

Legislative Council,

Thursday, 19th September, 1912.

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The PRESIDENT took the Chair at 3 p.m., and read prayers.

MOTIONS (2)—FREMANTLE HARBOUR TRUST.

Overtime to Foreman Box.

On motion by Hon. C. McKENZIE (South-East) ordered: "That a return of all overtime paid to Foreman Box, of the Harbour Trust, Fremantle, for the year ended June, 1912, be laid upon the Table of the House."

Shunting and Delays.

On motion by Hon. R. J. LYNN (West) ordered: "That all correspondence for the year ended August, 1912, between the Fremantle Harbour Trust Commissioners and the Railway Department respecting shunting and delays be laid upon the Table of the House."

MOTIONS (2)—COLLIE COAL.

Railway Tests.

On motion by Hon. R. J. LYNN (West) ordered: "That all papers relating to railway tests of Collie coal made by the department in March and April, 1912, be laid upon the Table of the House."

Inquiry as to Ignition.

On motion by Hon. R. J. LYNN (West) ordered: "That all papers relating to the inquiry made by the Mines Department respecting ignition of Collie coal be laid upon the Table of the House."

BILL—TRAMWAYS PURCHASE.

Third Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew): I beg to move—

That the Bill be now read a third time.

Hon. H. P. COLEBATCH (East): I do not intend to offer any apology to the House for speaking on the third reading of this Bill. It is my intention to force this question to a division, if I can get support, and I am assured of some, and it is my duty to state briefly my reasons for adopting this attitude. I take it that the object of the third reading stage is that members who may have agreed to certain amendments, and disagreed with others, in the Committee stage, may have the opportunity of expressing a final opinion. If there ever was occasion for the justification of a discussion at this stage, it is on this particular Bill, because member after member rose in his place in the House and said that whilst they would support the second reading and certain clauses in Committee, they would hold themselves free to vote against the Bill on the third reading if the position did not then meet with their views; but I have another, and I maintain a much stronger reason, to urge for the further consideration of this matter, and it is that I am in the position to place before the House new evidence, evidence absolutely contradictory to some that has been tendered during the course of this debate. I have been wrongfully accused of making a second reading speech in Committee. Personally I am keenly sensitive of any suggestion of abusing my privileges, but I maintain that the occasion on which I spoke was the only occasion offered for the discussion of the report of the select committee, which was tabled after the second reading had been agreed to. I contend that in no stage of this measure have I adopted any obstructionist tactics. My whole endeavour has been to let as much light as possible into the situation, so that every member who voted would at least know exactly what he was doing. I feel that I am bound to do this, and I cannot get rid of my responsibilities as easily as some hon. members, Mr. Sander-son for instance, who said that he would

throw the responsibility on the select committee or on the Government, or on members of another place, or even on the public. I contend that that attitude is not novel; it is an attitude that men have adopted ever since man said that woman tempted him. I cannot get rid of my responsibility; I feel that I was sent here in order to investigate to the best of my ability every measure brought before this House, and to vote according to my convictions in what I believe to be the best interests, not only of my constituents, but the people of the State. I have also been asked to offer an apology for certain statements I made in regard to the editor of the *West Australian*, and I cheerfully make that apology in exactly the manner in which it was asked. It may be remembered that in trying to substantiate my contention that right was always right, even if it was the right of only a single individual, I quoted two authorities, one, the ancient lawgiver, Solon, and the other, the editor of the *West Australian*, and I understand I gave offence because I put up the wrong order of precedence, that instead of quoting Solon first I should have quoted the editor of the *West Australian* first. I cheerfully make this alteration and I am prepared to admit that in the extract I quoted on that occasion from an article written and published in the *West Australian* 12 months ago, an extract of quiet reasoning and sound common sense and justice, the editor of the *West Australian* might well claim to have out-Soloned Solon, and I hope he will not consider that I am in any way detracting from the value of this apology when I say that when the editor of the *West Australian* takes the bit between his teeth and determines to force a thing through, whether it be right or wrong, he out-Herods Herod. Not long ago in an article referring to this question—the question of values on which I shall have to touch—and which was published in the *West Australian*, it was stated that Mr. Weir had made certain contradictory statements in giving his evidence. Next day there was an apology; it was not Mr. Weir, it was Mr. Corbett who had made the statements. Then Mr. Corbett wrote

a letter explaining that he had not made any contradictory statements, that he had said he valued one thing at one time at a certain price, and another thing at another time at another price, and that his attitude was consistent and right. This letter of Mr. Corbett's was published with a footnote, and all that the editor could say was that he referred Mr. Corbett to the report of his evidence before the select committee. The evidence given by Mr. Corbett shows that his attitude was consistent and right. To my mind it is an awful thing to throw a slur on the reputation of a man occupying the position that Mr. Corbett does, whose bread and butter may be said to depend upon his efficiency and reliability. At the outset I took exception to this Bill on four grounds. The first was that the money was urgently wanted in other directions. I do not intend to make any further reference to that aspect than to draw attention to this morning's newspaper, wherein it was stated that even the great country of America was experiencing a difficulty in getting the money it needs for its requirements. This is absolutely the worst time that Western Australia can burden itself with obligations that can be put aside for the time being. My second objection was that I favoured municipalisation as against nationalisation. And I gave as my reason that I thought the one method of control better than the other. I am not going to labour that point either, but I am going to qualify the statement I made on that occasion. I then said that within a month of the taking over of this concession by the Government, we should find that the employees had been granted concessions which were refused by the Arbitration Court. I wish now to qualify that, and say that possibly I may be entirely wrong; because I see it reported in the Press that now, on the eve of parting with the concession, the tramway company itself is making concessions to its employees, is making concessions to its employees on the eve of parting with the undertaking to the State of passing it on to the State. I merely make this explanation because subsequently it

may turn out that I was wrong in my prediction, for the reason that the tramway company actually made the concessions before handing over their undertaking to the Government. My third objection was that we were paying too much for the undertaking, and it is in regard to this that I have new evidence to submit. I pointed out that three-fifths of this proposed capitalisation of £475,000 would be watered. It has been said that those of us who are opposing the Bill are condemning the people of Perth to the present high fares and generally unsatisfactory conditions for the next 29 years. I have demonstrated over and over again that we are doing nothing of the sort, that the purchase right of the council, maturing in 12 years, will limit the period during which this company can oppress and harass the citizens of Perth. I say that those who vote for the Bill will be condemning the people of Perth indefinitely to these high charges, because they are going to take over a concession the capitalisation of which is three-fifths water. There will be only one escape, only one means by which the Government will be able to reduce fares, and that will be by casting the burden on the taxpayers generally, which is a course I am going to oppose. The answer I got to this contention when I raised it during the Committee stage, came from Mr. Jenkins, the chairman of the select committee, and from Mr. Lynn. They said that the tramway company last year made a profit of £48,000, and that, therefore, it was a good thing to buy it at this high price. I would ask those two hon. members to consider the position they stand in. If they are prepared to advocate the purchase of this undertaking because the company made £48,000 profit will they still advocate the purchase when they find that the tramway company has done nothing of the kind? I had twice read through this evidence given before the select committee before speaking on it in Committee. I have now read through it again, and still I do not know exactly where the select committee got the statement regarding this £48,000. The only reference I can find of it is in the evidence

of the Premier who, speaking of Mr. Short's valuation of £350,000, said—

Hon. W. Patrick: I thought it was £203,000.

