

campaign Sir George Fuller, and not Mr. Holman, had to bear the brunt of criticism as the man who stood in the gap during the 1917 strike, and surely hon. members could not expect him to sit down quietly under these circumstances. I am sure the Minister would be last to object to anything he said, because, after all, we must admit that there was a very grave difference of opinion at that time as to the merits of the 1917 strike, and the community was very much divided on the question of whether the strike was justifiable or not. That being the case, when a bill is introduced for the purpose of re-registering the de-registered unions we ought to be able to treat the subject kindly and amicably, and, if possible, forget the past. It would be better for hon. members on both sides of the House, and more especially for the railway men we represent.

Question resolved in the affirmative.  
Resolution reported and agreed to.  
Bill presented and read a first time.

House adjourned at 11.23 p.m.

## Legislative Council.

Thursday, 30 September, 1920.

Assent to Bills—Purchase of Steel Plates in Canada—Public Works Committee Election Enabling Bill—Workmen's Compensation (Silicosis) Bill (second reading)—First Readings.

The PRESIDENT took the chair.

### ASSENT TO BILLS.

Royal assent to the following bills reported:—

Supply Bill.  
Racecourses Admission Tax Bill.  
Racecourses Admission Tax (Management) Bill.

### PURCHASE OF STEEL PLATES IN CANADA.

The Hon. J. D. FITZGERALD asked the VICE-PRESIDENT OF THE EXECUTIVE COUNCIL,—Will the Hon. the Vice-President of the Executive Council lay upon the table of the House the whole of the papers and correspondence in connection

with the negotiations for the purchase in Canada of steel plates for use by the Public Works Department when no English offers were available, and full particulars of the correspondence and interviews between Sir Owen Cox and a sub-committee of Cabinet, consisting of the Hon. John Garland, and the Hon. J. D. FitzGerald, M.S.L.C., and Mr. R. T. Ball, M.L.A.?

The Hon. E. J. KAVANAGH replied,—I am informed:

As the hon. member is aware, these negotiations were of a highly confidential nature, and it is not advisable to lay the papers on the table of the House.

The Hon. J. D. FITZGERALD: Yet they were communicated to a writer on *Smith's Weekly*, and were duly published in that paper.

The Hon. E. J. KAVANAGH: I am not aware of it!

The Hon. J. D. FITZGERALD: Some Minister must have given the information to someone.

### PUBLIC WORKS COMMITTEE ELECTION ENABLING BILL.

#### SUSPENSION OF STANDING ORDERS.

Motion (by Hon. E. J. KAVANAGH) agreed to:

That so much of the standing orders be suspended as would preclude the passing of a bill intitled "An Act to provide for the nomination, election, and appointment of the Parliamentary Standing Committee on Public Works for the present Parliament; to amend the Public Works Act, 1912; and for purposes consequent thereon or incidental thereto," through all its remaining stages during one sitting of the Council.

#### SECOND READING.

The Hon. E. J. KAVANAGH moved:

That this bill be now read a second time.

He said: I propose to confine myself strictly to the terms of the bill, which aims at enabling Parliament to do to-day work that, under ordinary circumstances, it might have done during the first session. As hon. members are aware, the Public Works Act provides that nominations may be received within fourteen days of the commencement of the first session. The first session of this Parliament occupied one day. An adjournment was granted to permit the new Government to formulate its policy.

and further delay was caused in order to enable Ministers and hon. members to take part in the reception to his Royal Highness the Prince of Wales. Nominations not having been received the first session, it becomes necessary, according to law, to pass this bill to enable Parliament to reconstitute the Public Works Committee this session.

Question proposed.

The Hon. J. GARLAND: I do not intend to oppose the motion. It is true that, while the National Government was in power, during the time of the war, it deemed it expedient to suspend the activities of the Public Works Committee. The question now is whether the ordinary law shall be given effect to, and power given to revive the committee, despite the fact that technical compliance with the Act has been rendered impossible by circumstances. I know it has been urged against this proposal that there is a very large number of public works that have already been reported on and approved of by the Public Works Committee, and that the necessary consequential legislation has been passed. Therefore it may be said that there are approved public works that could be carried out by the Government that far exceed the financial possibilities the Government possesses. That is no doubt true; and, if we were to take the works that have been passed by the Public Works Committee and authorised by Parliament, I venture to think that, even if we could find the money, there is probably not the necessary labour to be found to carry out those works inside five or six years. Many people may then say, "What is the necessity for appointing the Public Works Committee under the circumstances?" In my opinion the necessity is this: there are certain works which are more urgent than any of the works that have been authorised by Parliament. I feel that there is imposed on me an obligation to this House, in that, towards the end of last session, when we were debating the hydro-electric scheme, and very considerable opposition was shown to it by members of this House, I promised the House—fully believing then that the mind of the country was sane, that the National Government

[*The Hon. E. J. Kavanagh.*

would continue in power for a lengthy period, and that I would be in a position to redeem my promise—that the general question of the establishment of hydro-electric works throughout the whole State, the question of dealing with the best sources of supply for electric power, would, before any considerable expenditure had taken place on the scheme which the House then passed, be referred to such a tribunal for determination.

From what I have heard of the enormous success that is attending the hydro-electric scheme in Tasmania I am more and more firmly convinced that it is the duty of the Government, in the best interests of the State, to lose not a moment in proceeding to inquire as to the best method of using the water-power of this State for producing power, energy, and light.

The Hon. MARTIN DOYLE: The Government has already put a million aside for that purpose!

The Hon. J. GARLAND: What is a million for a purpose like this?

The Hon. MARTIN DOYLE: It is a very good beginning!

The Hon. J. GARLAND: I understand that the money invested by the Tasmanian Government is producing enormous results, that industries are springing up in Tasmania wholesale, that activities have come into being which it was never dreamt would come into being in that State.

