Legislative Council,

Wednesday, 22nd October, 1924.

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

LEAVE OF ABSENCE.

On motion by Hon. J. Ewing leave of absence for 12 consecutive sittings granted to Hon. E. Rose (South-West Province) on the ground of urgent private business.

BILLS (3)—THIRD READING.

1. Noxious Weeds.

2, Fremantle Municipal Tramways.

3. Private Savings Bank.

Returned to the Assembly with amendments.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—STATE LOTTERIES.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.37] in moving the second reading said: The object of the Bill is to enable the Government to conduct lotteries in the interests of the charitable institutions under the care of the State. For some years past the cost of maintenance of our hospitals and of provision for relief for State children has been a source of strain on the financial resources of the Treasury, and that strain is increasing as time goes on. The financial position is now making it impossible to meet all requirements under this heading, except by providing additional revenue in some shape or form. It has occurred to the Government that a State lottery would supply means by which funds could be found to augment the votes proposed by the Treasurer and authorised by Parliament. There are objections to the Bill. Some of those objections come from sources that entitle them to respect. They represent the views of those who conscientiously believe that lotteries are in themselves bad; that they create the gambling spirit and lead young people to ruin. If there were any reason to conclude that participation in a 5s. sweep would lead to that result, I would have no hesitation in saying it would be a mistake to pass the Bill. My close observation of what has been going on around me for many years past convinces me that the majority of the people who patronise sweeps rarely, if ever, become gamblers. They invest their 5s. as a sort of speculation and also because they have the money to spare. They are seldom of the class who invest any large sum on a race or play cards for heavy wagers. They may go on the tote at race meetings for a small amount, but that is the limit of their risk. I do not think it can be shown that any young man has ever become a gambler by buying tickets in a raffle or at a bazaar or by trying his luck in any such way. I have great respect for those religious bodies and other organisations that have made it one of the aims of their lives to oppose lotteries in all circumstances. In their hostility to the Bill they are taking up a logical stand and are loyal to their principles. I cannot conceive, however, that it is possible that the majority of our legislators will be haunted with similar scruples. The Parliament of this State endorsed the totalisator many years ago and statutory authority was given for its use at all race meetings under the auspices of the Western Australian Turf Club. Since then that sanction has been extended to the Western Australian Trotting Association. So far as I am aware, no motion has ever been tabled by a member of Parliament requesting that the law making the use of the totalisator legal, should be removed from our statute book. Yet the totalisator, from the standpoint of gambling, is worse than taking part in a drawing for a prize. The man who patronises the totalisator actually bets. He lays a wager, generally for a small amount, that a certain horse will win. The man who takes a ticket in a sweep does not back any horse. He has 5s. to spare and invests it knowing he has a very remote chance only of winning anything at all, but that should he win, he would get something worth while. As a matter of fact the totalisator opens the door to a greater evil than does the sweep. A man may become infatuated with certain horses and may be tempted to put more money than he can well afford on his fancies, and he may come out a few pounds to the bad at the end of the day. At the same time I must admit that I have never heard of any person being ruined financially through patronising the totalisator. Many public men are charac-

terised by a good deal of hypocrisy. As I have already indicated, Parliament some years ago, passed a Bill abolishing the bookmaker. He is a gentleman who goes to our racecourses, takes up his stand, calls the odds and makes wagers that sometimes amount to huge figures. He offers most alluring inducements to all and sundry to bet, and he pushes his business with a vigour and vim that ought to bring success in any department of life. If his financial status is above suspicion—and it generally is—he does a rattling trade. Crowds come around him and his clerk books bets as fast as he can lay pencil to paper. I have said that the bookmaker was abolished by Parliament, but that Act is the deadest of dead letters on the statute book.

Hon. A. Burvill: Why was not that legislation enforced?

The COLONIAL SECRETARY: Parliament has never attempted to bring pressure on any Government in that direction.

Hon. J. Cornell: The fact that one evil exists, does not justify the creation of another.