Hon. H. P. COLEBATCH: That was for the actual physical assets; but the whole rights of the company, including the physical assets, Mr. Short valued at £350,000. The Premier in his evidence said, "These figures are based on the assumption of a profit of £25,000 per annum, which is much less than the annual profit shown by the company, which is £48,000." What do we mean when we talk about annual profit? We do not mean the profit made in one particular year. I have looked over every balance sheet issued by the company, and I find that up to last year they never made a profit of anything like £48,000, or half of it. They made very little profit indeed, so little that until now they have not been able to pay their shareholders more than $2\frac{1}{4}$ per cent. per annum for the whole period. Evidently somebody must have told the Premier—he told the committee that Mr. Short had access to all the company's books—somebody must have told him that the profit was £48,000, and therefore we had it from Mr. Jenkins and Mr. Lynn that we could afford to pay this £475,000 because we were taking over a concession returning £48,000 profit per annum. The annual meeting of the Perth Electric Tramway Company was held in London on the 16th of last month. The balance sheet did not reach Western Australia until we had finished our discussion on this Bill in Committee. During the whole of the time this question has been before us I have been trying to get hold of a copy of this balance sheet, but without avail. I did not get it until last Monday morning. This balance sheet shows that instead of a profit of £48,000 the gross surplus of earnings over actual expenses was only £37,000—not a profit, but a surplus of earnings over working expenses. This does not allow for depreciation; and even if it be said that they have made ample provision for depreciation in the past, and that it was not necessary to allow for depreciation this year, still for the purposes of calculation we must take

the basis of depreciation agreed upon by all authorities, namely, 5 per cent. In respect to some of the plant it should, of course, be much higher, as high indeed as 10 per cent. because some of those things are liable, not only to ordinary depreciation, but to a special depreciation, in that they become obsolete, and for economic reasons it is often found necessary to cast them out. However, if we take off a modest sum for depreciation it will represent at least £10,000, and will so leave a profit of about £27,000 or £28,000. That profit will only just pay interest and sinking fund on the £475,000 which we propose to pay, and, therefore, if the Bill be carried the people of Perth will be condemned for ever to pay these high fares, or else there will be a loss on the undertaking, which the people of the country generally will have to make up. That is not the only piece of new evidence. Those of us who have read the evidence given before the select committee are aware that Mr. Somerset said this £475,000 was merely the value of the undertaking, that they were just going to get the money with which to pay off their debenture holders, and that was all. I stated that the shares had gone up materially since these negotiations started. Mr. Moss on one occasion interjected that this increase was only on the 100,000 ordinary shares, and not on the preference shares.

Hon. M. L. Moss: I asked was it so.

Hon. H. P. COLBATCH: According to this morning's newspaper, speaking at the ordinary general meeting of the Perth Electric Tramways, Ltd., in London, on the 16th ult., the chairman, Mr. A. H. P. Stoneham, stated, in regard to the forthcoming expropriation of the undertaking by the authorities, that, in all probability the directors would be ready to distribute the assets in April or May next. The *Financial Times* of the 21st ult. states that it had been generally assumed that any surplus would be solely divisible among the ordinary shareholders under the articles of association, but there appeared to be some ground for supposing that an attempt would be made to include the preference shares in any additional return

which may be forthcoming over and above the par value of the company's capital. "This," adds that journal, "probably explains the reason why the price of the preference shares has recently advanced, though there appears to be more than a little doubt as to whether such a movement is justified on the strict interpretation of the company's articles of association." Not only have the ordinary shares gone up in price because this deal is such a magnificently good one for the company, but the preference shares have gone up also. If we are to give this money away, personally I do not care twopence whether it is given to the preference or to the ordinary shareholders, for they are entirely unknown to me. I quote this merely to show two things. First that there has been this rise in price because we are giving too much for the undertaking, and secondly, that Mr. Somerset's evidence was incorrect, and that in addition to getting value for their property, there are spoils, plunder in it; so much so that the different classes of shareholders are fighting over the distribution of this plunder. It is an old saying, that where carrion is there also the eagles will be gathered together. I think the converse also applies. There are spoils, and that in itself ought to open the eyes of members of this Chamber, particularly members of the Labour party. I can well imagine how the people in London will laugh over the fact that the first thing the Labour party did on coming into power was to make this handsome present to the London company, a present so handsome that the different ranks of shareholders started fighting over the distribution of the plunder. The last objection I raised was on the subject of confiscation, and I cannot resume my seat without making a final appeal to hon. members in this connection. That there is confiscation of the city council's rights there can be no doubt. It is idle to say that we are giving them anything in return. The 3 per cents. they already have, and we are giving them nothing whatever for the taking away of their valuable rights. I put it to Mr. Sanderson, who says he is prepared to do this thing, be-

cause it is the rights of someone else and not of his own constituents which are to be confiscated.

Hon. A. Sanderson: That is not right.

Hon. H. P. COLEBATCH: I ask the hon. member to put himself in the other fellow's position. He says the city council have made a good agreement and do not wish to get out of it, whereas the suburban municipalities have made a bad one, and are anxious to get rid of it. Suppose we had exactly the opposite position, and the Perth City Council had made a bad agreement and wanted to get out of it, while the suburban municipalities having a good agreement desired to retain it—what would Mr. Sanderson do? Would he not support the attitude of the suburban municipalities? And, if so, can it be right for him to do the opposite in the present instance? This act of confiscation does not matter to my constituents directly, but I say that we as a State cannot afford to confiscate anything from anybody. Our reputation depends upon our carrying out all our obligations. We cannot afford to say to anybody, "We will not allow you to test the value of your rights in the courts of the land." For that reason more than any other, I ask hon. members to reconsider their attitude with respect to the Bill. I contend that the position is entirely different from what it was represented to be when we considered the Bill in Committee, that this £48,000 has, to the extent of £20,000, disappeared. There never was any £48,000 anywhere. Even if you knock off the London expenses, and a few other items, the balance sheet shows only £39,000 gross surplus of revenue.

Hon. R. J. Lynn: What about the current year?

Hon. H. P. COLEBATCH: We do not know anything about that, we have no evidence upon the point. Is it that my friend, finding that he has been in the wrong, is going to turn round? He said he would support the Bill because the company was showing a profit of £48,000 per annum. Now, presumably, he says he will support it because they are going to make £48,000 this year. Only a little while ago the tramway company had a

labour dispute, and made no profit at all. At midnight last Saturday the tramway employees held a meeting in the Trades Hall on this very question, and who knows whether or not these men will accept the concessions offered? I would remind members again that the tramway company are going to make concessions to the men at a time when the directors in England are considering how they are going to divide the spoils from the purchase. Surely they ought to have left this to the Government; they are wonderfully generous in giving away the money of the taxpayers. In view of the large amount of money which the taxpayers are going to give to them, I think they might have left the taxpayer alone, so far as the paying of the wages of the tramway men is concerned. Once more I would urge hon. members to support me in the rejection of this Bill.

Hon. J. CORNELL (South): I sympathise to a certain extent with Mr. Colebatch, but I do hope that on all occasions he will not be so persistent as he has been in his opposition to this tramway purchase. The hon. gentleman has a good deal to lose if this Bill goes through. In the first place the *West Australian* is to blame for the prominence the hon. member was given in the report of his second reading speech, and it is absolutely essential, if he is to retain the halo given to him on that occasion that he should carry his remarks to their logical conclusion by attempting the defeat of the Bill in any possible manner.

Hon. H. P. Colebatch: Why not debate my arguments instead of imputing motives?

Hon. J. CORNELL: I am reciprocating the attitude towards me on many occasions. At the outset of the discussion on this measure I did not think that the local bodies should get anything, but the majority of the members of this House and the majority of members in another place have endorsed the select committee's report and for my part I have had enough. I am now willing to allow the Bill to go through. I may be an obstructionist on occasions, but there comes a time when one must cry enough. If this Chamber

throws the Bill out, it will be the political doom of some of its members. That may be a blessing, or it may be otherwise, but the defeat of the Bill will mean the political death of some members, particularly those who vote against it. Personally I do not use the tramways much, but I have taken the opportunity to converse with various people, and I am satisfied that the residents of the metropolitan area desire that this purchase shall be approved. Therefore I hope the third reading will be carried. I have carried out the platform of my party and my own convictions, as far as I possibly could do so, and having done that, I feel that I am absolved from any blame from the electors. I do think that the expression of opinion given in the Legislative Assembly by members elected on adult suffrage should be a sufficient reason for the carrying of the third reading.