The Hon. E. H. FARRAR: Industries have been attracted there!

The Hon. J. GARLAND: They have been attracted there. Wherever there is cheap power industries are attracted to that place. Apart from the obligation which I am under to carry out the promise I made at the end of last Parliament, I do put it to the Government that it should lose no time in initiating an inquiry which will enable us to develop our resources along modern lines.

There are other urgent works which must be given effect to, even if the Public Works Committee is not sitting. We had to initiate legislation to enable us to start the Avon dam, because we were

told that the present resources of the city water supply would be exhausted within a very few years, and that, if an adequate supply was to be maintained to enable the inhabitants of Sydney to live in ease and comfort, it was absolutely necessary that the Avon scheme should be initiated. There was no Public Works Committee then.

The Hon. Sir JOSEPH CARRUTHERS: Men are actually at work on it!

The Hon. J. GARLAND: Yes. They are at work on it because we passed a bill overriding the fact that there was no Public Works Committee in existence. We did that as a matter of urgency, but now that the war is over, and that we are getting back to normal times, we ought to have this safeguard against immature schemes. Therefore it is that I have pleasure in supporting the second reading of the bill.

The Hon. Sir JOSEPH CARRUTHERS: I notice that, as a prelude to this bill, we passed a resolution this afternoon to suspend our standing orders in order to carry it through all its stages at one sitting of the Council. I suppose there is some tremendous urgency about the matter. But we have been six years without this committee.

The Hon. J. GARLAND: Three years!

The Hon. Sir JOSEPH CARRUTHERS: And now Parliament to-day says the matter is of such urgency that we have to suspend our standing orders in order to put the bill through all its stages at one sitting. We have been quietly waiting here, drumming our fingers on the table, while the other House was debating votes of censure and all sorts of questions.

I should like to say to the hon. member in charge of the bill: be very careful about legislation that comes to this Chamber just now. I for one am not prepared, even at the risk of causing some little trouble, to say Amen! to every bit of legislation that comes here, when I know that the standing orders of the other House are not being suspended to fill certain vacancies to represent the people in the other Chamber. The Houses of Parliament are not properly constituted to-day to do the work of legislation, when constituencies are practically disfranchised for a long period of

time. I should like to see the same haste the Government has shown in the passage of this Supply Bill and other bills last night, shown in suspending the standing orders of both Houses in order to make provision to allow the electors to have their full quota of representatives in Parliament.

It was quite refreshing to hear the hon. and learned member Mr. Garland, in his speech to-night, considering what he did when he was representative of the Government in this House. I am glad to see him coming to the penitential stool.

The Hon. J. GARLAND: It was the hon. member himself who exacted terms that put me in the position I occupy to-night!

The Hon. Sir JOSEPH CARRUTHERS: Last session the Electric Power Bill was considered to be so urgent that we could not wait to have it considered by the Public Works Committee. Now it is an urgent matter to have this committee appointed in order to inquire into the scheme. I do not know what the final attitude of the hon. member is going to be, but we can take our choice. I should like to know how much work has been done on the other scheme that was put through. Have the people of Gundagai got electric power yet? I believe they had some great function there last Saturday, and that the river bank was occupied by thousands of people. I do not know whether the occasion was the opening of the hydraulic power scheme. I do know that aeroplanes were flying about at election time through the whole electorate, but I do not know that the electric spark was visible, or that any work was being done. Probably it has served its purpose, or perhaps it did not serve its purpose. I do not know that we are any nearer to the accomplishment of the hydraulic power scheme because we are going to reconstitute the Public Works Committee. One of the first works I should like the committee to take in hand is a thorough inquiry into that scheme. We all cordially agree with the necessity of utilising every atom of water power or atmospheric power for the purpose of generating electricity, which in turn may be transmitted as power readily available for any industry. We must have this power, and investigation is therefore

necessary. I believe that one of the greatest experts in the world on this subject will be here in a few days, and I hope that if the committee meets to deal with this matter it will take advantage of the presence of that expert in Australia and obtain his evidence.

I should also like to see the completion of some of the works that have already been begun. The North Coast railway was started fifteen years ago, and it does not seem to be within fifteen years of completion, whilst if it were completed it would not only be one of the best paying lines in the country, but would make a new province, not to be separate, in this country. I would urge that, in addition to inquiry by the Public Works Committee into new works, there should be some body, I do not care if it be the Cabinet, to go through all the public works which are proposed, study the evidence, and place each work in its relative position of importance. I would especially urge that then some of those works should be carried through, instead of frittering money away doing a little here and there, and then leaving the work unfinished and going to waste. In some parts of the State railways have been left in course of construction; the earthworks have been completed, and weeds and thistles are growing on them from 5 to 10 feet high. All that some of them want is to have some more sleepers and plates laid to render them fit for use. That is the actual state of affairs in many parts of the State. I suppose the urgency of the bill is this: there are a number of gentlemen in both Houses who are to be elected to the committee, and we do not want to keep them waiting too long. That is why the bill commends itself in this time of stress and anxiety to a number of gentlemen in both Houses who are desirous of serving their country for a small fee. God bless them for giving their services. I should like to see every hon. member who desires it have a place on the committee. I have no doubt that also has a lot to do with the urgency of the matter. There is no real opposition to this proposal, but surrounding it are those circumstances to which I have pointed, and which need more than passing reference.

[*The Hon. Sir Joseph Carruthers.*]

The Hon. E. H. FARRAR: While I agree with the remarks of the hon. member Sir Joseph Carruthers, there is another important matter which should be brought before the committee at an early stage, namely, water conservation. I have it on good authority that during the last disastrous drought through which the State passed, more stock was lost in the western districts than would have paid for the locking of the Lachlan and Macquarie rivers. If that is so, the committee can do good work, not only in completing railways already commenced and in investigating hydraulic schemes, but also in giving attention to the conservation of water for pastoral and farming purposes. Some of the hydraulic schemes which have been proposed could be so carried out as to provide water for pastoral and farming purposes also. I would put it to the representative of the Government that the committee might well give a little of its time to considering this most urgent and necessary work.

