank	McKell, W. J.
Cahill, J. J.	Matthews, C. H.
Cameron, R.	O'Sullivan, M.
Clyne, D.	Quirk, J.
Davidson, M. A.	Shannon, T. J.
Davies, W.	Stanley, F.
Gorman, R. D.	Tonge, A.
Hawkins, F. H.	
Heffron, R. J.	
Hersington, E. M.	
Knight, H.	

Tellers,

Carlton, W. J.
Sweeney, J. T.

NOES.

Ardill, G. E.	Martin, L. O.
Bate, H. J.	Monro, C. O. J.
Brown, M.	Morton, M. F.
Budd, A. E.	Moverly, A. H.
Chaffey, Captain	Primrose, H. L.
Dunningham, J. M.	Reid, A. E.
Elliott, H. O.	Reid, J. T.
Fleck, Dr.	Reid, Major
Frith, W.	Ross, W. F. M.
Gollan, G. C.	Sinclair, C. A.
Henry, A. S.	Solomon, E. S.
Howarth, W. A. H.	Vincent, R. S.
Jackett, H. G.	Waddell, J. W.
Jackson, J.	Yeo, A. W.
Kilpatrick, M.	
Lawson, J. A.	
Lloyd, S. A.	
Main, H.	

Tellers,

Goldfinch, Sir Philip
Wade, B. M.

Question so resolved in the negative.

Amendment negatived.

Mr. HENRY (Clarence) [10.59]: I move:

That in proposed new section 14A after the word "aborigine" first occurring there be inserted the words "or a person apparently having an admixture of aboriginal blood," and also that after the word "aborigine" second occurring there be inserted the words "or person."

Hon. members probably know what the definition of "aborigine" is in the Act. There the word means "any full-blooded or half-caste aboriginal who is a native of New South Wales." To overcome the limitation of definition of an aboriginal who may claim to have been born outside New South Wales, provision has been made in clause 2 (a) (i) to omit from the definition "aborigine" in section 3 of the Act the words "New South Wales" and to insert in lieu thereof the words "Australia and who is temporarily or permanently resident in New South Wales." I understand that the principal object of the bill is to prevent the spread of venereal disease infection in aborigines to the eyes of white persons who come in contact with aborigines. The bill will bring diseased aborigines under curative treatment. Under the Act the board may authorise the medical examination of any aboriginal, but "aboriginal" in the Act means a full-blooded or a half-caste native of Australia. If the man is a quarter-caste or an octoroon and is infected with a communicable disease he cannot be compelled to submit to treatment. Unless the Committee agrees to my amendment only full-blooded and half-caste aborigines can be dealt with. On the reserves to-day only one out of ten are full-blooded aborigines, and probably only one out of four are quarter-blooded. The whole of the reserves may be inspected, but only the full-bloods and half-castes could be dealt with.

Captain CHAFFEY [11.5]: The point raised by the hon. member for Clarence deserves the earnest consideration of Parliament. At the moment I am just a little doubtful as to the probable effect of his amendment, but I appreciate the spirit in which it was moved. I desire to do the right thing, and I ask the hon. member to withdraw the amendment on my assurance that I shall go definitely into the matter, and if the position is as the hon. member says it is, I will ask my colleague in the Upper House to have the amendment made there. I clearly see the point that the hon. member has raised.

Mr. HENRY: On the Minister's assurance, I ask leave to withdraw the amendment!

Amendment (by leave) withdrawn.

Mr. DAVIDSON (Cobar) [11.7]: I move:

That in proposed new section 18B the words "justice or" be struck out, and there be inserted in lieu thereof the words "or two."

Under the proposed new section the court would have power to determine whether or not a person was an aboriginal. Proposed new section 18A provides that in any proceedings for an offence against the Act, or upon a breach of a regulation made thereunder, the averment in the information or complaint that any person therein named or referred to was an aboriginal, or the reference in the information or complaint to such person as an aboriginal shall be sufficient evidence of the truth of such averment, or reference, unless the contrary is shown to the satisfaction of the court. The tribunal will comprise a judge, coroner, magistrate, justice, or justices. Hon. members should bear in mind that many disputes arise when aboriginals apply for family endowment, and the board decides whether a man is an aboriginal for the purposes of endowment. Hundreds of these people are quarter-castes or half-castes, and the board says they are not aboriginals within the meaning of the law.

Captain CHAFFEY [11.9]: I take it that the hon. member does not want to see these cases determined before a single justice of the peace. Section 18 of the Act provides:

Proceedings for an offence against this Act or for a contravention of the regulations may be taken before a stipendiary or police magistrate or any two justices by a member of a local committee, a guardian, a member, or an officer of the board, or member of the police force.

I think the hon. member has in mind the fact that a judge is sometimes referred to as a justice. Here again, I give hon. members an assurance that I will examine that matter and ascertain the full implication of the wording. I want to do exactly as the hon. member

wants to do and avoid these cases being decided by a justice of the peace sitting alone. They ought to be determined by a stipendiary magistrate or two justices. Section 18 of the Act provided that a decision must be given by two justices. I ask the hon. member to accept my assurance that if the proposed new section does not do what I think and what he suggests ought to be done, I will take proper steps to give effect to his proposal.

Mr. DAVIDSON: If the Minister will do that and satisfy himself that the wording does not mean that one justice of the peace can hear the case I will withdraw my amendment!

Amendment (by leave) withdrawn.

Mr. LANG (Auburn) [11.14]. Many of these coloured persons write in to hon. members complaining about the harsh treatment they receive. They are not pure-blooded aborigines and they say they are hunted from town to town and suffer all sorts of persecution. A wife writes and says her husband is a good man, able and willing to work, but he is hounded down. If some authority is going to say that these married couples must be put back into a camp or mission, the difficulty is that it may not be possible to prove they are aborigines. There may not be sufficient evidence before the magistrate, justices, or judge to show that they are aborigines. No matter what they prove the judge, or magistrate, or justices can say that there is no evidence to show they are aborigines. The person on the bench may say, "I will have a look at you. According to your colour you are an aborigine—away you go." That might apply even to an hon. member of this House. I want to help the board, but hon. members must be very careful in giving a vote that they do not inflict an injustice upon these people.