Hon. Sir E. H. WITTENOOM (North): I must congratulate the hon. member who has just sat down on his frankness. He has created such a valuable precedent that I feel I must follow him and be equally frank. Since the second reading speeches and the discussion of this measure in Committee, I have given this matter most careful consideration. I do not say that the amount which the Government are going to pay for the trams is too much; I am quite in accord with the report of the select committee, but apart from all those considerations, I have come to the conclusion that the time is inopportune for the expenditure of £500,000 on the purchase of these tramways. I have considered all the expenditure which is proposed by the Government at the present time. One project alone, the railway from Merredin to Coolgardie, will cost a large sum of money, and there are numerous other proposals which will involve heavy expenditure; and, whilst I propose to support the Government in the construction of that railway, because I am told it is urgently required to carry out certain work, I feel that it is superfluous to spend money now in purchasing the trams. The trams cannot run away, and they will be available for purchase at some more opportune time. They have been serving the people,

badly, I admit, for some years, and I do not think that under the existing circumstances they can be improved. But I have come to the conclusion that the amount of money required for this purchase, if spent in other directions in the development of the country, would do more good, and for that reason I shall oppose the third reading of the Bill.

Hon. W. KINGSMILL (Metropolitan): It is my intention to support the third reading, because it would ill become me, I having been responsible for the creation of the select committee, and for the nomination of the gentlemen placed on it, to differ from the findings of that body. I must confess that I am somewhat disappointed with the value which the select committee placed on the vested interests of the city of Perth, but as I believe in the personnel of the committee, and as I know they gave the matter very careful consideration and that they submitted a report which has not been altered by the Government in another place, I feel bound to accept their findings and vote for the third reading. I must say that the recommendations they have made amount to very little for the Perth City Council. All that the city council is getting beyond what it is entitled to now is three per cent. of the gross takings for some indeterminate time after the year 1939, but the select committee having made that recommendation I, as one of the prime movers for its appointment, have no option but to support it.

On motion by the Colonial Secretary debate adjourned.

BILL — FREMANTLE-KALGOORLIE (COOLGARDIE-MERREDIN SECTION) RAILWAY.

Third Reading.

Bill read a third time and returned to the Legislative Assembly with amendments.

BILL—INDUSTRIAL ARBITRATION.

Second Reading.

Debate resumed from the previous day.

Hon. J. CORNELL (South): I would like, at the outset, to preface my remarks

by saying I am of opinion that my remarks in this Chamber are not going to have any effect outside of the ranks of my own colleagues, in altering the vote on this Bill, but in a measure of this kind, it must be remembered that not only the members of this Chamber but also the general public and the workers at large are concerned. It has been said by previous speakers, and particularly emphasised by Mr. Moss, that this is one of the most important pieces of legislation which has come before the House for many years. As a member of the Labour party and one conversant with its aims and ideals, I may say we consider that, although compulsory arbitration is in the forefront of our platform and programme, it is only a secondary consideration. But in the face of what has been said by hon. members that this is a very important piece of legislation, I could not help being struck with the scant notice given by the *West Australian* to the introduction of the measure into this Chamber. Before catching the train to Perth this week, I took the trouble to buy the *West Australian* on Friday last with a view to getting some insight into the measure through the introductory speech of the Honorary Minister in this House, but to my surprise when I came to size it up—I did not have a rule—all the space given was about two inches. On the other hand we find in the *West Australian* this morning that the very first speaker who rose to criticise the speech of the Honorary Minister and the measure got almost one and a half columns. I venture to say that when both speeches are measured in *Hansard* the speech delivered by the Honorary Minister will be found to be of greater length and of equal, if not more importance to the community at large than the speech of Mr. Moss. As a working man I desire to absolve the reporters from any blame.

Hon. Sir J. W. Hackett: If you look a second time, you will find you are making a mistake.

Hon. J. CORNELL: Ever since I came into this Chamber I consider the reporters have had too much to do, and I absolve them altogether in this connection.

I recognise that they are only servants, but I cannot help being struck by the small notice which was given to the Honorary Minister. With regard to the interjection, it was publicly known that the measure would be introduced, and the mere fact of more space not being given to the Minister's speech destroys, to a great extent, the utility of any answer. I groped from end to end of the paper to see if there was any reason for it, but I could find none. I do not care personally if not one line of what I say is reported. It would not be the first time I have been cut off with a full stop. I have got on without the papers and I entered this Chamber without their assistance, but I do say that an organ which purports to express public opinion and to give information to the public should have given as much consideration to the introduction of the Bill as was given to Mr. Moss's speech.

Hon. Sir E. H. Wittenoom: We have been suffering that for years.

Hon. C. Sommers: There were nearly two columns on Friday, and I think you are wrong.

Hon. J. CORNELL: Then I failed to find it. I would like to ask the Honorary Minister if he found it.

Hon. J. F. Dodd (Honorary Minister): No.

Hon. J. CORNELL: If Sir J. W. Hackett can show me I will not stand to what I have said.

Hon. Sir E. H. Wittenoom: It does not affect the question.

Hon. J. CORNELL: I have been struck by the speech of Mr. Moss whose remarks were seconded by Mr. Sanderson. Mr. Moss said he believed and almost in the same breath, did not believe, in arbitration, but would probably be compelled to vote for the second reading, though he reserved the right in Committee to endeavour to make the Bill as he thinks it should be. Mr. Sanderson said there is no man more competent to judge than Mr. Moss. He also said that we as a party have taken up the role of dictators, and have been responsible for the appointment of dictators. I claim that Mr. Moss in this Chamber fills the role of a modern

Cato. History tells of a man named Cato who said "Carthage must be destroyed." For the progress and continuity of progress in this State, Mr. Moss says the Labour party must be destroyed. Mr. Moss is taking the role of censor in this Chamber, and Mr. Sanderson, the only one who has spoken since him, is going to take up the position of blindly following the leader.

Hon. Sir E. H. Wittenoom : Well, knock his arguments out.

Hon. J. CORNELL : I will come to them in a minute. At the outset I hold that before attacking anyone, one should to get any distinction out of the attack, place one's opponent on a pedestal. I think I have gone a long way back to dig up a pedestal on which to place the hon. member. I have watched him with interest in this Chamber, and I have noted his powers of evasion and misconstruction and many other things. He has taken up the position of censor on this and many other occasions, and he has referred to dictators of the Labour party, but there is no more dictatorial man in the Chamber than Mr. Moss, and I know that members do and will follow him.

Hon. J. E. Dodd (Honourary Minister) : Leader of the Opposition.

Hon. J. CORNELL : I do not think my remarks will bear any fruit at all, but I am here and will express them.

Hon. Sir E. H. Wittenoom : Do not be too modest.

Hon. J. CORNELL : I had a reputation for being modest when I went to school. However, the man who has worked for many years and has earned his living by the sweat of his brow and under bad conditions such a man I say, if he is modest, is a fit subject for Claremont. It is not modesty that has brought party politics into this Chamber or any other. The working classes have been modest too long. All they have got has been achieved by their own energy. Mr. Moss said the policy of the Bill seemed to be to force all workers into one large union, to enable the central body, the Trades and Labour Council, to control the industries of the State, that is, to pull the strings so that the marionette will work. What

is the Bill based on? In 1902 Parliament recognised that wherever the principle had been applied, arbitration in industrial matters must be between unions of workers and unions of employers if it is to be given any effect. I am a believer in large unions for many reasons. At present I will confine myself to the question of arbitration. I speak to a certain extent with some degree of authority and knowledge on the question of a large union. Is it not easier to treat with a large union in one industry if it is possible, than to treat with a number of unions? I consider that the more we concentrate the workers into one union and the more we concentrate the employers into one union, the more we will simplify the operations of industrial arbitration. But the more we split them up, the more complex will the position become. Take the mining industry for instance; some members would divide the miners' union into unions of machine men and truckers and so on, and each section of the union would have to individually approach the employer. The unions have recognised that in the concentration of their members lies simplicity, and it is easier to treat in a body than as individuals. The whole aim of Labour men has been in that direction. On the Golden Mile we have what is known as the Chamber of Mines. I defy any member to tell me that it would be easier to treat with individual members of the Chamber of Mines than with that body collectively. It would be much easier to treat with them collectively, and the same thing applies to the union. During his remarks yesterday, Mr. Moss said in his opinion the political element should, if possible, be crushed out of the unions, and the purposes of the Bill should be for the settlement of industrial disputes. I will give him credit for knowing a little about the employers, but I will not extend to him any credit for knowing anything about trades unions. His remarks in this connection were mere piffle and nothing else. Anyone who has studied the trades union movement, and its stages of evolution, must know that it was