Question resolved in the affirmative.

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

#### WORKMEN'S COMPENSATION (SILICOSIS) BILL.

SECOND READING.

The Hon. E. J. KAVANAGH moved:

That this bill be now read a second time.

He said: In 1916, when the Workmen's Compensation Act was passed, there was considerable complaint that the word "silicosis" had not been added to the schedule of the Act. Subsequently as the result of a number of deputations, particularly from the stonemasons and rockchoppers, the Government of the day, the predecessors of the present Government, decided to refer the question to the Board of Trade for inquiry. The hesitancy of the Government to add the word to the schedule was justified by the result of the inquiry by the Board of Trade. That inquiry went to show that the question was not so simple as it appeared. Whereas we might deal with a number of occupational diseases comparatively easily, silicosis was of a more

far-reaching character and carried with it far more serious consequences than the other diseases enumerated in the Act. The matter was made the more difficult by the fact that whilst the origin of other diseases can very easily be located, so far as silicosis is concerned it takes probably from ten to fifteen years to develop and for the victim to become incapacitated. During that time a man might be working for a number of employers. He may have been working at the mines of South Africa, or West Australia, or other parts, and may have been employed in this State for only a short period before becoming disabled. Under the circumstances it would have been rather a big order to compel an employer, or even under any scheme of general compensation to compel this State to bear the whole responsibility. That is what I meant when I said that the hesitancy of the Government of the day to add silicosis to the schedule of diseases before the matter had been adequately inquired into was quite justifiable. The Government referred the matter to the Board of Trade in August, 1918. The Board was then inquiring into the existence of occupational diseases. The reference made by the Minister was as follows: "To what extent does the disease (that is, pneumoconiosis) exist among quarrymen, stonemasons, and other employees working in stone; (2) what relief, additional or alternative to inclusion in the Workmen's Compensation Act, 1916, should be provided in respect of the incidence of the disease upon any individual of the classes mentioned in this series of questions." The Board took considerable time to make its inquiry. It visited nearly all the principal quarries or works where stone-cutting was carried on. The latest method of cutting stone, namely, by machine, has rather aggravated the trouble. It produces finer dust that is very easily inhaled, and the working of the machine necessitates the operator being often closer to his work than under the old method of chisel and mallet.

The Hon. MARTIN DOYLE: Is that in connection with dry cutting?

The Hon. E. J. KAVANAGH: Yes.

The Hon. MARTIN DOYLE: Is it allowed?

The Hon. E. J. KAVANAGH: Yes, it is carried on to a considerable extent.

The Hon. MARTIN DOYLE: With the machines?

The Hon. E. J. KAVANAGH: Yes, on the hardest stone, particularly marble. The dust can be seen in the work where marble is ground by high-pressure machines, travelling at a very great rate. If you stand at a suitable angle to catch the light you can see the dust hanging like smoke all around the workmen. During the inquiry and upon investigation of what took place in other parts of the world, it was found that water spraying, while it does minimise the danger to a very large extent, certainly does not entirely protect the workmen because of the fact that the dust is very fine, and can be seen only with the aid of a very powerful microscope. That is the dust that does the real damage, and no matter how freely the water may be used, dust is still left in the air and is inhaled. That is a conclusion from investigation made in South Africa, where millions of pounds have been spent to grapple with the disease known as fibroid phthisis.

The Hon. J. D. FITZGERALD: Is silicosis a rockchopper's disease?

The Hon. E. J. KAVANAGH: Mainly. During the board's investigation there was really no question raised by the employers or by medical men as to the danger to the stonemasons and rockchoppers. It seemed to be generally admitted that the danger was there. The case in regard to Broken Hill is entirely a different matter, and I will touch upon it later. That the dangers to which I have referred really exist there seems to be very little doubt. All the evidence taken and information obtained pointed to its existence. As the result of the Board of Trade's visits, I may say that water was more freely used, especially at some of the big quarries, where drills which create a tremendous amount of dust are operated. Probably in many cases the trouble is largely due to the negligence of the worker and his utter disregard of his own interest. Although water may be available, he does not like working in slushy conditions if he can avoid it. After the visit of the Board of Trade to the

different works, when the danger of neglect was pointed out to the men, they did use water more freely. The use of respirators during work is a practice that very few men will adopt. They say that at the end of a very few hours, owing to the difficulty of free inhalation of fresh air, they become practically useless, being knocked out. The respirators, even the latest type, become clogged with dust, and the men take them off after a time and throw them aside. In many ways the workmen are becoming more educated up to a recognition of the dangers under which they are working in those trades. The view is generally held that the work of stonemasons, rockchoppers, and quarrymen is dangerous. Some years ago the rockchoppers obtained concessions owing to the report of Dr. Power. Their working-day was reduced to six hours, not so much to shorten the working week, but as a means of minimising the risk of disease, and so lengthening their lives. That was not, however, done in connection with stonemasons and quarrymen. The Board of Trade submitted an interim report to the Government of the day, covering stonemasons, in which certain recommendations of a final character were made, including the following:—

(1) That a plan for the compensation of stonemasons and quarrymen, to accord, *mutatis mutandis*, with that contained in the Workmen's Compensation (Silicosis) Act of England (8 and 9 Geo. V.), should be forthwith instituted in this State.

To that particular recommendation the then Government promised to give effect by legislation. As a matter of fact the bill now before us was really drafted prior to the present Government coming into office. I think it is only fair to say that.