Hon. A. J. H. Saw: The Government could do it themselves.

The COLONIAL SECRETARY: No Minister who has been in office since that legislation was passed has been able to administer the Act. No Minister would survive for a fortnight if he attempted to do so. The weight of public opinion would be against it, and I do not know that the very Houses of Parliament responsible for passing the measure, would not assist in his downfall.

Hon. J. Nicholson: Why was such an Act introduced?

The COLONIAL SECRETARY: The bookmaker is abolished by Act of Parliament at the present time. It is a crime for him to bet.

Hon. J. Nicholson: It is illegal.

The COLONIAL SECRETARY: At the present time the bookmaker—the prince of bettors and the manufacturer of bettors—is not only tolerated but is recognised by Parliament. The race clubs operating under the law register him, take the fee which is the price of his being allowed to pursue his calling, and then all is well provided he pays his dues. My remarks are not intended to be an attack on the bookmaker, whom I have found to be as honest and straightforward as most other members of the community. I hope it will be understood that I am merely endeavouring to prove that there is much hypocrisy over this question. I have already said that the bookmaker is allowed to break the law, and that the race-clubs operating under statute enter into an agreement to provide him with facilities to do so in return for a certain fee. The State becomes an accessory in the business. The law, which says that a bookmaker must not bet, also says that a bookmaker must pay taxation on the amount he earns from betting, and he has also to pay a ticket tax. For a long time Governments were loth to go so far, but the Taxation Department were insistent, and the Treasury being in need of funds, Parliamentary authority was sought and granted without any attempt being made to legalise the calling of the bookmaker. In argument against the Bill, it will no doubt be said that for good reasons lotteries have been declared illegal, that they are vicious, that no Government should ask Parliament for permission to run them, and that it would be degrading the functions of Government to enter into such an unholy business. I have given a calm recital of facts in view of which such arguments will be shorn of their strength, for I have shown that Governments and Parliaments have been up to their necks in this traffic for many years past. I have been reading a work on social problems by Lady Bell, a great English authoress whose name appears in "Who's Who?" It is the result of 30 years' experience of a large population of ironworkers in the north of Yorkshire. She deals with the drink, betting and gambling evils, and leaves no room for doubt as to her attitude to those questions. She is particularly emphatic about gambling. She says—

> It debases character and lessens the sense of responsibility.

Describing the lucky gambler she says—

> His success, purchased by no desert, no work of his own, may mean the absolute ruin of the soul and body of the man sitting opposite to him.

Of public lotteries she takes quite a different view. She says—

> I have no knowledge of the result in other countries of legalising and authorising gambling by having public lotteries authorised by the State, but it is conceivable that these should be a more wholesome outlet for the universal inevitable tendency than the surreptitious manner in which such operations are conducted in this country.

This Bill, if passed, will remove the necessity for the countless lotteries now run, some of them without any provision whatever for the protection of the public.

Hon. A. J. H. Saw: Do you propose to abolish all other lotteries?

The COLONIAL SECRETARY: We intend effectually to control and abolish them.

Hon. J. Cornell: That is not very logical.

The COLONIAL SECRETARY: Lotteries are conducted in almost every town in the State, on all sorts of pretexts and for all sorts of purposes, and the public are even pestered in the streets to purchase tickets in such lotteries.

Hon. J. Duffell: If this Bill be passed, they will exist just the same.

The COLONIAL SECRETARY: That sort of thing will be ended so far as possible, and the holding of lotteries in future

will be strictly regulated by Ministerial control.

Hon. A. Burvill: Why could not that be done now?

Hon. E. H. Harris: They will not be abolished.