Mr. BATE (South Coast) [11.17]: The reason for the introduction of this amendment is that there were two courses to choose between. One was to allow these people to go on in their nomadic habits. The other was to provide them with sanctuaries. Where they were living in insanitary conditions round about some of the towns and the

board or council asked that they be taken away, it was found that it could not always be done. In one case a clever solicitor said that the board could not show that a person was an aboriginal and we found that we could not, because when we produced the man's birth certificate there was nothing in it to show that the man was an aboriginal. The only desire is to protect these people from being in the precincts of these towns. We want to provide them with a sanctuary, not to confine them. We want to take them away from these towns for their own sake as well as for the sake of the public. The board, over and over again, has received complaints from councils and residents of towns, but has not been able to do anything. This provision will give it the necessary power. On the fact of it, it may look difficult or queer, but it is only in the interests of the people concerned.

Captain CHAFFEY [11.18]: I want to add one observation to what the hon. member for South Coast has said. A similar provision to this exists in the Queensland, South Australian and West Australian legislation; it has operated for some time. As a matter of fact, it is couched in stronger terms than this proposal and the powers in those States are exercised, really, by the Commissioner or public authority, and not the court. I have not seen fit here to go quite so far and have left the determination to the court. I believe the experience gained elsewhere, plus the fact that there is not a member of the Aborigines' Protection Board whose sincerity is questioned by anyone, will result in this provision working smoothly and to the advantage of all concerned. The attitude of the board is one of sympathy and practical assistance to these aborigines; at the same time it protects their interests. In asking the Committee to accept the provision I feel confident it will work out satisfactorily.

Clause agreed to.

Bill reported without amendment; report adopted.

Bill read a third time.

ROMAN CATHOLIC CHURCH TRUST PROPERTY BILL.

SECOND READING.

Mr. L. O. MARTIN (Oxley) Minister of Justice [11.24], moved:

That this bill be now read a second time.

He said: This is a bill brought in with the request from the Roman Catholic Church authorities through the whole of New South Wales that this House should pass it. I am authorised by the legal advisers of the Church to say that every bishop in the State has had the bill under consideration, and the whole of the authorities of the Church approve of it.

The bill was drafted by the Church authorities, and the very greatest care was taken by them to express their desires in carrying out the objects they had in view. The bill was then submitted to the Government, and came to my department, where it was carefully examined by myself and the legal officers of the department, and certain amendments were made, with the full approval of the Church authorities. Those amendments consisted entirely of matters concerned with public rights and public interests, and I am able to submit the bill with the assurance that it does not do anything that this House has not approved of in regard to other denominations of the Christian religion. This Church merely asks that it be given the same facilities as Parliament has seen fit to grant to other religious bodies.

If any hon. member is particularly interested in the bill I would ask him to first carefully study the definitions in clause 2, because without doing so the bill will not be understood. Clause 3 sets out who the trustees are for the dioceses, namely, the bishop of each diocese, and the diocesan consultors of the diocese in question. Those are the trustees selected by the Church authorities themselves.

Mr. SHANNON: Do they take over the property of the Augustine Order?

Mr. L. O. MARTIN: No. If the hon. member will look at the definition of "Church trust property" he will see that It does not include "land held on any

trust, created before or after the commencement of this Act, for any order or community of this Church or for any association of members of the Church for the use or benefit or for any purpose of any such order, community or association." I suggest that the Church authorities might be completely trusted to see that the special requirements of their own organisations will be correctly and accurately looked after.

Clause 4 provides for the incorporation as a body corporate, of the trustees defined in clause 3, and sets out the names of the present dioceses of the Roman Catholic Church of New South Wales. Those names are provided to the Government by the Church authorities, and we might fairly accept them as correct. Clause 5 makes provision for the creation of new dioceses. This clause is inserted at the request of the Church authorities.

MR. SHANNON: Supposing that takes away from another diocese, how is the difficulty of transferring property overcome?

MR. L. O. MARTIN: The bill does that. Immediately upon the creation of a new diocese the Church trust property in it is divested from the trustees of the old diocese, and instantly vested in the trustees of the new diocese. That happens immediately on the publication in the *Gazette* of a notice, signed by the bishop of the new diocese and the bishop of the old diocese or dioceses. I am informed that the Church has a proper system for creating a new diocese, and I suggest we are not very much concerned with that since the Church is satisfied.

Clause 6 makes provision for a quorum of the trustees, and the keeping of a common seal. As hon. members know, no corporation can act in certain matters except under its common seal. Clause 7 provides for vacancies in the trust and makes the usual and ordinary provision made in all similar cases. Clause 8 does what the hon. member for Phillip asked a moment ago with regard to the vesting of Church trust property.

Clause 9 makes provision for the powers given to bodies corporate created by the bill. The powers given to these bodies are not in excess of the powers that have been given to all similar bodies when they have asked for them.

Clause 10 provides for the execution of instruments. When the Committee stage is reached I propose to ask hon. members to agree to a slight amendment, which has the full approval of the Church authorities and has been drafted by their legal adviser. It is proposed to follow the usual procedure in conveyancing and insert after the word "bearing" the words "what purports to be." Clause 11 is, frankly, somewhat complicated for a layman, but it is the only way to meet the circumstances which it seeks to meet, and it conforms with the Conveyancing Act and well-known principles of property law. An indemnity is provided in the case of anybody who happens to be dispossessed of a property to which he was entitled and had really purchased for value. Clause 12 is similar to the provision found in the Church of England Property Trust Act. Clause 13 provides that all Church trust property for the time being vested in a body corporate shall be vested in a trust. Clause 14 deals with a matter that has previously been dealt with, for instance, in the Church of England Property Trust Amendment Act, 1923. Clause 15 is the final clause, and deals with a matter which concerns the Roman Catholic authorities solely. It is inserted with the full approval of the Bishop of the Diocese of Lismore, and the Archbishop of the Archdiocese of Sydney so far as the St. Patrick's College Manly Act of 1914 is concerned.