As hon. members will see, there is continual reference in the bill to a "scheme." That is following the lines of the British Workmen's Compensation Act because, as I have pointed out, this disease cannot be dealt with in the same way as other diseases and accidents. Almost every trade requires a separate scheme. The present bill applies only to stonemasons and quarrymen—which of course covers rockchoppers.

The Hon. J. S. T. MCGOWEN: Will it cover monumental masons also?

[*The Hon. E. J. Kavanagh.*

The Hon. E. J. KAVANAGH: Yes.

The Hon. J. S. T. MCGOWEN: They are using the machine a great deal!

The Hon. E. J. KAVANAGH: Yes, and I understand that has aggravated the trouble considerably. As far as Broken Hill is concerned the medical commission has not yet finally reported. There has always been a difference of opinion as to whether there is any silica in Broken Hill, and if there were no silica it is assumed there would be no silicosis.

The Hon. MARTIN DOYLE: That is taking a very narrow view!

The Hon. E. J. KAVANAGH: The late Hon. B. R. Wise inquired into the conditions at Broken Hill, and that was the evidence of the medical men in Broken Hill at that time; though what might be called a thorough scientific investigation was never until recently made of the conditions there. When the Board of Trade inquired into the matter, however, it saw that this was a question which went beyond the lay members of the board. It was a scientific question which should be handled in a scientific manner; and the board accordingly appointed what was called a scientific commission, which as I say has not yet finalised its labours.

In order to carry out the work of this inquiry under the Board of Trade at Broken Hill, the previous Government granted a sum of £15,000. Recently the commission made an interim report; but during a recent conference regarding the trouble at Broken Hill I understand it has been recommended—and I think agreed to by the parties—that some 300 odd men who are suffering from tuberculosis and fibroid phthisis, are to be taken from the mine and compensated. I do not want to be too exact on this point, but I understand that an arrangement is to be come to between the companies and the Government to provide compensation for those men who, from the fact that they are suffering from tuberculosis are a constant menace to the men with whom they are working in the mines. Even supposing they were all strong healthy men, the fact that their lungs are even slightly affected by what is com-

monly termed miners' phthisis or fibroid phthisis, would probably render them, it is stated, more susceptible to tuberculosis. To protect the men there and to clear the way for a resumption of work these men are to be taken from the mine and compensated.

I wish to make it clear that although the bill covers only the stonemasons and quarrymen, it is broad enough in its present form to permit of a scheme being formulated to provide for various industries which may from time to time be decided upon by competent tribunals. This will be done by regulations which will be laid upon the tables of both Houses of Parliament, so that this House will of course have an opportunity of reviewing them.

The Hon. A. SINCLAIR: That is provided for in the bill!

The Hon. E. J. KAVANAGH: Yes. It is hoped that by this measure a scheme may be so formulated as to apply also to the conditions at Broken Hill. As I have said, this measure follows closely upon the lines of the English statute, and in order to meet the position as it exists in Australia a safeguard is provided in the form of a residential qualification similar to that found in the English Act. There is a provision in the bill that there must be residence for a certain time in New South Wales. That is to meet the possibility of this disease being contracted outside and employers being called upon to bear the responsibility for it. The material portion of the bill is clause 2, which provides:

(1) The Minister may by scheme provide for the payment of compensation by the employers of workmen in any specified industry or process or group of industries or processes involving exposure to silica or other dust . . . .

That is broad enough to cover diseases caused by other dust as well as that of silica.

The Hon. J. D. FITZGERALD: The scheme is described in subclause (3)!

The Hon. E. J. KAVANAGH: Yes. That is the crux of the bill. Dealing with stonemasons and quarrymen it may not be out of place to mention the death-

rates of these workers on an average for the ten years 1908-1917. These are shown by the following table:—

New South Wales Scheme.

Occupation.	Death rate per 1,000 males.		
	Tuberculosis and Fibroid Phthisis.	Other Respiratory Diseases.	All Respiratory Diseases.
All breadwinners aged 15 years and over.	1.1	1.2	2.3
Board of Trade's Estimate.			
Quarrymen (sandstone)..	9.9	0.5	10.4
Stonemasons .....	13.1	5.3	18.4
Government Statistician's Estimate.			
Quarrymen (sandstone)..	16.2	6.4	22.6
Stonemasons .....	16.1	6.6	22.7

The Hon. J. D. FITZGERALD: Are coal-miners included?

The Hon. E. J. KAVANAGH: No, I was not taking coal-miners into consideration. As a matter of fact we have been given to understand that coal-mining is rather a fattening process, although I understand the hon. member Mr. Doyle disputes that statement very strongly. At any rate it was not contended before the Board of Trade that as far as coal-miners were concerned there was anything of miners' phthisis connected with their work. That of course is a matter for the medical authorities.

I have a mass of figures and general information with which I do not propose to weary hon. members now, unless they desire. Perhaps I may give the information during the Committee stage.

The Hon. J. GARLAND: Clause 3, I believe, gives to either House the right of disallowing any scheme!

The Hon. E. J. KAVANAGH: That is quite so. I have explained that the scheme will have to be submitted later on to this House in the form of regulations. Question proposed.

The Hon. Dr. NASH: This is one of a class of bills which have become very popular in various parts of the British Empire in regard to the compensation of workmen. In England, where there has

been in force for some time legislation applying to these diseases, the particular Act from which this bill is copied was passed in 1918. There is something very disturbing; however, about the whole business. From the last report of the medical adviser to the Ministry of Health in England, it appears that nearly half of the workmen who come under the Compensation Act in England, apply once in the year for compensation. Another very disturbing report is that the loss of work which resulted in one year from these applications was represented by the immense period of 270,000 years. That is taken from the best possible authority, the report of Dr. Newman to the Ministry of Public Health. The loss to the country in this connection is becoming rather alarming, and if not checked it will defeat the whole object of these Acts, because they will have to be repealed, as the country cannot stand such a tremendous drain upon its resources as is implied by that result.