worked up first of all as industrial body striving by industrial means to get better conditions. At times it succeeded, and better conditions were obtained, but the better conditions were not permanent, and they came to the conclusion that if any permanent solution of the difficulty was to be obtained it would only be through the medium of industrial and political action within their own ranks. It is strange to say that since the foundation of responsible Government in Australia, no effort was made in the Parliaments of Australia to place industrial legislation on the statute book. That was left to the workers themselves. The workers themselves came to the conclusion that industrial action without political action was like pouring water into a bucket without a bottom. That is all I can liken it to, and as a consequence of that, trades unions and labour men have not only united on the industrial field but also on the political field, and the man who gets up in this Chamber or in any other Chamber and says he will endeavour to so frame an Industrial Arbitration Bill that it will cut away from trades unions political action within their organisation, does not know anything at all about the industrial evolution of the world. Political action has come to stay and it will stay until it reaches its logical conclusion; that is, when the workers get what they are entitled to.

Hon. D. G. Gawler: And ask for more.

Hon. J. CORNELL: When they get what they are entitled to—the full product of their labour—they cannot ask for more.

Hon. V. Hamersley: There will be no more to get.

Hon. J. CORNELL: Mr. Moss said that some workers did not believe in the principle of industrial arbitration. Mr. Sanderson said the same. I think that the principle of industrial arbitration, as we know it to-day, is fundamentally unsound. What is it based on? Awards are given on what a man can live on, whereas they should be based on how much the employing class is going to keep of the wealth created by the worker. There are many men, like Carnegie, who started off scratch

but did not run the race spoken of by Mr. Moss, where they all run together; they have got ahead. What I maintain is that the employers do not create wealth.

Hon. F. Connor: The pioneers do.

Hon. J. CORNELL: They do not. I will give the hon. member the greatest gold mine in the world, and all he can get out of that gold mine, if he cannot get men to work for him for a wage or on tribute, is what he can produce and get out of the mine himself. And that is all he is entitled to. It is not the individuals controlling the industry who produce the wealth, it is the worker contained in the four corners of the industry who produces it.

Hon. C. Sommers: What about directing the labour?

Hon. J. CORNELL: I will give fair consideration to that; but the employers not only want to direct the labour, they want to arrogate to themselves the decision as to how much they shall give for the labour.

Hon. D. G. Gawler: You would take away the mine altogether.

Hon. J. CORNELL: I believe that fundamentally industrial arbitration is unsound, but the workers of Australia—I shall not say the world, because it is repudiated in other countries—have come to the conclusion that the method of the strike, while it has educational phases, is barbarous. Nations are moving towards arbitration; why not individuals in commerce? The reason why some men oppose arbitration is that they think, with a system of arbitration built up, the militant spirit which has characterised the working-class movement the world over since the days of the Romans will become dormant, and that the working classes may to a certain extent be misled and misguided into believing the employing classes are philanthropists. The ablest men in the labour movement and in the socialistic movement to-day recognise this, but they also recognise that arbitration is a palliative. Can anyone say it is a fundamental reform? The workers think that, in the interests of the community at large and in the interests of those who cannot help themselves, this barbaric system of

strikes should go by the board, and that we should proceed on sensible lines to arbitrate, at the same time realising that, by submitting to arbitration, they give away an undue proportion of their energy and labour. We should always have before us that high ideal that should characterise the human family, the full product of his labour to the labourer, and every opportunity to labour. I am associated with a party who have made industrial arbitration one of their prominent objectives, indeed the majority of the workers of Australia have agreed on this line of action. While we may have our doubts as to its logical conclusion, every follower of the Labour party is duty-bound to endeavour to give the fullest consummation to that principle and prove its utility or its inutility. That is why I am advocating it here. In the Bill there are many things I do not believe in, but I am not going to set myself up as a censor, like Mr. Moss did, and say what the workers of Western Australia should have as individuals. I would think very little of my colleagues if they were blindly following without investigating the position. The people of the State have given a mandate, and that mandate is that the present Conciliation and Arbitration Act must of necessity be brought up-to-date, and in a direction our party think is workable. We are endeavouring to do that, and the defeat, or otherwise, of our efforts will rest with this Chamber. It does not matter what functions we are arrogating to ourselves in this Chamber; it is commonly and generally known throughout Western Australia that with few exceptions this House has been elected and votes in the interest of vested interests.

Hon. J. D. Connolly: Then how did you get all your industrial legislation?

Hon. J. CORNELL: Because members of this House did not know the gun was loaded. Put this House on adult suffrage and we will find another cartoon in the *Western Mail* as after the last general elections. During the course of his remarks Mr. Moss tried to put up something new, not directly, but by innuendo. He tried to infer that one of the reasons why the unions should be shorn of their

political clothing was because they expended their money in political directions. He quoted seven societies from the return of the Registrar of Friendly Societies, and he quoted the managerial and other expenditure, and tried to convey to the House that the unions existed only for political purposes. Let me tell the hon. member that the militant unionists of Australia and of the world generally recognise that the introduction of the friendly society system into trades unions is not desirable, and that unions should stand for their political and industrial advancement alone, and not for friendly society purposes. They say that the State should undertake that work; and some day the State will do it. As a set off to what Mr. Moss said I shall quote a set of figures. I said in an interjection that I would tell the Chamber what we pay, and we are not afraid—

Hon. M. L. Moss: You will let the cat out of the bag presently.

Hon. J. CORNELL: I recognised when I came into the Chamber that if I bent my knees to hon. members to get concessions what little individuality I ever had would be gone. I recognise that if I cannot get what I want by advocating the opinions of my party on the floor of the House face to face with members who are opposed to them, I will not get it by going round the back door. I will never do that.

Hon. Sir E. H. Wittenoom: Has anyone ever asked you to do it?

Hon. J. CORNELL: Mr. Moss said I would let the cat out of the bag. The Kalgoorlie and Boulder branch of the W.G.F.M.U. in 1910 had a membership of 2,599; that is a fluctuating membership. Its income was £8,425, and it distributed in sick pay £2,238, principally owing to the faulty inspection of mines, and in death dues, £1,035. The management expenses, which include portion of their capitation to the miners' association, were £2,827, making a total of £6,100. The other expenses totalled £1,441, leaving a balance of £844 of receipts over disbursements. I am in a position to say what they paid for political purposes and the brilliant result they got out of it.

Hon. R. G. Ardagh: What did they pay for lawyers' fees?

Hon. J. CORNELL: Never mind that. The miners' union I speak of is affiliated with the A.L.F. Council in Kalgoorlie, and I happened to have been secretary of that body and it paid on a membership of 2,599 men approximately. The capitation of that body is 1s. 6d. per annum, and the amount paid works out at about £203. I think the secretary of the branch could produce his books to-morrow if they were wanted, and I stand here and repudiate the assertions and innuendoes which have been made. In twelve months the A.L.F. Council in Kalgoorlie, embracing 6,000 members, received from all sources not more than £600 for political purposes.

Hon. M. L. Moss: Then you will have no objection to cutting out the political aspect?

Hon. J. CORNELL: Yes, I will. We do not owe our political success to the money we have expended. We owe it to the energy of the members and the sacrifices they have made in that direction. Money spells corruption in all movements, and you cannot get goodwill and honesty and sincerity by its expenditure. There is nothing whatever in the assertions made by the hon. member that the greater portion of the revenue goes in the direction of political purposes. I have another little secret to let the hon. member into. The rules of this branch provide that any member who has a conscientious objection to paying the political levy need not do so.

Hon. M. L. Moss: You would give him a dog's life if he did not.