I submit the bill to the House as a measure designed to provide the same facilities for the Roman Catholic Church to hold its properties conveniently in the various dioceses as are granted to other churches.

MR. SHANNON: What is the meaning of the words "nothing in this section" in subclause (3) of clause 15?

MR. L. O. MARTIN: The meaning is that the interpretation Act shall apply

to this bill when it becomes law. It will then become a public Act and be part of the general law of the community.

Mr. SHANNON: Supposing there was a case pending in connection with one of the present trustees, would the new trustees take over the responsibility?

Mr. L. O. MARTIN: Yes. I shall be only too glad to afford hon. members any further information.

Mr. BADDELEY (Cessnock) [11.35]: Hon. members of the Opposition feel that there is justice in the desire of the Roman Catholic Church to enjoy similar treatment to that meted out to other Churches. All Governments are sympathetic to Churches, irrespective of denomination, and the only matters affecting Churches which have been subjected to close examination have been those in connection with which hon. members desired to make things easier for the Church authorities concerned. I have had personal experience of constituents considering that they had been heavily charged in respect of Church land transactions, but in every case the representatives of the Church have evinced a desire to deal with the matter sympathetically. The Minister has said that this measure has the approval of the bishops, and was drafted by the Church's legal authority. Hon. member have not examined it carefully, because they are convinced that the Church merely requires justice and a fair thing. Clause 10 is to be amended in accordance with the desire of the bishops, while clause 11 is of a technical character. No doubt, Churches receive better treatment from solicitors than do laymen. I have repeatedly heard laymen complain about the excessive legal charges to which they are subjected, and it is time that the relevant section of the Legal Practitioners Act was amended. I think it is section 42 which protects lawyers and enables them to collect heavy fees from clients. Many persons have approached me on this matter.

Mr. HENRY: On a point of order, I wish to know whether the hon. member's remarks are relevant to the bill?

Mr. ACTING-SPEAKER: I ask the hon. member for Cessnock to connect his remarks with the bill.

Mr. BADDELEY: Complaints have been made to me that members of the legal profession have charged extortionate fees.

Mr. HENRY: On a point of order, I again ask whether the hon. member's remarks are relevant to the bill which has nothing at all to do with legal costs!

Mr. ACTING-SPEAKER: I must ask the hon. member to confine his remarks to the measure.

Mr. BADDELEY: In any case, I do not think that there is any likelihood of the Roman Catholic Church being exploited by members of the legal profession. I understand that clause 10 of the bill is to be amended.

Mr. L. O. MARTIN: Clause 10 deals with the execution of instruments, and it is to be amended to provide that any decision may be deemed to be or may purport to be a decision. The Church authorities did not ask for the amendment, but we pointed out that some such alteration was necessary and they decided to adopt our suggestion.

Mr. BADDELEY: The Minister's explanation is quite satisfactory and we have no objection to the bill.

Question resolved in the affirmative.

Bill read a second time.

IN COMMITTEE.

(Mr. SINCLAIR in the chair.)

Clause 6.

The bishop and two other members of each such body corporate shall constitute a quorum for the purpose of any meeting of the body corporate.

Mr. BADDELEY (Cessnock) [11.45]: This clause provided for a quorum of three at any meeting of the body corporate, and I should like to know whether that number is sufficient.

Mr. L. O. MARTIN: It is quite sufficient; in fact, in respect of other denominations the bishop alone is competent to act.

Clause agreed to.

Clause 10. Every instrument bearing the common seal of a body corporate created by this Act for any diocese created before or after the commencement of this Act, and signed by the bishop of that diocese and two other members of that body corporate shall, in favour of every person claiming under or through that instrument, be conclusively presumed to have been duly executed by the body corporate whose common seal it bears.

Mr. L. O. MARTIN (Oxley), Minister of Justice [11.46]: I move:

That after the word "bearing" there be inserted the words "what purports to be." I have already explained this amendment to hon. members.

Amendment agreed to.

Amendment (by Mr. L. O. Martin) agreed to:

That before the word "signed" there be inserted the words "purporting to be."

Mr. L. O. MARTIN [11.47]: I move:

That after the word "claiming" there be inserted the words "for value and in good faith."

This amendment follows the Conveyancing Act, so as to avoid any fraud that might be attempted on the Church.

Amendment agreed to.

Amendment (by Mr. L. O. Martin) agreed to:

That the words "whose common seal it bears" be struck out, and there be inserted in lieu thereof the words "the common seal of which it purports to bear."

(2) Section 51A of the Conveyancing Act, 1919-1932, shall not apply to or in respect of any instrument executed by a body corporate created by this Act."

Clause as amended agreed to.

Clause 14. No title to any land granted by the Crown before the commencement of this Act, for or for the use, benefit or purposes of the Church shall be held bad, either at law or in equity, by reason of any breach or non-performance, before or after the commencement of this Act, of any condition, trust or proviso contained in the grant by the Crown of the land, and every provision for forfeiture or reverter in respect of any such breach or non-performance shall be deemed to have been released by the Crown as from the date of the Crown grant.

Mr. BADDELEY (Cessnock) [11.50]: I should like the Minister to explain this clause.

Mr. L. O. MARTIN [11.51]: It was the practice in years gone by to give a grant subject to certain conditions being carried out. The law has been altered to allow the Government to cancel the conditions on which the grant was made. The Church of England Trust Property (Amendment) Act of 1923 contains practically exactly the same thing. The object of this bill is to assure to the Church as a corporate body land given to the Church, notwithstanding the fact that it may have been used for building a school or a presbytery instead of a church. What does it matter to the people of the State so long as the land is used for Church purposes? Section 46 of the Church of England Trust Property (Amendment) Act says:

No title to any land granted by the Crown for or for the use, benefit, or purposes of the United Church of England and Ireland, or the Church of England, shall be held bad either at law or in equity by reason of any breach or non-performance before or after the commencement of the Church of England Trust Property (Amendment) Act, 1923, of any condition, trust, or proviso contained in the Crown grant of the land, and any right of forfeiture or reverter in respect of any such condition, trust, or proviso shall be deemed to have been waived by the Crown as from the date of the Crown grant.