With regard to dangerous diseases, there is of course, a tremendous agitation now going on for compensation in respect of these. In some places the men have stopped work altogether on account of supposed dangerous diseases. I was speaking the other day to a very influential person from Broken Hill, and I asked him when the miners there were going back to work.

The Hon. J. S. T. MCGOWEN: How long do you think you would work in the mines at Broken Hill?

The Hon. Dr. NASH: If I had to, and wanted to, I would work there as long as I could. I would be a man, and play the part of a man. I may tell hon. members that this influential man I was speaking to lives on the miners. I said to him, "When are these men going back to work? They have been seventeen months out of work now." I will give hon. members his exact words in reply: He said, "Be Jasus, they will never go to work if I can help it, unless their hours are shortened and the danger of disease is done away with."

The Hon. MARTIN DOYLE: Hear, hear!

The Hon. Dr. NASH: Supposing people who work for the public good extended that idea generally, where would you get your doctors from? Supposing

[*The Hon. Dr. Nash.*

women were to refuse to work in dangerous diseases; where would you get your nurses from? If the Vice-President of the Executive Council had continued reading the tables from which he was just quoting he would have shown that, next after rockchoppers, the highest death-rate is among doctors. Suppose that doctors and nurses had refused to work during the influenza epidemic? Who were decimated by the epidemic? The doctors and their wives. Did they play the part of slackers and loafers, and refuse to work? Dozens of them in the prime of life died. They were not engaged in occupations like the getting of coal or silver-lead ore, but in the occupation of saving people's lives. And what did they get? Practically no payment. Those who died had been doing voluntary work without a shilling of payment. They were decent people, who thought of their country and the humble people they were attending. Every day we hear the silly remark, "I will not work in this occupation, because there is a dangerous disease associated with it." The hon. member Mr. McGOWEN applauds that sentiment, and says that men should not work in an occupation which is dangerous.

The Hon. J. S. T. MCGOWEN: Hear, hear!

The Hon. Dr. NASH: What about the men at the war? Did they shirk their duty because they were in a dangerous place? The safety of the State depends on people who will work.

The Hon. MARTIN DOYLE: There is no analogy between doctors and men in mines!

The Hon. J. S. T. MCGOWEN: Doctors generally die of senile decay!

The Hon. J. D. FITZGERALD: And there are rewards in the profession!

The Hon. Dr. NASH: In the majority of cases there are no rewards.

The Hon. MARTIN DOYLE: The hon. member knows that, whenever there was a call on the miners of Newcastle, they acted like heroes!

The Hon. Dr. NASH: That is entirely irrelevant. I am not talking about that. The hon. member wants to distort what I am saying. And I may say that the hon. member himself has not half as much respect for the miners of New-

castle as I have, and the miners know it. They know what I do for them, what I have done, and am prepared to do. I do not give way to the ex-Premier or to my brother medico in that matter. I have done more for the miners than either of them:

The principle of this bill is part and parcel of those principles which are destroying the State. The bill is a copy of the English Act except in regard to the few special requirements for New South Wales. I am not going to offer any factious opposition to the bill, but I wish to point out the dangers which lie ahead of it, and which have been experienced in the administration of similar Acts in older countries, where the number of workmen is legion compared with the number of workmen here. I pin my faith to the principle of any bill, and if the principle of this bill is wrong the measure will not bring good to the country, but disaster:

The difficulty about silicosis is a professional difficulty. The administration of the Act will depend entirely on medical men. There can be no other judge. The standard set up for compensation will depend entirely on the medical men appointed by the Government to carry out the Act. The medical men will err on the side of leniency. They always do that, because they do not wish to take advantage of their skill where there is a doubt as to what a workman should get. I take no exception to that. It is something which we are bound to do in carrying out an Act of Parliament of this kind. But there is real difficulty in deciding if a man has silicosis. In this bill there are the words "other dust" added to silica, but in the case of silicosis no other dust but silica dust can cause the condition. Everyone in this Chamber is suffering from dust on the lungs. You cannot go about the city for a fortnight without having the tissues of the lungs impregnated by some dust.

The Hon. J. S. T. MCGOWEN: Why do you worry about the doctors getting out of work?

The Hon. Dr. NASH: I do not understand the hon. member.

The Hon. J. S. T. MCGOWEN: That is not my fault!

The Hon. Dr. NASH: It is your fault. You do not make yourself clear.

The Hon. J. S. T. MCGOWEN: I cannot make myself clear to everybody!

The Hon. Dr. NASH: No one expects you to. You cannot construct a sentence in English. I know of no doctors who are out of work in this city. There is no need for any doctor to be out of work. Of course, there are doctors who, like other people, cannot work, as they are too sick, but doctors are always prepared to do their work.

Referring to the bill itself, I do not think the Minister should have power to make schemes. We have fought that proposal many times in this House. Experience has shown us that a clause such as clause 3 is a myth. It is very difficult for members of Parliament to keep an eye on these things; and unless there is some special reason why their attention should be drawn to the matter, while the regulations are lying on the table of the House—

The Hon. E. J. KAVANAGH: If there is anything unjust in them you may be sure your attention will be called to them by somebody!

The Hon. Dr. NASH: Perhaps so; but I have come across an Act of Parliament in which a most essential part was left out, although the bill had run the gamut of both Houses.

I do not know how many rockchoppers or men of that class will come under the bill, but the proposal with regard to them I approve of. A man who contracts tuberculosis—especially when it is engrafted on a prior condition of the lungs—is as much deserving of assistance as any man in this country. It is a most deplorable condition, one in regard to which the medical profession is practically helpless in the direction of giving relief or prolonging life.