Hon. J. CORNELL: We would do nothing of the sort, and as I said here on the floor of the House on the Address-in-reply, if you want to get people to join unions you will not do it by compulsion, and the Labour party and the unions have not been built up by compulsion. What built them up? Their own preservation and recognition. Would the worker have got any recognition without the unions? Did he get it? No. He has not only got recognition in the industrial field, but recognition in the political field, and the hon. member who now says

that he will separate the two will have to fight pretty hard to bring that about, and I do not think he will find anyone blind enough to support him in the attempt. If the hon. member makes the attempt it will mean the loss of the Bill, and then, to be logical, if he succeeds and the Bill is lost, he must lead his battalion to victory when the Government send down another measure to repeal the existing Act.

Hon. J. D. Connolly: Your own organisation asks that this Bill should be thrown out.

Hon. J. CORNELL: Where?

Hon. J. D. Connolly: In Boulder.

Hon. J. CORNELL: But it has been amended since then.

Hon. M. L. Moss: What amendment?

Hon. J. CORNELL: I remember not many years ago Mr. Connolly introduced an amending Bill in this Chamber and the trades unions spoke their opinion, as they have spoken their opinion on the Labour party's Bill. But the then Government did not have the temerity to face the criticism and the responsibility of suggesting certain modifications, and they consigned the Bill to the waste-paper basket.

Hon. J. D. Connolly: I passed it.

Hon. J. CORNELL: The hon. member passed it out of the back door. He was not game to go on with it, and now he is twitting us because the Kalgoorlie council has suggested something.

Hon. J. D. Connolly: The Kalgoorlie council asked us to throw this Bill out neck and crop, and so justify our existence.

Hon. J. CORNELL: During the course of his remarks yesterday Mr. Moss referred to the number of strikes which had taken place in the last 18 months. I will admit there were some, but they were not under the circumstances which the hon. member put forward yesterday. He withdrew the names of two societies when I interjected, and I venture to say that the railway engineers were not working under an award, and neither were many of the others.

Hon. D. G. Gawler: Their strike was not on account of any technicalities.

Hon. M. L. Moss: They were invited to go to the Arbitration Court and they would not go.

Hon. J. CORNELL: Do we wonder at it after having an Act of that nature on the statute-book since 1902, and the Government not having the temerity to amend it? But when we bring down a measure which we think will be of use to the workers and to industrialism, we are immediately attacked in every direction. I venture to say that were Mr. Moss placed in the position of dictator he could not prevent strikes. After all, what is a strike? It is only a difference of opinion between employer and employee, and I venture to say that in the courts which Mr. Moss adorns, and the various courts of the country that not a day passes without the occurrence of some dispute between individuals. It would have been just as logical for Mr. Moss to have brought forward the argument here yesterday that imprisonment had decreased crime and that capital punishment had done away with murder. We have legislated in connection with industrial warfare, and there have been differences of opinion. There have been strikes and there always will be strikes, but this fact does not condemn the principle of arbitration any more than capital punishment may be said to have prevented the committing of murder. Let us turn to Kalgoolie and the Golden Mile, and with the two exceptions which have been given the hon. member cannot point to one illustration where the workers there have disobeyed awards. They recognised there that the court was a doubtful proposition, that it was a sort of go in at one end whole and come out at the other with a bit off, and that is one of the reasons why they have kept away from the arbitration court.

Hon. H. P. Colebatch: You want a court that will make your success certain before you go to it.

Hon. J. CORNELL: I thought the hon. member gave me credit for having more intelligence than to think that I or others could create a court about which there would never be any differ-

ence of opinion. There is another point I would touch upon, and that is the question of preference to unionists. Mr. Moss and other members do not believe in it. Mr. Moss said that there were men in the State who did not desire to join a union. There is only one logical ground. Hon. members should turn to Clause 85 and they will see that it does not go so far as some Labour men would go, that is, by making it compulsory. It is within the province of the court, just as it has been provided in the Federal Act, that if the court is of the opinion that preference should be given it can be given. The position is that as far as trades unionists are concerned the Bill is based on unionism. You form a union and register it, and it is compulsory for you to go to the court. Unions are not formed for nothing, and the men must pay money. Unionism has made arbitration possible, and it is all balderdash to say that one man will be miserable enough not to join, and so deprive himself of the opportunity of reaping the benefit of the intelligence of the other members of the union. It is recognised that by forcing a man into a union we are not going to make him think our way if he is not built that way, but we do say if we could provide protection to unionists, and if every man was in a union, victimisation would not be practised and every employer would be put in his place. And I am of opinion that on every occasion where possible we should go the whole hog and make it compulsory.

Hon. J. D. Connolly: It is a very democratic sentiment, this preference to unionists.

Hon. J. CORNELL: I ask the hon. member if every law placed on the statute book does not place some disability on some member of the community?

Hon. T. H. Wilding: What do you call a combine?

Hon. J. CORNELL: What do you have a farmers' union for? What would you think of a farmer who took the benefits you have created by the establishment of that union without making any return?

Hon. J. D. Connolly: I thought you said you did not believe in compulsion.

Hon. J. CORNELL: I believe in compelling men to carry a share of the taxation which makes arbitration possible, but I say that compulsion is not going to make a man the political machine Mr. Moss thinks it is. It has been said that the freest scope should be given to men to join unions. I recognise that it is wrong practice to follow, that if men are going to join unions we should not put on a high premium to keep out men who are in sympathy with the objects of unionism. I say that the unions should be open to any man who likes to join them, with this safeguard: that the workers themselves—you will generally find them just in this direction—should have certain discretionary powers as to whether they would admit a man who is going to do them a personal injury, and also that if such a man is already in the union they should have the power to cast him out. I would like to get down to Clause 85. Mr. Moss said that paragraph (b) of Clause 85 was impossible. The paragraph provides for classifying or grading all members employed in an industry to which the award applies. I can show hon. members agreements in existence to-day which are highly complex. I do not think you will find anywhere a more complex agreement than one recently fixed up by the railway employees. That is all that we ask in the Bill, namely, that the court shall have power to grade the workers as the men who met around the table graded the railway workers. I do not think it is possible to provide, nor do we desire it, that a man shall be an hour here and an hour there or get this or get that. We prefer to leave it to the common sense of the court to grade the men. Rather than being an embargo on the Bill this provision will be found to be a marked improvement.

Hon. D. G. Gawler: Do you think the president is capable of doing this work?

Hon. J. CORNELL: The Bill provides for other members of the court, for assessors in intricate industries and in various other exigencies. The president can call evidence on the point. I am per-

fectly satisfied that there are in Western Australia men who can do the work, and I am prepared to give them a trial. Mr. Moss referred to the minimum to be paid to the old and infirm workers. This same proviso is in the existing Act, with this addition, that it would be permissible for the court to prescribe a rate for the lazy man. I have never liked work very much myself, but neither have I ever liked a lazy man. When I work I work. This Bill removes any likelihood of a rate being fixed for the lazy man. It simply deals with old and infirm workers. I interjected yesterday, "Who scraps the old men?" I can point to workers of the age of 35 on the Golden Mile who are fit subjects for the invalid pension to-day. It is our present industrial system which grinds the worker to the greatest extremity, and saps the vitality from mankind in its greed for profits. I will admit that although in the agricultural areas the hours are longer and the wages smaller, yet the condition of the workers is much better than the condition of the workers in the mine, in the shop, in the warehouse, or in the factory; because the life of the agricultural labourer is far longer than the life of the mine labourer and the factory worker, and the lives of these workers are shortening every year. It is the system as we know it to-day which makes infirm men and scraps old men.

Hon. C. A. Piesse: Not the system, but the calling.

Hon. J. CORNELL: No, it is the system too. Even on the hon. member's farm, if he employed all old and infirm men while I employed young and lusty men, eventually I would oust the hon. member, because I would get more out of my men than he would get out of his. The Labour party recognises that the system of society as it exists to-day is primarily responsible for the scrapping of old men who go out to different employers who have more consideration for their horses than for the old worker. It devolved upon the Labour party to provide some measure of compensation for the hardy old pioneer who had not succeeded in becoming an employer, and give him a pension.