I say in all sincerity I think it is a perfectly fair thing that this Church should be treated as all other Churches have been treated.

Clause agreed to.

Bill reported with amendments; report adopted.

Bill read a third time.

NEWCASTLE AGRICULTURAL, HORTICULTURAL AND INDUSTRIAL ASSOCIATION (AMENDMENT) BILL.

Mr. BUTTENSCHAW (Lachlan), Minister for Lands [11.56], moved:

That leave be given to bring in a bill to amend the Newcastle Agricultural, Horticultural and Industrial Association (Amendment) Act, 1905, and certain other Acts in certain respects, and for purposes connected therewith.

He said: The bill is intitled the Newcastle Agricultural, Horticultural and Industrial Association (Amendment) Bill,

1936. The hon. member for Cessnock is interested as a trustee, and knows the facts and reasons for the bill. On the 25th November, 1905, an Act was passed empowering the trustees of the Newcastle Agricultural, Horticultural and Industrial Association to mortgage their lands at Newcastle for the purpose of raising money. The Act made the mortgage by way of transfer, the land being under the Real Property Act. That method is inappropriate, and leads to difficulties in mortgaging the land. The present bill is merely to enable the trustees, with the Minister's consent, to mortgage the land in the usual way. It does nothing else. There are a few consequential amendments. It is a simple measure, but the amendments are necessary, and eliminate certain difficulties in mortgaging the land. The trustees will have to get the Minister's consent even after this bill is passed.

Mr. BADDELEY (Cessnock) [11.59]: It is perfectly true, as the Minister has stated, that representatives of this association waited upon him and upon the Minister of Justice to ask that the present Act be amended in the direction stated by the Minister. It is a very wealthy institution, and covers a large field of activities. It represents a large section of the community. I have been a trustee of the association for twenty years. Different sections of the people have been trying to do what they can in the interests of the association. What the Minister has said with regard to the difficulties in mortgaging the land is quite true. I can see no reason why the measure should not be passed. As far as I am concerned, I do not propose to raise any objection.

Question resolved in the affirmative.

Bill presented and read a first time.

SECOND READING.

Mr. BUTTENSHAW (Minister for Lands [12.0], moved:

That this bill be now read a second time. He said: The object of this measure of two short clauses is to facilitate the raising of money by the trustees of the Newcastle Showground on the security of that area.

Mr. LANG: Is there a mortgage on it now?

Mr. BUTTENSHAW: There may be.

Mr. LANG: The Minister does not know!

Mr. BUTTENSHAW: I do not know. The bill gives the trustees power to borrow money to effect improvements, but they must first get the Minister's consent. Two areas are concerned, the original area and the additional area. The Newcastle Showground originally comprised an area of 17 acres 5½ perch which was dedicated on 2nd August, 1905, the additional area of 6 acres 2 roods 32 perches being dedicated on the 8th March, 1918.

Mr. LANG: For what?

Mr. BUTTENSHAW: For showground purposes. Both areas are covered by Crown grants to the trustees. Under the provision of the Newcastle Agricultural, Horticultural, and Industrial Association Act of 1905, the trustees were empowered, subject to the written consent of the Minister for Lands, to raise money by mortgaging the area of 17 acres 5½ perches. In 1925 a further amending Act was passed extending the provisions of the 1905 Act to the area of 6 acres 2 roods 32 perches. The mortgaging section of the Act, however, has been found to be inappropriate. It empowers the trustees to convey and transfer the land to the mortgagee, but the showground lands are under the provision of the Real Property Act, under which a simpler method is provided. Apparently the trouble arises from the fact that the original Act of 1905 was passed a short time before the Crown grant issued, and this then issued under the Real Property Act. The measure is not contentious. It merely permits of the mortgaging by the appropriate method of a memorandum of mortgage under the Real Property Act instead of the old procedure. The trustees have asked for the bill because they are seriously embarrassed in dealing with the land in an appropriate manner. They wish to mortgage the land in order to effect certain improvements, but it will be necessary for

them to show justification for so doing, and the Minister of the day, whether the request be made to me or to my successor, will have to give his approval, so that the public interest will be absolutely safeguarded. I feel that there can be no serious objection to the bill, and I hope that the House will pass it without delay.

Mr. LANG (Auburn) [12.4 a.m.]: The Minister has not given the House much information. It may be that he has not got it, but he should not have come to the House unready. If the trustees propose to mortgage the property they should have told the Minister how much they propose to mortgage it for.

Mr. BUTTENSCHAW: I presume that when they make application they will do so!

Mr. LANG: I suppose they have a certain objective in view, and so long as they can get sufficient money to carry out their objective it will be all right. In connection with this class of measure I have raised a point which I shall raise so long as this class of bill comes before the House. I do not object to the trustees being empowered to carry out necessary improvement. I raised similar objection in regard to the School of Arts property, in Pitt-street. The School of Arts occupies one of the most valuable sites in the city, and I saw the possibility of the land some day being put to commercial use. The mortgage might contain a power of sale, and subclause (3) provides that where a mortgage is given pursuant to the Act the land comprised in such mortgage shall, in the hands of the mortgagee and of any person claiming through or under him, be freed and discharged from any trust or dedication affecting such land. I am concerned about what might happen if the property got into the hands of the mortgagee or into the hands of any person claiming through or under him. The land in question was dedicated for the purposes of a school of arts. It has been used for the purposes of an agricultural, horticultural, and industrial association, and it is a very nice property. Its situation is excellent, and it is right on the railway near Broadmeadow Station. It is eminently

suitable for the purposes for which it was dedicated. But if the bill is passed as it stands the trustees may mortgage the property to some persons who may be careless in the future. Power of sale might be exercised, when the dedication would disappear and the trust would be dissolved. There should be some better way of dealing with the matter. The Minister should provide means to ensure that the property would revert to the Crown. I do not propose to oppose the second reading of the bill, and I have no desire to incommode the trustees, but I do feel that there is some better way of doing what the Minister proposes. No hon. member can truthfully argue that what I say is not correct. The bill gives the right to mortgage the property.