The Hon. G. R. W. MCDONALD: This bill does not specifically apply to miners engaged in the metalliferous mines at Broken Hill, but some scheme should be brought in by which the provisions of the bill could be made to apply to the men engaged in that industry. I take it that, when the scheme is brought forward, the only right this House will have will be to reject it altogether.

The Hon. A. SINCLAIR: Or a part of it!

The Hon. G. R. W. McDONALD: I do not know whether we could reject part of it.

The Hon. E. J. KAVANAGH: The whole scheme or any part of it!

The Hon. G. R. W. McDONALD: The Government should have made some provision in the bill to give financial assistance in connection with the general compensation scheme. The Technical Commission which has been inquiring into the question at Broken Hill has disclosed the diseases which the men are suffering from, such as fibrosis and other diseases. But in many cases these men did not contract the disease at Broken Hill. They come to Broken Hill suffering from tuberculosis in some form, and, by entering a mine, not only become worse themselves, but spread the disease among their fellow-employees. If the scheme is applied to Broken Hill, the onus of making provision for life for men who spent only a part of their lives at Broken Hill, and did not contract the disease there, will be thrown on the mining companies.

The Hon. J. D. FITZGERALD: There is a five-years' limit!

The Hon. G. R. W. McDONALD: Even a five-years' limit is not sufficient. The investigation of the Technical Commission has not finished, but it has disclosed that the Broken Hill mines are fairly healthy places in which to work, and that the actual tuberculosis existing in the mines is not greater than in the general community.

The Hon. E. J. KAVANAGH: The companies propose to remove those men who are suffering from tuberculosis; and I assume that, before others can get employment in the mines, they will be medically examined!

The Hon. G. R. W. McDONALD: There should be some provision to enable the companies to refuse employment to such men.

The Hon. E. J. KAVANAGH: They have that right already!

The Hon. G. R. W. McDONALD: Not to prevent them from working. There should be some provision that a man should be medically examined in regard to these diseases before he is allowed to go into the mine.

The Hon. J. D. FITZGERALD: That is important if it is not already covered!

[*The Hon. G. R. W. McDonald.*]

The Hon. G. R. W. McDONALD: I do not think it is covered. Men who are suffering from tuberculosis should be kept out of the mines, not only in their own interests, but in the interests of their fellow-employees. If some method of preventing the spread of the disease is not provided in the bill the result will be that men suffering from tuberculosis will go to some of the Broken Hill mines to get a job.

The Hon. MARTIN DOYLE: Such cases are clearly covered in subclause (3)!

The Hon. G. R. W. McDONALD: The bill does not make it an offence for a man suffering from tuberculosis to try to get a job in the mine, nor for an employer to let such a man go into the mine.

The Hon. E. J. KAVANAGH: Do you not think that employers, seeing that they would be liable, would protect themselves by refusing to accept a man unless he had passed a medical test?

The Hon. G. R. W. McDONALD: I do not know whether my hon. friend has had experience in refusing to employ men at Broken Hill. The trouble is to get men to work there. If you refused to accept one man all the men might come out. In this matter the miners are taking a hand themselves. They do not want men suffering from tuberculosis to go into the mines. Furthermore, there are men who enter mines who are already predisposed to tuberculosis. An investigation was carried out at Bendigo and Ballarat some years ago, and it was found that the floors of the drives, because of the dust lying on them, were hotbeds of the germs of tuberculosis. Men entering those mines suffering from fibrosis—that is the hardened condition of the lungs which predisposes to tuberculosis—ran a serious risk of almost immediate infection. In South Africa certain steps were taken to prevent the spread of tuberculosis in the mines, and the result of only a couple of years' operation has been very beneficial. The influences which have been in operation in South Africa have been in operation in Broken Hill for many years. When I lived in Broken Hill about fifteen years ago measures were being taken in the mines to prevent trouble arising from the dust. The

fault is very often with the men themselves. Although you give them appliances to use when working in dangerous places they refuse to use them.

I should like to see some provision made for the men—and there are hundreds of them—now in Broken Hill who are being hunted out of the mines. Provision must be made for them by someone, and it is not fair to pass this measure without some provision whereby the Government can come to the assistance of the companies when compensating these men.

The Hon. E. J. KAVANAGH: That is under consideration at the present time. The employers have offered to pay a portion, and the Government is considering the question of some scheme to cover these men, and to relieve the situation so far as the present miners are concerned.

The Hon. G. R. W. McDONALD: There are men already there who must be withdrawn from the mines. From now on the companies can look after themselves by refusing employment to men who cannot pass a medical examination.

The Hon. E. J. KAVANAGH: Over 300 are being taken out of the mines!

The Hon. G. R. W. McDONALD: I am glad to hear that the Government is giving consideration to this matter, but, unless it gives favourable consideration to it, difficulties will arise. The Technical Commission has suggested that some hundreds of men should be withdrawn from the industry. A big percentage of these men did not contract tuberculosis in Broken Hill.

The Hon. MARTIN DOYLE: Who said that?

The Hon. G. R. W. McDONALD: The Technical Commission,—Professor Chapman. It is those men I am concerned about. There are hundreds of men at Broken Hill who have tuberculosis. On the recommendation of the commission they may be withdrawn from the mines, and provision should be made for them. The companies are not responsible for the men having contracted the disease. It is provable that either they contracted it before they went to Broken Hill, or they contracted, some disease which predisposed them to tuberculosis when they went into the mines. The Government

ought to consider the case of those men for this reason: they have actually imposed an additional burden on the companies at Broken Hill, because they had the disease when they went there, and they gave it to men who had not worked in any other place than Broken Hill. The companies are prepared to compensate all the men who it is approximately provable have contracted the disease in the Broken Hill mines. But when the Government is considering the question it should take the responsibility of making provision to help these men.

The Hon. G. BLACK: How is the Government going to distinguish between those men who contracted the disease prior to going to Broken Hill, and those who contracted it while there?