The COLONIAL SECRETARY: It must be remembered also that an immense sum of money is going out of the State every year for sweep tickets. About £100,000 goes to Tattersall's, while a further large amount finds it way to Queensland for investment in the Golden Casket lottery. If much of that money could be diverted to the purchase of tickets in our proposed State lottery, the hospitals and other charities would substantially benefit. There is another aspect of the question: the diversion of this money from its natural channels to other countries represents a loss of wealth to this State, less of course the sum that comes back by way of prizes. If £120,000 goes out annually and only £10,000 is returned in prize money, our wealth suffers depletion to the extent of £110,000. If we sent an equivalent sum out for goods, we would have the goods to show in return, but here it is an absolute loss without any compensating advantage whatever. Many years have elapsed since Tasmania legalised the holding of Tattersall's sweeps, and no one has ever suggested that the morals of the people of Tasmania have been adversely affected in consequence. No one can quote statistics to prove that crime due to gambling is more rife in Tasmania than in the other States that have prohibited Tattersalls from operating within their borders. If this Bill be defeated, the public of Western Australia will continue to invest in Tattersalls and in the Golden Casket. They will still invest to the full extent of their wishes or means, the only difference being that in the one case a private firm would benefit, and in the other the people of Queensland would be advantaged by the maintenance of one of the sources from which they derive revenue for the upkeep of their charitable institutions. Western Australia is badly in need of money for the purposes I have mentioned. The expenditure on hospitals and charitable institutions is an ever-increasing sum. Year by year we are asked to find more money under this heading. To further increase the already heavy double-barrelled taxation, Federal and State, would impose a very serious strain upon the resources of the people, and would probably result in severely handicapping industry and discouraging enterprise. Such a contingency is not likely to arise if this measure were put into operation.

Hon. J. Duffell: While you are trying to get this Bill through, another place is considering a Bill to increase taxation.

The COLONIAL SECRETARY: I have spoken of the increased cost of hospitals and charitable institutions and a few figures may be quoted in support of my contention. During last year five new hospitals were erected and it is expected that eight more will be opened during the present financial year. Hence, unless additional revenue be raised for the support of hospitals, the drain on Consolidated Revenue will be greater this year than it was last year and, judging by the further demands for hospitals, it will continue to increase by very large sums.

Hon. A. J. H. Saw: How much do you expect to raise under this scheme?

The COLONIAL SECRETARY: It is estimated that at least £30,000 will be raised in the first year of its operation.

Hon. J. Cornell: That is based on guesswork.

The COLONIAL SECRETARY: The estimated expenditure under medical for 1924-25 is £132,849, and the estimated revenue £29,000, leaving an estimated net cost of £103,849. For homes the estimated net cost is £11,693; health, £21,381; State children and outdoor relief to widows, £85,690; or a total net cost to the State of £222,613. On top of this there is £54,624 for the maintenance of and repairs to hospitals, and even this large amount is insufficient to enable the Minister to discharge the functions satisfactorily to the people. The expenditure on what may be described as free services makes it a serious problem for the Treasurer to finance the State. Take education, medical, health, police, gaols, State children and aborigines, which largely come under this head, the proposed gross expenditure for 1924-25 is £1,171,005. The revenue which it is expected to collect from these departments is £100,978, leaving a balance of £1,070,072. Direct taxation is estimated to produce £1,132,700, so that after we bear the cost of free services out of direct taxation we shall have only £62,628 available for other purposes. This shows the difficulty of financing a young and imperfectly developed State like Western Australia. It will be interesting to members to learn the result of the operation of the State lottery in Queensland. About two months ago the Government Statistician, Mr. Bennett, was visiting the Eastern States and was asked by the Minister for Health to obtain particulars of the working of the Golden Casket in Queensland. Mr. Bennett carried out the duty, and I have some figures giving the result of his investigations. I understand the Queensland lottery was commenced on the 16th January, 1921, and from that date to the 31st December, 1921, the results were:—Paid to Home Department (including £10,458 for the Mt. Mulligan Relief Fund) £243,381; Federal taxation £41,688; State taxation £28,632. From the 1st January to the 31st December, 1922, the figures were:—Paid to Home Department £180,053; Federal taxation £52,500; State taxation £30,000. From the 1st January, 1923, to the 31st December, 1923, there was paid to the Home Department £147,855, to the Federal Taxation Department £40,000, and to the State Taxation Department £25,000. This is a summary of receipts as from the 1st July, 1920,