Mr. PRIMROSE: No one would lend the money without power of sale!

Mr. LANG: That may be. The hon. member knows as well as I that there have been other bills before the House where the property has been mortgaged. The mortgage has already been in existence when the people concerned woke up and asked for these powers. The Minister will not give me a guarantee that this is not the case here.

Mr. BUTTENSCHAW: I should require time to obtain that information. This bill was hastily prepared in accordance with the wishes of the leader of the Opposition!

Mr. MAIN: I can tell the hon. member that money has not been paid; there is no mortgage!

Mr. LANG: I do not object to the principle of having the power of sale and borrowing money because the trustees are there. What I object to is that these matters are left in the hands of trustees and the titles to the land become very valuable. Only to-day there was a little bill before hon. members dealing with a Methodist churchyard. The land that had been dedicated for that purpose years ago is probably worth to-day £100 a foot. By and bye sites like this will become almost too valuable for Church purposes. Apart from that, the congregation will shift, and the church will have to follow the congregation. There would be no objection in such a case, because the land

would still belong to the Church authorities, and the money derived from it would be devoted to Church purposes also.

Mr. HENRY: As the hon. member says, such land becomes very valuable, but the more valuable it becomes the less likely it is that the trustees will forfeit it. It is when land depreciates in value that it falls into the hands of mortgagees.

Mr. LANG: That is hardly what I am driving at.

Mr. HENRY: The hon. member wants people to lend money on no security!

Mr. LANG: Let me come back to the city again and cite the case of the School of Arts, which is a valuable property.

Mr. HENRY: It has never fallen into the hands of mortgagees!

Mr. LANG: It might.

Mr. HENRY: The hon. member knows that, except for a small portion, it is covered with shops and bringing in hundreds of pounds a week, where formerly it did not bring in one penny!

Mr. LANG: I have heard of these cases happening.

Mr. HENRY: In fairy tales!

Mr. LANG: The hon. member need not talk to me about fairy tales. There have been business premises in large cities like Sydney; businesses have grown up round them, and when there has been a little section left in between them the owners of those business premises have got it at any cost.

Mr. HENRY: The hon. member might argue that the Savings Bank or Rural Bank should not be given power of sale over a settler or farmer's home, because they might sell him up!

Mr. LANG: No, this is different. The farmer or workman who has a home has bought the land. He has paid something on the balance, or obtained it by mortgage. He loses what he pays in.

Mr. HENRY: He loses everything!

Mr. LANG: No. If he has paid it off, he is all right. These people are given something as public authorities. The Sydney School of Arts seems to me to be the best illustration.

Mr. HENRY: I know something about the Sydney School of Arts. It is worth about 320 per cent. more than it was worth twenty years ago!

Mr. LANG: No man can see the limit of its value. Supposing it is worth a quarter of a million pounds, my contention is that when that money comes back it ought to go back to the people. It is not necessary to have such a valuable site for the school of arts.

Mr. HENRY: The trustees can always sell!

Mr. LANG: I do not know whether they can. Does the hon. member mean to say that the trustees could sell the land in this case? If they sell, the purchase price reverts to the Treasury, and that is where it ought to go. If, as the hon. member for Clarence says, there is no danger of it ever going into the hands of the mortgagee, it is a very excellent risk. I should like to see it laid down that in every case where land is dedicated by the Crown, there shall be no chance of its going away from the Crown. If it is sold, any surplus should go to the Crown.

Question resolved in the affirmative.

Bill read a second time and passed through its remaining stages.

MURRUMBIDGEE TURF CLUB (DIVESTING) BILL.

Mr. BUTTENSCHAW (Lachlan), Minister for Lands [12.20 a.m.], moved:

That leave be given to bring in a bill to vest certain land at Wagga Wagga in His Majesty; to provide for the dedication of such land for cricket ground, athletic sports and racecourse, and for the appointment of trustees thereof; to confer and impose certain powers, authorities, duties and functions on such trustees; to amend the Murrumbidgee Turf Club Act of 1876; and for purposes connected therewith.

He said: This is a short measure which gives effect to a request made by the Wagga Wagga Municipal Council to place certain land under their control for public recreation purposes. The portion referred to is a small part of 161 acres which was dedicated in 1865 for a racecourse. It has been used for some time for athletic sports and dog races, and the interested parties are in accord with the proposal of

the municipal council. The trustees of the racecourse are perfectly satisfied on the subject, as are also the cricket association, the football club and the tennis club, and the Crown Solicitor has advised that the introduction of a short bill is the only way to meet the position. If hon. members would like to see the scale map showing the area and the portion it is proposed to delete from the original grant and re-dedicate to the council, I should be glad to show it to them.

Question resolved in the affirmative.

Bill presented and read a first time.

SECOND READING.

Mr. BUTTENSHAW (Lachlan), Minister for Lands [12.23 a.m.], moved:

That this bill be now read a second time. He said: The 161 acres to which I have referred in the motion for leave to introduce was dedicated as a racecourse at Wagga Wagga on the 10th January, 1865, and the Crown grant was issued on 10th June, 1866. The land is registered as volume 39, folio 149, and was to be held by the trust for the purposes mentioned in the grant. There is really no need for me to give details of the various leases that have been effected, except to say that the trustees of the ground lease it to the chairman of the turf club who, in turn, leases it to the cricket association, which again sublets it to the various sporting bodies. A small area of something like eight acres has for some considerable time past been used for all classes of athletic sport and the only way to utilise it for that purpose was by entering into the number of leases to which I have referred. The area of eight acres will be under the control of the municipal council as trustees of the various sporting bodies, which embrace cricket, tennis, athletics, football and racing. The council intends to improve the area, and up to the present it has not asked for any money or for permission to mortgage. The existing leases will be surrendered and a new lease will be granted. The arrangement is satisfactory to all parties concerned.