The Hon. G. R. W. McDONALD: An exhaustive examination of several thousand men has been carried out in Broken Hill, and it has been found that, in no instance where a man has worked under eight years in Broken Hill, has there been any sign of tuberculosis. In South Africa men contracted the disease after a couple of years. Healthy Broken Hill is not responsible for the disease. The companies contend that the freedom of the employees from the disease over a period of years is attributable to the fact that the companies have taken preventive measures for years past, the very measures that brought about a state of improvement in the mines of South Africa. That is the reason why the Broken Hill mines, on the figures submitted, are fairly healthy places for men to work in.

The Hon. MARTIN DOYLE: Can the hon. member tell the House anything about the incidence of tuberculosis in Broken Hill, apart from the mines?

The Hon. G. R. W. McDONALD: I do not know the figures, but in many respects they are not very illuminating. There is no information supplied as to what is the average of persons affected by consumption in the general community. There has been no exhaustive examination in any industry, other than at Broken Hill. Some members of the commission are of opinion that if they carried out an exhaustive examination of all the industries they would probably find the consumption rate is as high as at Broken Hill. The difficulty in Broken

Hill is that when men with consumption go underground they create conditions which endanger the health of healthy men. General dusty conditions bring about fibrosis, and although it is not dangerous to the men and does not impair their working capacity, it is dangerous as predisposing the sufferers to other diseases. Therefore if men with tuberculosis were not allowed to go into the mines, and those in the mines who are suffering from it were put out of the industry, instead of being a menace from the point of view of health, would be as healthy as any other. I recognise the claims of the men, but I would not like to put the responsibility on the employers of furnishing the huge sum of money necessary to provide for them for life when the employers are not primarily responsible for the creation of the disease. It is not much satisfaction to hear from the Minister that the Government is contemplating some steps because after the passing of this bill we may find that those steps are not being taken.

The Hon. E. J. KAVANAGH: I may say that the matter will be dealt with apart from this bill. The difficulty will be got over by removing from the mines all men suffering from these complaints. Some arrangement will be made between the Government and the companies to compensate the men so removed.

The Hon. G. R. W. McDONALD: In view of that assurance by the Minister, I am satisfied.

The Hon. MARTIN DOYLE: This bill meets entirely with my approval, but I am certain that although it is a copy of the English Act it is likely to be taken as a precedent for future legislation affecting unhealthy trades and occupations. The bill is loosely worded from the medical point of view, and without unduly lauding the medical profession, I say that the result of this bill will depend entirely upon the type of and the knowledge possessed by the medical men who will administer it. That will be the case here more pronouncedly than in connection with any other measure of which I know. I should like to point out where I think it is loosely worded. In the preamble reference is made to fibroid

phthisis or silicosis. That I know is also in the English Act, but there are at least ten or twelve different causes of fibroid phthisis. Silicosis is only one of those causes. The term fibroid phthisis was introduced in 1868 by the late Sir Andrew Clark. I had the very great privilege and honor of being one of his clinical assistants, and I had the opportunity of seeing fibroid phthisis in all its forms. At that time the search for the tubercular bacillus had not been very successful, and the disease was not so readily diagnosed as it is to-day. Later on the students who worked with Sir Andrew Clark took up the subject, and wrote the first treatise on fibroid phthisis.

I do not want to give the House a clinical lecture; but I think hon. members ought to get as clear a view as possible of what these different diseases mean. Phthisis is a disease that originates even in childhood, after whooping cough or pneumonia. At one time it was called chronic pneumonia. At the beginning of last century Laennec, who invented the stethoscope, described it as chronic pneumonia. Pneumonia starts it; whooping cough starts it. Various kinds of pleurisy give rise to it. Phthisis gives rise to it. Syphilis gives rise to fibrosis of the lungs, as it also gives rise to fibrosis of other parts of the body. Alcohol gives rise to fibrosis of the lungs just as it gives rise to fibrosis of the liver. To speak of fibroid phthisis "or" silicosis is to put a limitation upon the term. Speaking of occupational diseases, I have seen women who were fur-pullers, engaged in making so-called sealskins from Australian rabbit skins; they rarely lived to more than 29 or 30 years of age. I saw a case of that kind not long ago, where a girl was working at the making of horse-collars with that rough material commonly used for them. In tearing that material she inhaled the dust and fibre from it, and that set up fibroid phthisis, which afterwards developed and ran her down so much that she was infected with tuberculosis. The only persons who can possibly be dealt with under this bill are those who have silicosis. This bill is not to deal with men infected with tuberculosis, but with men affected by silicosis or fibroid phthisis.

[The Hon. G. R. W. McDonald.]

If it is proposed to comprehend tuberculosis the operation of the bill would be extended to thousands of people in this country. The late epidemic of influenza had an enormous effect in so running people down that they became susceptible to other affections. The after effects of influenza so enormously reduced their power of resistance that the patients contracted tuberculosis.

The Hon. E. J. KAVANAGH: Does dust cause tuberculosis?

The Hon. MARTIN DOYLE: No; tuberculosis is a specific disease. In half the cases of silicosis death when it occurs is really due to tuberculosis. Then take purely fibroid phthisis. The length of time a man suffering from fibroid phthisis may live is many years. I have seen persons at 70 or 80 years of age who have had the disease from the age of 13 or 14 years. Such cases have been watched very carefully. I remember seeing a ward full of fibroid phthisis cases which Sir Andrew Clark showed to various foreign doctors who attended the International Congress of Medicine. Some of the patients were very old women whom Sir Andrew had watched for thirty or forty years. Very few people die of fibroid phthisis. If one were to examine the lungs of every hon. member of this House one would find a number suffering from fibroid phthisis or fibrosis of the lungs. I want to convince the Minister that these cases nearly all die of tuberculosis. Let me take a series of cases of which I have personal knowledge. Some years ago I attended for a considerable time a man outside of Newcastle, who belonged to a club of deputies and mine-managers in Johannesburg. This man was the last of 200 who belonged to that club, and I signed his death certificate. All the other members died before he did, and he kept a list of those men. They all died of tuberculosis on fibroid phthisis, following on their occupation in the mines. It is said that coal-mining is an exceptionally healthy occupation. There are a large number of men in the Newcastle mines who are suffering from fibroid phthisis of the lungs. The hon. member Dr. Nash will agree with me as to that, and he has had very large

experience in the Newcastle district. I see those men every day. Under the circumstances I think the definition is such as will widen the scope of this bill.