to the 30th June, 1924. Payments to hospitals, £321,593; payments to bush nursing associations, £1,141; to baby clinics, purchase of sites, £1,919; Public Works Department, erection of baby clinics and maternity wards, £91,371; doctors' quarters, Blair Athol, £636; erection of crèche and kindergarten buildings, £2,720; equipment of maternity wards, £614; purchase of land, Lady Bowen hospital, £400; Audit Act Trust Fund, unclaimed prizes, £3,694.

Hon. A. J. H. Saw: Have you any figures showing the cost of raising that money in Queensland?

The COLONIAL SECRETARY: Yes, the figures supplied by the Queensland Government. But it is difficult even with those figures to forecast what will be the net revenue derivable from the operation of this Bill. It should certainly be something substantial in view of the experience of Queensland. Whatever it is, it will be placed to the credit of a trust fund and applied by the Minister in aid of public hospitals and charitable institutions. The money will not go into Consolidated Revenue, nor will any be used for any other purpose except as set forth in the Bill, nor will present votes under the same head be reduced. On the other hand, they will probably be increased, as is now done from year to year. But with the new source of financial supply, we shall be able to do much more for the sick and suffering and distressed than we can do now. Prizes in these lotteries are to be exempt from income tax. In Queensland 5s. 3d. is charged for each ticket, the 3d. being stamp duty, which goes to the Treasury in the form of income tax. The Government desire to take every precaution to see that none of the funds shall be used for reducing the deficit. Provision is made that the accounts shall be audited by the Auditor General, and copies of the accounts, together with the Auditor General's report, must be annually laid before the legislature. I commend the Bill to the careful consideration of the House. If it becomes law, it will provide a greater measure of relief to the afflicted members of our community than is possible now without further increased taxation, and it will provide that by means which are widely accepted in this State as the most successful and least burdensome to the people. The Bill breaks no ground that has not been broken before for a similar purpose, the only difference being that the State will do what private organisations have been doing in the past with the connivance of Governments. The country for years past has been flooded with lotteries, and if we are to have them, is it not better that they should be under Government control? At the present time some of those conducted are not under proper control. And, let me repeat, over £100,000 a year is now going out of the State to Tasmania and Queensland and it will continue to go unless means are available to intercept that money, as it is proposed to do in the Bill.

Hon. J. Duffell: If this Bill is passed, will it do away with all gambling at White City?

Hon. C. F. Baxter: Sweating wheels, spinning-jennies, etc.

The COLONIAL SECRETARY: Spinning-jennies are not tolerated now. As I have already said, Parliament has already approved of the totalisator, which is a gambling machine, and for the year 1922-23 the tax received by the Treasury from this source amounted to £54,411, and from 1905 to 1923 to no less a sum than £391,000—all from gambling.

Hon. J. Cornell: Originally it was intended that the totalisator should do away with the bookmakers.

The COLONIAL SECRETARY: Parliament has imposed a tax on every betting ticket issued by a bookmaker, and has not hesitated to sanction legislation to enable the Treasury to benefit by the spread of gambling. In all these circumstances there should be little opposition to the Bill. Some hostility may be expected, as I have already hinted. There are those who have conscientious scruples in the matter, and one can respect their views. But I feel that the majority of the members of this House will recognise that while the measure does not introduce anything novel in the life of the community, or anything that experience has shown to be harmful to the people, it promises to provide a means by which sickness and distress can be relieved on a more generous scale than is possible in existing circumstances. I move—

That the Bill be now read a second time.

Hon. A. J. H. SAW (Metropolitan-Suburban) [5.10]: In offering a few remarks on this Bill, I do not think I can congratulate the Leader of the House on the speech he made in introducing it. In fact, his speech seemed to me the lamest apology for the Bill that it was possible to offer. No doubt the subject is one that would considerably hamper any speaker in submitting such proposals to Parliament. May I refer to a few of the remarks that I have culled from the Minister's statement in justification for introducing the Bill? First he told us that there was no danger of sweeps leading on to gambling. I suppose we have all heard of a child's first steps towards gambling, and I have no doubt whatever that many a person has been led to gamble by being introduced to it through the medium of sweeps.