Hon. C. A. Piessé: We gave him equal opportunity, you know.

Hon. J. CORNELL: Equal opportunity! The hon. member does not for a moment think it is possible for everybody to be farmers. It is not possible for everybody to be lawyers. You can have the highest organised social state imaginable and you will find there must still be somebody to do the hardest and most laborious work.

Hon. C. A. Piessé: But he can climb the ladder.

Hon. J. CORNELL: Well, I have never been a drinker, I have never smoked much or spent my money lavishly. I have been in every State of Australia; yet I have stood at the bottom of the ladder, I have never found any opportunity of going up the ladder.

Hon. R. J. Lynn: You are in Parliament.

Hon. J. CORNELL: And by that I reckon I have come down the ladder. I would ask the hon. member to seriously consider the proposition that it is not possible, under our present state of society, for all men to succeed. Any economist of average ability would tell you that the whole social system, as we know it to-day, is built on unemployment and the necessity of the worker. The striker will tell you: Let the working man throw down his tools to-morrow and you will see where the fellow up the ladder will get to.

Hon. D. G. Gawler: And the only remedy is socialism.

Hon. J. CORNELL: I thought the hon. member could read me. It is all very well for Mr. Moss to say, "Give the old worker a pension." I would ask at the same time to give those responsible for his getting the pension some measure of praise. Now, I would again like to refer to the same clause, in its connection with piece workers. Yesterday the hon. member referred to this, and stated he would let a man work as long as he cared to. I interjected with the query, did he believe in an eight hours day? Wily, as usual, he evaded it.

Hon. M. L. Moss: No, I did not.

Hon. J. CORNELL: If you believe in an eight hours day for wage earners, is

it not logical that you should extend it to piece workers? If you believe in legislation regulating hours of factory and shop-workers, it is only reasonable and logical that you should fix the hours of piece-workers. If I am an employer and I engage piece-workers and day-workers also, and I can work my piece-workers ten hours a day, then it will probably be more profitable for me to extend the piece-work system.

Hon. M. L. Moss: Not necessarily; you will have to give them proper remuneration according to the scale fixed by the court.

Hon. J. CORNELL: Does not the hon. member think eight hours long enough for anybody to work?

Hon. T. H. Wilding: Why try to kill individual effort?

Hon. J. CORNELL: Individual effort invariably succeeds at the expense of other individuals, or of the community generally.

Hon. D. G. Gawler: But if they like to work more, and so increase their earnings, why should they not do so?

Hon. J. CORNELL: Why do we try to limit the hours of Chinamen?

Hon. M. L. Moss: So as not to overwork them.

Hon. J. CORNELL: I think the grounds taken up by Mr. Moss are not tenable. If you fix the wage, it is only logical you should fix the hours and take into consideration the hours a man works. Personally, I would like to see a man work four hours a day.

Hon. A. G. Jenkins: That is too long.

Hon. J. CORNELL: Not many years ago some of the very members who advocate these concessions to piece-workers, or, rather, the school from which those members probably sprang, said the introduction of an eight hours day meant the ruination of society. The same thing was said in respect to the abolition of slavery. We were told that if we abolished slavery the country would become bankrupt. Yet slavery abolished itself, because it was found cheaper to hire slaves than to keep them. They can starve if they like, or board at some charitable institution.

Hon. Sir E. H. Wittenoom: You know better than that.

Hon. M. L. Moss: They are conditions which do not prevail in this country.

Hon. J. CORNELL: We want to ensure that they will not prevail.

Hon. M. L. Moss: You are calling out before you are hurt.

Hon. J. CORNELL: History shows a time in England when these conditions did not prevail, and America was once known as God's own country, but to-day it is a sink of iniquity so far as social conditions and social recognition are concerned. It is not long since the Pilgrim Fathers went to America with the idea of making it God's own country. I am desirous that in our legislation we shall ensure that Australia will not reach the stage of iniquity which America has reached. I wish to say that I have put in a good deal of agricultural work, but I do not think that one member of the Labour party in Australia has any desire for an eight hours day. However, the position presents itself that, where in an industry it is not possible to confine the work to eight hours a day, a wage should be paid for the eight hours and some recognition should be given in the way of overtime. That is a reasonable proposition. Before dealing with Clause 98 Mr. Moss stated that he believed provision should be made for a ballot.

Hon. M. L. Moss: You are misrepresenting me.

Hon. J. CORNELL: The hon. member said he thought a system of balloting should be introduced.

Hon. M. L. Moss: I rise to a point of explanation. I said that under Clause 98 a provision was made for a ballot, but there was a provision earlier in the Bill, relating to the adoption of rules, and no reference as to whether their adoption should be by ballot. I wanted the rules to be decided by secret voting.

Hon. J. CORNELL: With regard to the framing of the rules, I would deprecate any such provision as a secret ballot. Why did the hon. member desire it?

Hon. M. L. Moss: To prevent two or three strong men from tyrannising over the whole of a union.

Hon. J. CORNELL: Then we ought to extend the principle to this Chamber to prevent Mr. Moss from tyrannising over some of us. That would be just as logical. The meeting is as much the Parliament of the union as this Chamber is the Parliament of the country, and I say it is an absolute absurdity to suggest submitting the rules to a secret ballot. What is there in the rules to warrant a secret ballot? If Mr. Moss carries that argument to its logical conclusion, before a man can enter a union the members ought to have the right to take a secret ballot and blackball him. If men are afraid to let their fellow members know how they vote on the rules, we should allow them to hide their opinions regarding the admission of a new member behind a secret ballot. If a man is objected to as a member an opportunity is given to state his case. When Mr. Dodd was secretary of the miners' union the rules provided that he could object to and refuse to take the money of any man who wished to become a member, but within a month he had to submit the objection to the committee of management and to a meeting.

Hon. C. A. Piesse: That was a fair view.

Hon. J. CORNELL: The rules of every union on the goldfields provided for that.

Hon. M. L. Moss: I am making no complaint against the unions on the goldfields; but I said there were unions which reputable men were precluded from joining.

Hon. J. CORNELL: I do not know where such unions exist, though I believe there are one or two which use the primitive method of secret ballot. I for one would strongly favour the insertion of a proviso that members should be admitted on an open vote, and not by a secret ballot, because it is a more manly course of action. There is nothing to cavil at in Clause 98. On the goldfields the unions conduct their elections in a very strict manner and equally as private as elections for this Chamber. Mr. Moss referred to Clause 101 and Mr. Connolly assisted him to cast aspersions on the Colonial Secretary for granting permission to the police

to form a union. I say more power to the Colonial Secretary; it shows his good sense. The police are a fine body of men. I remember when a lad the disabilities under which the police worked. We know the police are for the protection of property.

Hon. M. L. Moss: And to preserve law and order.

Hon. J. CORNELL: If a man breaks a window he is fined a fiver, and if he goes home and knocks the old woman about he gets off with a caution.

Hon. M. L. Moss: And to prevent violence to others.

Hon. J. CORNELL: The police are as entitled to recognition as any other body of men. At one time the working people had the police and soldiers against them, but I am pleased to say that those two disabilities are being removed.

Hon. D. G. Gawler: You would not allow the soldiers to have a union?

Hon. J. CORNELL: When the working classes of the world begin to think and become intelligent those who spring from them will be equally intelligent. From whom did the police and soldiers spring? From the poorer classes. Very few rich men become policemen or fight as soldiers.

Hon. J. D. Connolly: And very few policeman become rich men.

Hon. J. CORNELL: The poorer classes of the community supply the police and soldiers.

Hon. W. Patrick: I think that is a libel on the police.