The Hon. J. D. FITZGERALD: Do you mean in the preamble?

The Hon. MARTIN DOYLE: Not only in the preamble, but in the body of the bill. I admit it is entirely taken from the English Act, but that is no reason why we should consider it perfect. I suggest the Minister should consult his advisers, and make it very clear that the bill is to deal with silicosis alone, and not tuberculosis. It is not the purpose of the bill to deal with tuberculosis. I see exactly what the position of the hon. member Mr. McDonald is with regard to Broken Hill, but, on the other hand, the statement made by the hon. member that the men in the mines who have the disease contracted it in the mines is open to question. I do not know how we could get evidence in support of that. How do we know that those men did not contract it in the streets of Broken Hill?

The Hon. G. R. W. McDONALD: I quite agree that they might pick it up anywhere, but they may have contracted it underground!

The Hon. MARTIN DOYLE: It is rather a strong presumption to make that they did contract it in mines.

The Hon. E. J. KAVANAGH: Have you considered subclause (a) of clause 2?

The Hon. MARTIN DOYLE: Yes. I think if you strike out the words "fibroid phthisis or," and also amend the preamble, it would meet the case.

The Hon. E. J. KAVANAGH: Do you suggest restricting it to "silicosis"?

The Hon. MARTIN DOYLE: Yes; that is the whole purport of the bill.

The Hon. E. H. FARRAR: I rise to support the inclusion in the Workmen's Compensation Act of this class of workmen, and at the same time I should like to call the attention of the Minister to another anomaly in the Principal Act, where special treatment is also called for. The men included in the bill are so included in consequence of certain information which has come to hand. In the Principal Act a wages limit of £300 a

year is fixed. I should like to bring under notice a case of hardship in connection with an industry of which I know something. A man who to-day gets £250 a year in that industry comes under the Act. If to-morrow he were to be promoted to a position carrying £310, he would be excluded from its operation. I am not asking that every industry should be dealt with in the same way, but special consideration should be given to dangerous industries. The industry to which I now refer is the fire brigade. Recently an officer who is getting £308 a year was returning to the station on an engine from a fire at Elliott Bros.' works, when his clothes ignited, and, as a result, he lost his life. Because his salary was over £300 a year, he did not come under the Act. Every other man working on that machine did come under the Act. I trust the Government will give consideration to the matter. Where a large number of men go to a fire they take equal risks, and I contend that all men in a special industry of that kind should come within the purview of the Act, because all, from the chief officer downward, take the same risks. The prevailing idea when the Act was passed was that a man getting over £300 a year should be able to provide for himself. While that may be so in ordinary callings, to an industry such as that of the fire brigades I think special consideration should be given, and the Act amended in the direction of making it apply in that particular service to those receiving over £300, as well as those under £300.

Question resolved in the affirmative.

Bill read a second time and committed *pro forma*.

#### FIRST READINGS.

The following bills were received from the Legislative Assembly, and (on motion by the Hon. E. J. Kavanagh) read a first time:—

Government Savings Bank (Amendment) Bill.

Public Accounts Committee Election Enabling Bill.

Sydney Harbour Wharfage and Tonnage Rates (Amendment) Bill.

House adjourned at 6.20 p.m.

[The Hon. E. H. Farrar.]

## Legislative Assembly.

Thursday, 30 September, 1920.

Printed Questions and Answers—Vacancies in Electorate Representation—Questions without Notice—Assent to Bills—Order of Business—Harbour and Tonnage Rates Bill—Third Readings—Quarter Sessions Enabling Bill (second reading)—Trade-unions Re-registration Bill (second reading)—Blackheath Validation Bill (second reading).

MR. SPEAKER took the chair.

### PRINTED QUESTIONS AND ANSWERS.

#### PURCHASE OF STEEL PLATES IN CANADA.

MR. OAKES asked the PREMIER,— Will he lay upon the table of this House the whole of the papers and correspondence in connection with the negotiations for the purchase in Canada of steel plates for use by the New South Wales Public Works Department when no English offers were available, also full particulars of the correspondence and interviews between Sir Owen Cox and a sub-committee of the then Cabinet, consisting of the Hon. J. Garland, K.C., M.L.C., the Hon. J. D. FitzGerald, M.L.C., and the Hon. R. T. Ball, M.L.A.

*Answer*.—As the hon. member is aware, these negotiations were of a highly confidential nature, and it is not advisable to lay the papers on the table of the House. It is not the practice to lay on the table of the House papers dealing with confidential loan matters.

#### 1920-21 WHEAT YIELD.

MR. J. C. L. FITZPATRICK asked the MINISTER FOR AGRICULTURE,—(1) What is, roughly speaking, the estimated wheat yield for 1920-21, and what the amount the Government will be called upon to pay, on delivery, to farmers at the State guarantee of 2s. 6d. per bushel? (2) How is it proposed to raise the requisite funds?

*Answer*.—(1) The coming harvest has been roughly estimated at 40,000,000 bushels, on which the State guarantee would thus be £5,000,000. (2) The question of finance is receiving attention by the Central Wheat Board and the State authorities, the result of which will be announced in due course.