Mr. LANG (Auburn) [12.27 a.m.]: I have had little opportunity to examine the bill and I should like some further information in respect of the land to be leased.

Mr. BUTTENSHAW: The area of eight acres is part of the racecourse and it will be leased for general recreation purposes!

Mr. LANG: It will not become a park?

Mr. KILPATRICK: Part of it will!

Mr. LANG: If it were to become a public park the council would not be able to lease it for dog racing. A council is allowed to close a public park only for so many days in a year and has the right to charge for admission only on certain days. If the whole of the area of eight acres were to become a public park, it would be difficult to meet the wishes of the various athletic clubs, because each could not be given a sufficient number of days on which charges could be made for admission to the park. As this ground is to be leased to tennis, cricket, athletic and football clubs it is quite evident that it will not become a public park.

Mr. BUTTENSHAW: It will be a recreation ground!

Mr. LANG: Not a public park?

Mr. BUTTENSHAW: No!

Mr. LANG: There is no park there and there is not likely to be. The hon. member for Wagga Wagga is quite wrong when he talks about a park. I suppose the council will recoup itself for the loss of rates and taxes by the amount it will get for the lease, but the Minister has informed me that dog racing is being conducted there now. There may be something else in it that I cannot see. I would like to have had an opportunity of looking into the matter, but I presume that whatever expense the council is put to in erecting suitable buildings will be recouped. It will be necessary to erect a grandstand and pavilions, and also club rooms, but the people who are conducting dog racing will pay only for the lease, and it will be favourable to them.

Mr. BUTTENSCHAW: The Murrumbidgee Turf Club Act of 1876 empowers the trustees to grant leases, and they have been doing it from one body to another in a roundabout way. We propose to alter that and to place it under the control of the council, which will deal direct with the different bodies!

Mr. LANG: It may be all right, but it seems to me that there is something else attached to it. I should not be surprised if some buildings are not erected. I gather from the sketch that there is a cricket pitch, and I presume that around the cricket pitch "tin hare" races will be held. There is also a tennis club which has a small pavilion. There is also a dressing-shed for footballers, but there is no provision for a grandstand which may cost thousands of pounds to erect. The Murrumbidgee Turf Club might not be prepared to spend money to erect the buildings, and the people who are running the sports and making a profit may not be prepared to raise the necessary capital to construct the buildings that may be essential, and they may say, "We will get the Government to put this on to the municipal council and we will get the council to erect the buildings," and possibly the people who are making a profit out of gambling will approach the Government through the municipal council to take the money from the Unemployment Relief Fund. They will get that money at a reduced rate of interest, and it will be applied to something in the nature of a gamble. If anything of that kind is done the expense will be considerable.

Mr. BUTTENSCHAW: I understand that the council is willing to effect the improvements, but it will not do so unless it has some control!

Mr. LANG: I do not know anything about the matter, but, apparently, a considerable sum will be spent on improvements.

Mr. HENRY: The council is not likely to spend an excessive amount on improvements, and the people who are conducting mechanical hare races will pay a substantial rent!

Mr. LANG: That may be. The hon. member for Clarence calls them "mechanical" hares, but they are still "tin hares," and not the live animals that used to be hunted. As the hon. member says, "tin hare" racing is a profitable business, but the gentlemen who run the business are not so sure about its permanency.

Mr. KILPATRICK: All the sporting bodies were in agreement regarding the excision of the area from the racecourse, having in mind necessary improvements!

Mr. LANG: As far as the playing of football there is concerned, the sketch plan shows a dressing shed and a pavilion.

Mr. KILPATRICK: A poor one!

Mr. LANG: Well, it is there. A scoring board is also shown. Probably all that the footballers want is some improvement in sanitation.

Mr. KILPATRICK: We had to erect a marquee there when the English cricketers visited the ground!

Mr. LANG: Perhaps that was necessary, but the "tin hare" people want many other things. The hon. member for Clarence said that they would be prepared to pay a good rent because their business is profitable. I suppose that the people who run the sport believe it would be better to pay a good rent rather than take the risk of investing thousands of pounds in improvements if, in the course of a month or two, something happened as a result of pressure brought to bear on the Government to carry out its election promises. If that came to pass and "tin hare" racing were abolished, these people would lose a very considerable sum. Of course, no one wants to take such a risk. This sanctionious Government told the people at election time that if returned to power it would abolish the gambling evil, but it has not attempted to abolish "tin hare" racing. Perhaps that will come about when Mr. Spooner becomes Premier. The Minister must know what expenditure he proposes to undertake, and what return is expected from rents.

Mr. BUTTENSCHAW: It is a matter entirely for the people concerned!

Mr. LANG: They can secure an overdraft on their general account and things like that. They give the whole municipality as security just as the Government gives the whole of New South Wales. That is why the Government is trying to force municipal councils to burden themselves with debts. The State is carrying as much debt as it can and the financial institutions want to get more interest, so the Government is encouraging municipal bodies to mortgage their rates right up to the hilt. It is all very well for the hon. member for Clarence to talk. The wealthy municipalities in his area do not do this, but in other parts, where there are great numbers of unemployed, municipalities are doing it. One day they will wake up to find themselves smashed and bankrupt. No municipality in which I had any say would do it. I would never lift the limit of the rate. This has been done for one purpose, to suit the Government.

In the case before hon. members, money might be obtained from the unemployment relief fund to erect these pavilions for a gambling institution; that is not right. I do not propose to vote against the second reading, but in cases such as this, the House is entitled to more information. One reason I do not vote against it is that the land will be handed over to the local government authorities. Some day in the near future, when this reactionary Government is removed from office, people in the area will be allowed a vote for the election of aldermen, who will be able to rectify any mistake made.