Hon. J. CORNELL: If members go back to the French Revolution they will find that the police and soldiers took the part of the people. Mr. Moss referred to the dictator to be created by the court as the Czar of Russia. When the police and soldiers in Russia side with the people it will be a case of the French Revolution over again and the Czar will go by the board. The police are human; and provided they carry out their duty, and I have every reason to believe they will, they should be extended the same privileges as other members of the community. They should be allowed to band together and work together, not only for mutual

advancement but for the advancement of the State. I would remind the hon. member that Mr. W. H. Irvine took the vote away from the police in Victoria and gave it to naturalised Chinamen. I repeat, more power to the Colonial Secretary for having given recognition to the organisation of the police. If he had not, the spirit of progress which permeates mankind would have asserted itself and the police would have got recognition whether we liked it or not.

Hon. D. G. Gawler: Would you allow the police to strike?

Hon. J. CORNELL: I do not think it would be a great calamity if they did.

Hon. D. G. Gawler: You do not really think it would be a calamity?

Hon. J. CORNELL: Does the hon. member think that the people are afraid of a policeman, or of the law? Does the hon. member think that the police and the law have in any way minimised crime?

Hon. M. L. Moss: I think so.

Hon. J. CORNELL: Statistics do not say so.

Hon. W. Patrick: Why have any police?

The PRESIDENT: Order!

Hon. J. CORNELL: I have said that we have police for the protection of property.

Hon. J. D. Connolly: What about violence?

Hon. J. CORNELL: Would the hon. member say that the working man was guilty of violence?

Hon. M. L. Moss: If you got struck on leaving this building to-day, you would look for a policeman pretty quickly.

Hon. J. CORNELL: I do not think I would. I think I would take him on.

The PRESIDENT: Order! Members will have a chance in Committee to speak again.

Hon. J. CORNELL: Regarding the constitution of the court, Mr. Moss stated that two laymen were unnecessary. Even in Labour circles that point is a controversial one. Some workers suggest one judge but most of them seem to think there should be laymen. There is no disguising their opinion on that. It is ridiculous in the extreme to think that we can-

not get an individual outside the legal profession to make a competent president.

Hon. M. L. Moss: If you get a layman as president how can he understand and carry out the provisions of Clause 69? Tell me what layman could do that.

Hon. J. CORNELL: If a layman is appointed he would have a certain amount of common sense. The Crown Law authorities will have a certain amount of common sense, and Parliament will be guided by them. It is ridiculous to think that a layman cannot adjudicate as president of the court and arrive at decisions as to hours of labour and other conditions. The appointment of a layman to the position will prevent a great amount of litigation which is now involved, and decisions will be bound to be given on common sense instead of on technicalities, which is often the case at the present time. With regard to Clause 55, which provides for the removal of a member of the Court by a joint sitting of both Houses of Parliament, Mr. Moss objects to the two Houses sitting together. If either House passes a resolution it has not a binding effect until both Houses meet, Mr. Moss thinks that the time might come when there will be more members than there are at the present time in the Legislative Assembly and that they would dominate the position. As it is to-day with a count of heads in both Chambers I think the Labour party would be in the minority. The proposal, therefore, I consider is a democratic one, and should be supported by everybody. This prevails in the Federal Act, and brings together the extreme parties, the ultra conservative and the ultra radical, and there will be a leveling up making the two parties sit together. The proposal to prevent a legal practitioner appearing before the court does not meet with the approval of Mr. Moss or Mr. Sanderson. The clause as it stands is very little different from the existing section. I think, seeing that it was never intended that the legal fraternity should be permitted to appear in this court, and that it is not to be bound by the ordinary rules of legal procedure,

there should be as little legal atmosphere in it as possible. I was pleased to hear the remarks of Mr. Moss regarding the extortionate charges of advocates. So far as the Labour advocates are concerned, I have held the opinion, in the past, that they have not been paid sufficient. I might give one illustration of the position occupied by one union secretary, who I think has conducted many if not more cases before the Arbitration Court than any other labour representative in Western Australia; I refer to Mr. Gibson, the secretary of the Engine-drivers' Union, who receives the magnificent salary of £5 per week as secretary of his organisation, and for that salary also conducts the Arbitration Court proceedings. It has also been said that a layman cannot put a case before the court, but in this respect I might draw hon. members' attention to the recent case in Kalgoorlie where a practically new arrival in Western Australia, a man who had very little knowledge of trades unionism when he came to the country, was complimented by Judge Rooth for the concise manner in which he put the case for the men before the court. I hope the clause will remain, and that only laymen will be permitted to appear before the court. There is another point I should like to refer to, and that is the question of apprentices. Mr. Moss referred to this yesterday. The clause is being put in for the protection of apprentices and not to in any way interfere with trade. I know of cases where men have put on boys to work, and twelve months afterwards turned them adrift. This clause will give power to deal with apprentices, and will prevent cases of that kind. Mr. Moss is anxious to have tradesmen in our midst, and I would remind him of the educational system which exists in Germany whereby technical schools teach trades at the expense of the State. It stands to reason that men who have families and who are getting barely enough to keep the wolf from the door, will not find it possible to pay a premium in order to have their children taught a trade. We know that boys are sent to work as soon as they are able to earn

a living, and I think we ought to have, and I would appeal to hon. members to assist in bringing about, a system of education whereby trades might be taught thoroughly in our technical schools, as they are being taught in Germany. Regarding the questions of jurisdiction and offences I am with Mr. Moss in his desire to remove imprisonment as a punishment. If Mr. Moss thinks it is possible to get men to carry out their obligations without resorting to imprisonment, I am with him.

Hon. J. D. Connelly: Strike out the clause altogether.

Hon. J. CORNELL: Mr. Moss said that he did not believe in imprisonment.

Hon. M. L. Moss: I said it was impracticable and intolerable.

Hon. J. CORNELL: I do not think imprisonment will make men any better. I do not think it was intended that a dual penalty should be inflicted under this measure; we are of the opinion that one penalty is sufficient, but I agree with Mr. Moss that imprisonment will not effect any improvement. In conclusion, I would say that we as a party think that this Bill as it is framed is as effective a measure as can be presented. There may be objectionable features about it, but these can be removed. Taking the principle right through, however, it will prove the most effective that has ever been submitted. We have gone to the extent of providing dual penalties, and consequently got into bad odour with the rank and file. We in this Chamber are six strong, and we recognise that the matter now is entirely in the hands of the Legislative Council. If hon. members refuse to deal with the measure generously, and take the matter out of the hands of the Labour party, they will arrogate to themselves the right to say how this legislation shall be framed. If hon. members then proceed to alter the measure so that it will not be acceptable to the Legislative Assembly, I will ask them to be logical, and, later on, if the Legislative Assembly sends along a Bill, which they will undoubtedly do, with the object of repealing the existing statute, I will ask hon. members for their votes

in favour of that measure. By doing that we will then get back to the position that characterised the state of affairs in the past, namely brute strength, and very often stupidity, in fighting out our industrial evolution.

Hon. M. L. Moss: You still have it, and you do it, so what is the good of talking?

Hon. J. CORNELL: But the position will become more intensified.

Hon. M. L. Moss: It is impossible.

Hon. J. CORNELL: For the last twelve years, the men working on the goldfields, and they have numbered six thousand workers, have abided by the awards which have been given, with perhaps the exception of about two hundred men on one occasion.

Hon. M. L. Moss: You generally got all you wanted.

Hon. J. CORNELL: I venture to say there is not a man sane enough in this Chamber who will remark that we got all we wanted. When speaking on the Address-in-reply I said that prior to the first arbitration award delivered in Kalgoolie the men underground were working 47 hours a week. The matter was not in dispute. The court fixed the hours at 48 per week and the mine managers said the men must work 48 hours a week, and the men did so. At Norseman the engine-drivers were dissatisfied with the existing conditions—some twenty of them. The Miners' Union, 250 strong, were prepared to continue on. The engine-drivers cited the Chamber of Mines to the court, the Chamber of Mines in return cited the Miners' Union, and the result was that the 20 engine-drivers got an increase of fourpence per day and the 250 miners got a similar reduction. They obeyed the award and are continuing to do so. I ask hon. members to be logical. The industrial movement was responsible for Sir Walter James putting on the statute-book a measure which remained there for ten years without amendment. This rank and file and the Labour party declared that it was necessary that it should be amended. Now that the Labour party are in office, they have suggested the amendments which they think are necessary, and they

leave the matter in the hands of the Legislative Council. If the members of the Legislative Council mutilate the Bill, it will have to be rejected altogether and not in part. We must not make an instrument of it which the people will repudiate and refuse to work under, and I will fight against that being done with the last breath in my body.