Hon. T. Moore: The lucky bag is the first step.

Hon. A. J. H. SAW: Another excuse for the introduction of the Bill was that the totalisator was already a great evil. But because we have one great evil is that any reason why we should introduce a second? Then the Leader of the House alluded to the

hypocrisy of public men in connection with this matter of gambling and of the suppression of things evil in our midst. He said that no Cabinet would survive the enforcement of the law if it were applied to the abolition of the bookmaker. If such a result were to follow the enforcement of the law against bookmakers, that is an additional reason why we should not start another gambling institution in our midst, because once established, we know well how hard evils are to get rid of owing to vested interests that arises and the political pressure that is brought to bear on those who try to get rid of them. If there is one argument more than another against the evil, it is the argument that the Colonial Secretary supplied us with. There is no guarantee that these other avenues of betting by means of sweeps, collections at street corners, and art unions are going to be abolished if we pass the Bill. I should say that the fact of legalising as a Government institution one form of lottery, will make it much harder to get rid of those already existing. Then the Colonial Secretary alluded to the amount of money lost through other lotteries that are carried on outside the State and that are taking money away from here. There is no guarantee under this Bill that those lotteries will not continue to thrive. In fact I do not suppose there is any machinery that the Government possesses for stopping these lotteries that are at present taking money away from the State. The fact that we are legalising a system of betting by lottery will encourage our people to take part in those other lotteries outside the State. The proposal is to raise £30,000 during the first year by means of this system of lotteries. What it is going to bring in the future we do not know, but the Leader of the House has told us that various large sums are being raised under this system in Queensland at the present time. I noticed, however, that although he stated he had the figures, he did not furnish them to the Horse in response to the interjection I offered regarding the cost entailed in collecting this sum of money by the medium of sweeps, and that, I take it, is the most material point. Then the prizes under this Government scheme are to be exempt from income tax. Was there ever a more nefarious proposition? A man who earns £100, £500, or £1,000 by hard work is taxed up to the hilt.

Hon. J. R. Brown: By whom?

Hon. A. J. H. SAW: By a Government that submits to us a proposition that if he gains a sum of money as a prize in a lottery, he shall escape any kind of taxation.

Hon. A. Burvill: It is offering a premium on gambling.

Hon. A. J. H. SAW: The Leader of the House said that spinning-jennies were not tolerated. That statement merely shows the little cognisance that he has of the gambling that is taking place in our midst. Those who attend White City are aware of the extent to which spinning-jennies are rampant there.

Hon. T. Moore: I think you are wrong; the old type of spinning-jenny has gone.

Hon. A. J. H. SAW: I am only repeating what has been said in the Press. Of course there may be an improved type of spinning-jenny, just as there is a new kind of totalisator. Anyway I think that remark shows us that the innocents abroad are not confined to the days of Mark Twain. In 1921 a Bill was before this House to legalise lotteries, and I am glad to say it was lost by a majority of three votes. I am sorry the majority was not larger. Anyone who approaches the subject of gambling or lotteries of any kind usually lands himself in inconsistency. I am going to apologise to the House beforehand for the inconsistency into which, probably, I shall fall. But although I may be inconsistent, I do not want to be regarded as one of those public men to whom the Colonial Secretary referred when he said they were hypocritical. I want to make my personal position quite plain. In the words of one of our poets—

I am a wanderer in a middle mist.