Mr. KILPATRICK (Wagga Wagga) [12.43 a.m.]: As one very deeply interested in the bill, I cannot agree with the leader of the Opposition. It is true the land is required for recreation purposes, including football, tennis and cricket. It carries certain improvements and has an iron fence, about 7 feet high. On the northern portion of the area, that is proposed to be excised under this bill, there is another small area that will be very valuable for recreation purposes. With a population in Wagga Wagga of 12,000 there is no recreation area in the

northern part of the town. The council, in conjunction with sporting bodies, was anxious to get control of this area with the object of placing swings and other facilities there, to be used for recreation purposes. At the same time, the sporting clubs and the Murrumbidgee Turf Club were to erect the necessary improvements. In my opinion, as the representative of that area, there has been an agitation for some years to have this portion excised. I appreciate the intention of the leader of the Opposition not to hold up the bill. It is essential it should go through as soon as possible so that the council can complete sanitary arrangements which at present are inadequate. On the northern portion of the ground there is a V-shaped piece which is set apart for children. The main area contains tennis courts, a portion that is used for cricket and football, and the tin-hare course.

Mr. LANG: There will not be a quarter of an acre in the small piece referred to by the hon. member!

Mr. KILPATRICK: It is not a large piece. It is necessary that the area should be severed, and the council is prepared to do this, after which it will lease the ground direct to the sporting bodies interested.

Mr. BUTTENSCHAW: In the original Act the matter first had to go to the chairman!

Mr. KILPATRICK: That is so. Under the original Act the ground was dedicated, and trustees were appointed, who leased the area to sporting bodies. These sporting bodies were never financially strong enough to carry out the necessary improvements. The council will carry them out, and will have a small area left for a children's playground and for recreation purposes for people living on the north side.

Question so resolved in the affirmative.

Bill read a second time and passed through its remaining stages.

PUBLIC RESERVES: PUBLIC HALL, NEVERTIRE.

Mr. BUTTENSCHAW (Lachlan), Minister for Lands [12.50 a.m.]: moved:

That, in pursuance of section 3 of the Trustees of Public Reserves Enabling Act,

1924, this House declares that such Act shall apply to the area of 2 roods at Nevertire, notified for public hall on the 17th January, 1936, as Reserve No. 65771.

He said: A number of similar motions have been put through Parliament with the idea of enabling trustees to effect improvements and increase the value of their property. This motion refers to a public hall site at Nevertire, comprising allotment 16 of section 6, of 2 roods, and situated in Narromine-street, Nevertire, which is in the Castlereagh electorate, represented by Mr. A. W. Yeo. It was reserved for the purpose of a public hall under the Crown Lands Consolidation Act, 1913, at the request of the local residents. The trustees desire to mortgage the site for the purpose of financing the erection of a building thereon. They have accepted the tender of H. A. Kendall, of Warren, for the erection of the building for the sum of £820 and desire to obtain a loan of £600 from the Rural Bank to be repaid over a period of fifteen years with interest at the rate of 3 per cent. The balance of £220 is also to be obtained from the bank on the guarantee of local residents. The estimated annual income from the hall, when erected, is £100, out of which interest and loan repayments will be met.

The plans of the hall have been approved by the Chief Secretary's Department, and the building will, therefore, comply with the requirements of the Theatres and Public Halls Act. As the building will be erected by private contract, and as the work is not relief work nor is the amount borrowed relief money, award conditions will have to be observed by the contractor. The trustees of Public Reserves Enabling Act, 1924, provides that the trustees of a public reserve may, with the consent of the Minister for Lands, and subject to fulfilment of the provisions of the Act, mortgage the trust land upon specified terms and conditions. Trustees cannot, however, avail themselves of the provisions of the Act until both Houses of Parliament have by resolution declared it to apply to the trust property. I ask hon. members to agree to the motion.

Question resolved in the affirmative.

THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST BILL.

Motions of urgency and for suspension of standing and sessional orders agreed to.

IN COMMITTEE.

(Mr. BATE in the chair.)

(Consideration resumed from 28th May, *vide* page 4143.)

Clause 2 (Repeal of 1904 Act).

Mr. LANG (Auburn) [12.57 a.m.]: Will the hon. member in charge of the bill explain the reason for the repeal of the 1904 Act?

Mr. PRIMROSE: The preamble covers the whole matter!

Clause agreed to.

Clause 12 (Power to make regulations).

Mr. LANG (Auburn) [12.58 a.m.]: Will the hon. member explain this clause which relates to the power to make regulations?

Mr. PRIMROSE (North Sydney) [12.59 a.m.]: This clause gives the General Assembly the power to govern and control the Burnside Home, the Alexander McCormick Hospital, and other property vested in the trustees, and also to make regulations for the conduct of the trustees generally.

Mr. LANG: Why do they want to make regulations?

Mr. PRIMROSE: Regulations and by-laws amount to the same thing.

Clause agreed to.

Clause 15 amended verbally and agreed to.

Clause 16. The trustees shall out of the net rents and profits received by them from any glebe and other lands belonging to any congregation after payment thereof of all rates taxes and impositions insurance premiums and cost of repairs thereto and improvement and maintenance thereof and interest on any loans made on the security of such lands in the first place pay to the minister for the time being of the said congregation during each year a sum of one hundred and fifty pounds (exclusive of stipend from other sources) and in the next place shall apply such part of the remainder of the said rents and profits towards the building improving enlarging or maintaining of the church or minister's dwelling-house belonging to such congregation as may be required for such purposes and shall apply the balance if any

to such social religious education charitable or other purpose connected with the Presbyterian Church in New South Wales as they may determine. The minister in the event of his having received in any one or more years less than the said sum of one hundred and fifty pounds per annum shall have a claim in respect of such deficiency against the net rents and profits received or accruing in any subsequent year or years but subject nevertheless after he has ceased to be the minister of such congregation to the right of the settled Minister for the time being of such congregation to receive out of the said net rents and profits a sum of one hundred and fifty pounds per annum in respect of each year of his tenure of the pastorate in priority to such claim and provided further that the amount of such deficiency to be so paid to each such Minister who has ceased as aforesaid to be minister of such congregation shall not exceed a sum of five hundred pounds.