Hon. C. A. PIESSE (South-East): I intend to say only a few words on this matter. I trust that in Committee many of the clauses will be drastically dealt with. It appears to be the intention of the Legislature to make the worker a person to be avoided. The whole position seems to be bristling with points. They want to hamper the employer with all sorts of conditions under this measure, and in connection with the agricultural industry the position will be made intolerable. It is simply nonsense to make the position so impossible as it is sought to be made by this Bill. Then again, with reference to a point which was thoroughly dealt with by Mr. Moss in regard to the scales of justice, it seems to me that the scales are like loaded dice and are always going to drop on the one side. There is no doubt that we shall have to make a great alteration in the Bill in that respect. The principal purpose for which I rose this afternoon was to give the House an extract which bears largely on this Bill, and which is taken from a review published in New South Wales in July last. It reads as follows:—

A member of the Sydney Labour Council, at a deputation that recently waited upon the State Premier (Mr. McGowan) urging the establishment of a State bread factory, said that they as workers had pinned their faith to the arbitration method of settling industrial disputes, and they had given it a fair trial. They had increased their wages by it, but they found that employers were quite willing to give them the wages so long as they were permitted to fix the prices. They made increases in commodities which were not proportionate to the increased wages. ° That was occurring in the bakers' trade . . . A worker

earning £3 per week at present was probably no better off than he was when he received £2 per week a year ago, because the cost of living had gone up so much.

Now, how on earth can we expect the cost of living to come down when we raise the wages to such an extent that we must increase the cost of production? Everyone knows that if we increase the cost of production we must get more for the commodity produced. If an article costs 1s. 6d. to produce to-day, whereas it only cost 1s. to produce before, the article must carry that extra sixpence. It seems to me that the little extract I have read bears very markedly on this arbitration question. In it we have an admission from a worker, and it was not denied by other members of the deputation, which conveys the position as truly as it is possible to convey it. That condition of affairs will go on for all time. We may create a lot of unrest and make all sorts of experiments, but the thing resolves itself finally into a question of cost of production. The article I have already referred to concludes with further very good advice—

The only means of improving their position is to do more work and better work—not less work and higher wages but more work and higher wages.

That advice contains the keynote of the whole situation. I have nothing more to say, except that I will support the second reading because I feel that the country has asked for arbitration, but I do trust that in Committee certain clauses will be dealt with in the manner indicated by Mr. Moss, whose remarks on the Bill I support in every particular.

On motion by Hon. H. P. Colebatch debate adjourned.

BILLS (2)—FIRST READING.

1, Inebriates.

2, Bills of Sale Act Amendment.

Received from the Legislative Assembly.

QUESTION — INDUSTRIAL DISPUTES, INSTRUCTIONS TO REGISTRAR.

Hon. D. G. GAWLER asked the Colonial Secretary: 1, Are the instructions issued by the Hon. J. D. Connolly on 2nd August, 1910, to the Registrar of Friendly Societies, to the effect that the registrar was to inquire into any industrial dispute brought to his notice with a view to legal proceedings against persons concerned, if he was so advised by the Crown Law officers, still in force? 2. If not, why not? 3, Have any instructions been since given to the registrar in this connection?

The COLONIAL SECRETARY replied: 1, No. 2, It is considered that under the existing law no good purpose is served by making inquiries with a view to a prosecution. 3, Yes, to the effect that inquiries are not to be made unless instructions are given by the Minister.

QUESTION—DENTISTRY LEGISLATION.

Hon. F. CONNOR asked the Colonial Secretary: Do the Government intend to introduce any new legislation in connection with dentistry this Session?

The COLONIAL SECRETARY replied: The matter has not been decided.

QUESTION—GOLDFIELDS WATER SCHEME, PROMISED LEGISLATION.

Hon. T. H. WILDING asked the Colonial Secretary: Does the Minister propose, during this Session, to place before Parliament the comprehensive measure in connection with the Goldfields Water Supply Scheme as promised to this House last session?

The COLONIAL SECRETARY replied: A comprehensive scheme has been prepared, and circulars and plans have been sent to all progress associations in the Eastern districts. Additional plans have also been posted up at every siding in the districts mentioned.

BILL—UNCLAIMED MONEYS.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Hon. F. CONNOR moved—

That progress be reported.

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

Ayes	5
Noes	10

Majority against .. 5

AYES.

Hon. F. Connor	Hon. T. H. Wilding
Hon. Sir J. W. Hackett	Hon. C. Sommers
Hon. V. Hamersley	(Teller).

NOES.

Hon. R. G. Ardagh	Hon. J. M. Drew
Hon. H. P. Colebatch	Hon. D. G. Gawler
Hon. J. D. Connolly	Hon. R. J. Lynn
Hon. J. Cornell	Hon. B. C. O'Brien
Hon. F. Davis	(Teller)
Hon. J. E. Dodd	

Motion thus negatived.

The COLONIAL SECRETARY: Under the Bill financial institutions would have to disgorge all unclaimed moneys remaining with them from the inception of the State. The Bill was founded on legislation elsewhere, and the definition of "unclaimed moneys" elsewhere was the same as contained in this clause, but the Government recognised it would be a hardship to call for the disgorging of all unclaimed moneys from the inception of the State, and they now proposed to modify the definition of "unclaimed moneys" and make the Bill apply only to moneys unclaimed since the beginning of 1906. He would move to amend the definition of "unclaimed moneys" so that it would read—

"Unclaimed moneys" means all principal and interest money and all dividends, bonuses, profits and sums of money whatsoever which have been owing to any person (notwithstanding that the recovery thereof may be barred by lapse of time) since the first day of January, 1906, and not before, or which shall at any time after the commence-

ment of this Act become owing to any person, and which, on the commencement of this Act or at any time thereafter, have been payable by the company for a period of six years, or upwards after the time when the same became payable. . . ."

Hon. D. G. GAWLER: The amendment suggested would meet the objections raised by hon. members. In many instances the financial institutions rightly claimed moneys which had been in their possession for a very lengthy period, and which remained unclaimed.

On motions by the COLONIAL SECRETARY the definition of "unclaimed moneys" was amended by inserting between "whatsoever" and "owing" in line 3 the words "which have been," by inserting after "lapse of time" in line 4 the words "since the first day of January, 1906, and not before, or which shall at any time after the commencement of this Act become owing to any person," and by striking out the words "in the possession of" in line 6 and inserting "payable by" in lieu; and as amended the clause was agreed to.

Clause 3—Register of unclaimed moneys to be kept:

The COLONIAL SECRETARY moved an amendment—

That after "moneys" in line 2 of Subclause 1 the words "of not less than £5 in any one account" be inserted.

By this amendment, it would not be necessary for the financial institutions to pay in any sums standing to the credit of an account amounting to less than £5.

Amendment passed; the clause as amended agreed to.

Schedules, Title—agreed to.

Bill reported with amendments.

House adjourned at 5.40 p.m.

Legislative Assembly,

Thursday, 19th September, 1912.

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

QUESTION—WICKEPIN-MERREDIN RAILWAY DEVIATION.

Mr. MONGER asked the Premier: Do the Government intend to carry out the recommendations and suggestions as conveyed in the select committees report to the Legislative Council as regards the construction of the Wickepin-Merredin Railway?

The PREMIER replied: The Government do not propose to consider the report of the select committee appointed by the Legislative Council until the report of the select committee appointed by the Legislative Assembly has been received.

BILLS (2)—THIRD READING.

1. Inebriates.
 2. Bills of Sale Act Amendment.
- Transmitted to the Legislative Council.

BILL—FREMANTLE-KALGOORLIE (MERREDIN-COOLGARDIE SECTION) RAILWAY.

Returned from the Legislative Council with amendments.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

Council's Amendments.

Schedule of five amendments made by the Legislative Council now considered.