My attitude on gambling is similar to my attitude on the liquor question; that is to say, I regard the offence as consisting in the abuse, not in the use. I do not see any great harm in Mr. Moore's dip in the lucky bag. The enormity of a raffle at a church bazaar, or the enormity of a sweep, or of occasionally taking a ticket in Tattersall's, or a quiet game of bridge for moderate stakes, leaves me cold! To my mind the evil occurs when people gamble for stakes they cannot afford to lose without either impairing their own resources or leaving their families not properly looked after. When men do gamble beyond their means, it frequently leads to embezzlement and other forms of crime. There have been in this State a good many instances in which it has led to imprisonment and even to suicide. But because the State already winks at existing forms of gambling is no reason why we should adopt gambling as a legal method of raising money. By destroying that thin barrier from behind which the public occasionally may regard gambling, undoubtedly we shall in course of time increase the gambling evil in our midst. Because of that I deprecate the Bill. It should be the function of any Government to encourage thrift. By encouraging gambling, thrift is undoubtedly abolished. There is no surer way of undermining thrift than by encouraging gambling. Further, this method of raising money by means of sweeps is not a sound economic proposition. It is expensive. There is the cost of running the sweeps. I could not get from the Colonial Secretary any information on that point. I had a question to ask the Minister to-day in reference to the cost of raising money by direct taxation. Unfortunately he has

not yet been able to supply me with those figures. When we get them I hope the House will compare the cost of raising money for charitable purposes by direct taxation with the cost of raising money under this scheme. Another great disadvantage in raising money by means of sweeps is the fact that a considerable amount is kept out of circulation, diverted from its legitimate uses for the whole of the year, being locked up in those sweeps. In this way, by the diversion of so much money, employment is diminished. So I maintain this system of raising money is wrong in principle, apart altogether from the ethics of gambling. The greater the success of sweeps, the greater the loss to the community. If we could conceive of these sweeps being multiplied a hundredfold, it would in the end cause the State to become bankrupt. Western Australia is not a wealthy community, and the Government's proposals are going to make it still poorer. We have a most extraordinary instance of wrong methods at present being adopted by the Government. There is this method of discouraging thrift and so making the people poorer. Then there is the method involved in another Bill before the House, whereby the people are to be encouraged to work less. It is an extraordinary idea for a Government that came into power with a view to restoring the financial position of the State and of restoring our prosperity, to embark, in their very first session, on two methods that will diminish our prosperity instead of increasing it. The argument used by the Colonial Secretary was practically this: that there are already so many existing sweeps, so many authorised ways in which the public are being exploited through the medium of gambling, that it will not do any harm to introduce another one run by the Government. That argument reminds me of a little poem with which I was familiar as a small boy attending the Government school in St. George's Terrace. It related the experience of a little fellow invited by his comrades to rob an orchard—

> He was very much shocked and he answered Oh No!
> What! rob our poor neighbour, I pray you, don't go.
> Besides, the man's poor, his orchard's his bread;
> And think of his children, for they must be fed.

However, his protest was unavailing. After his companions had gone he reflected and said—

> Poor man I would save him his fruit if I could,
> But staying behind would do him no good.

And so he went and joined the others. And the poem ended—

> He joined in the plunder, but pitied the man.

That expresses in verse the position the Government are taking up in the Bill. I can understand the Premier, and the Minister for Lands, that stern unbending Cato, perhaps joined by the Colonial Secretary, saying, "Well, you know the public are exploited in all kinds of ways by these sweeps. Let us join in with them. Another little sweep won't do us any harm." They are proposing not to introduce during the present session any new State trading concerns, but they are going to introduce this State lottery. Of the two, I would prefer a new State trading concern. Not that I am in favour of State trading concerns, but that I am still more against State lotteries. I asked the Colonial Secretary was there any intention to stop existing lotteries. He did not say no; he said they would be controlled. I noticed in the Press that the Premier said the existing lotteries organised in the aid of charity were not going to be abolished, but would still be allowed to go on. I take it, were it not so there would have been a great deal of opposition to the Bill from those bodies concerned in the existing lotteries. The Ugly Men, I can imagine, would have been up in arms and all the others who at present are raising money for charities in this way. As the Colonial Secretary said, the Bill has met with a great deal of opposition from responsible bodies who are entitled to our respect. They occupy in the community a position that undoubtedly entitles their views to be treated with respect. It is of no use to answer their arguments by saying "Wowsers!" That is no argument at all. The arguments they put forth are valid, and demand a proper answer, not these mere apologies that, up to the present, have been made to suffice. We must consider their opposition for two reasons: In the first place their arguments are valid, and secondly those bodies are largely supporting many subsidiary charities, such as orphanages, the Home of Peace, the Deaf and Dumb Institution, and the School for the Blind. And a hundred and one other organisations in our midst are supported by a large body of annual subscribers. If one looks down that list of subscribers he will see that they are drawn from the bodies objecting to the Bill.