Mr. PRIMROSE (North Sydney) [1.3 a.m.]: There are three amendments which I propose to move in this clause. I move:

That after the words "and shall apply the balance if any" there be inserted the word "firstly."

It is proposed that where the money is supplied for a particular parish that it shall be available firstly for the object of that parish particularly, and then in the second place as stated in the clause. The amendment is being made at the request of the hon. member for Newcastle on the representations of the Rev. Mr. McVittie of the Church at Newcastle.

Mr. BADDELEY: In cases where there is more than one they have to be applied proportionately?

Mr. PRIMROSE: It is stated in the clause "in the first place pay to the Minister for the time being of the said congregation during each year the sum of £150 (exclusive of stipend from other sources)."

Mr. W. DAVIES: Provide him with £150 over and above the ordinary stipend?

Mr. PRIMROSE: The clause continues:

and in the next place shall apply such part of the remainder of the said rents and profits towards the building improving enlarging or maintaining of the church or

Minister's dwelling-house belonging to such congregation as may be required for such purposes and shall apply the balance if any to such social religious education charitable or other purposes.

The surplus will be applied first for purposes connected with the parish, and if anything remains it will be applied for the general purposes of the Presbyterian Church.

Amendment agreed to.

Major REID (Young), [1.6 a.m.]: In connection with the disposition of funds derived from glebe lands, the hon. member for North Sydney said that the first £150 would go to the Minister in charge. The minister might receive his £150 during his occupancy of the charge, but he can claim up to £500 at any time after he has left the parish should there be a surplus in the fund. I am doubtful if that is the correct procedure. A minister might take over a charge when the entire revenue from glebe lands was £100. He would know the amount that was being derived, and during his occupancy of the charge he might make no attempt to get the parishioners to improve the property to increase its revenue-producing capacity. He might give up the charge and the minister who takes over might increase the revenue-producing capacity of the glebe lands, with the result that the man who had left the parish six or eight years previously, and who had done nothing to increase the revenue, could claim on the surplus in the fund created through the efforts of his successor. I feel that if a minister takes over a charge and the revenue from the glebe lands amount to a certain sum he should know that that is precisely what he is going to receive.

Mr. PRIMROSE (North Sydney), [1.8 a.m.]: This bill has been before the Presbyterian Assembly on two occasions and has received its approval. I do not think there are many parishes in which there are glebe lands. £150 is the maximum amount which can be claimed, and if it is not paid, and there is a surplus in the fund, he may claim to the extent of £500. I am informed that it is very unlikely that that amount would be accumulated. As the hon. member for Young said, if

the incoming clergyman works up the parish, and the rents increase, he will be sure of getting his £150 during his occupancy of the charge. If he does, he has nothing to worry about. If he gets his £150 that is all that concerns him. Those who have accumulations will participate. I move:

That the word "education" be struck out and there be inserted in lieu thereof the word "educational."

Amendment agreed to.

Amendment (by Mr. Primrose) agreed to:

That after the words "charitable or other purpose" there be inserted the words "within the parish and then to purposes otherwise."

Clause as amended agreed to.

Clause 20 (Trustees powers to sell, etc.).

Mr. BADDELEY (Cessnock) [1.14 a.m.]: I do not know whether it is right that the trustees should have power to sell, as proposed in the clause.

Mr. PRIMROSE: The same power is in the Act!

Mr. BADDELEY: I am not satisfied with the provision in the clause.

Mr. PRIMROSE: Everything is subject to the approval of the general assembly!

Mr. BADDELEY: That is not stated in the clause.

Mr. PRIMROSE: The approval of the General Assembly must be obtained!

Clause agreed to.

Clause 26 (Saving of Act passed in 1870, Maitland Church Lands).

Mr. BADDELEY (Cessnock) [1.16 a.m.]: Reference was made at an earlier stage to the Maitland Church lands, and I thought there was to be a separate bill.

Mr. PRIMROSE: The clause does not affect that at all. Matters are working quite satisfactorily, and the Church authorities do not want it.

Clause agreed to.

Bill reported with amendments; report adopted.

[Mr. Acting-Speaker left the chair at 1.19 a.m. (Wednesday).]

Legislative Council.

Wednesday, 24 June, 1936.

Housing of the Unemployed (Amendment) Bill—Local Government (Amendment) Bill (Ministerial Statement)—First Readings—The Presbyterian Church (New South Wales) Property Trust Bill—Water (Amendment) Bill—Firearms Bill (second reading)—Trade Union (Amendment) Bill (second reading)—Prince Henry Hospital Bill (second reading).

The PRESIDENT took the chair.

The opening Prayer was read.

HOUSING OF THE UNEMPLOYED (AMENDMENT) BILL.

Royal assent to this bill reported.

LOCAL GOVERNMENT (AMENDMENT) BILL.

MINISTERIAL STATEMENT.

The Hon. H. M. HAWKINS (Minister for Social Services) [4.31]: Under the notice of motion that I have given relating to the Local Government (Amendment) Bill, I shall be asking the House to-morrow to agree to this measure being restored to the business paper. It is not the intention of the Government to proceed further with this measure during the present session.

FIRST READINGS.

The following bills were received from the Legislative Assembly and read a first time:—

Aborigines Protection (Amendment) Bill.
Roman Catholic Church Trust Property Bill.

Murrumbidgee Turf Club (Divesting) Bill.

Newcastle Agricultural, Horticultural and Industrial Association (Amendment) Bill.

THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST BILL.

Bill returned from the Legislative Assembly with amendments.

IN COMMITTEE.

(Consideration of Legislative Assembly's Message:)