Hon. T. Moore: Nearly all the bodies mentioned by you have sweeps themselves.

Hon. A. J. H. SAW: There is certainly one that does not run a sweep. In view of that interjection I should like to quote some remarks by the Chief Justice at the twenty-second annual meeting of the Home of Peace. His Honour is reported to have said—

> He was glad the committee had been able to find the money needed without resorting to some of those demoralising methods sometimes considered necessary

to raise money for charities. That those were demoralising he had reason to know from his experiences in the criminal and bankruptcy courts. He wished the people to remember that a thing wrong in itself did not become right because it was done in a good cause.

The remarks made by the Chief Justice on that occasion had no reference to the Bill, which was not then before the public. However, I think those remarks express the opinions of large numbers who at present are cheerfully engaged in supporting subsidiary charities. If we pass a Bill to support charities and hospitals by means of sweeps, we shall undermine that source of legitimate revenue by which at present they are maintained. That would be the very harmful effect of the Bill. Nearly all religious bodies inculcate the duty of charity. Under the Mosaic law men were supposed to give a tenth of their income towards charity. Under the Christian law no sum is specified; but all religions, Moslem, Christian and Hebrew, inculcate the divine virtue of charity.

Hon. A. Lovekin: And to give as little as they can.

Hon. A. J. H. SAW: No. That is wrong. I maintain that church people give very largely in accordance with their means.

Hon. T. Moore: There are lots of threepenny bits in the collection plates.

Hon. A. J. H. SAW: I do not know about that, but those people subscribe very largely by annual subscriptions towards maintaining charities. That is another reason why their arguments should be respected. But the Government proposes to substitute for the divine injunction of charity, the method of raising money for charities by means of sweeps. It is wrong. It is an unsound principle, ethically and financially. I should like to deal with what may appear to be an anomaly and with what is probably the excuse for the introduction of the Bill. I refer to the comparatively small amount that is subscribed to the Perth Public Hospital by means of charity. I am going to offer an explanation of that. I think it is that the people have rightly got it into their heads that it is the duty of the State to support the sick poor, and those who are not able to provide for themselves proper medical and nursing help. This is because the people thoroughly recognise that it is the duty of the State to maintain, in a condition of efficiency, the Perth Hospital, not as a matter of charity, but as a matter of right, on behalf of the poor and those who may not be included amongst the poor, but cannot provide for themselves adequate medical and nursing attention. That is the real reason why people do not subscribe to that institution. I agree with the people who think in that way. Whenever I have spoken in this House it has been in the direction of trying to impress upon the powers that be the importance of maintaining that hospital in a state of even greater efficiency than it is in now. I do not want it to be regarded as the duty of the individual citizen to carry out that obligation, which we all recognise should be borne by the State as a whole. I object to the Government shelving this legitimate obligation, and putting part of the burden upon the unsound principle of raising money through the medium of sweeps. There is another evil involved in sweeps, namely, the danger of fraud. We all know that art unions in this State have not been free from fraud. I was a member of the War Council in the early days of the war before I went away, and I know that the evils in connection with the promotion of sweeps became so rampant that these operations had to be largely curtailed, and could only be carried on under the closest supervision.

Hon. J. Cornell: What about the recent prosecutions over the Golden Casket?

Hon. A. J. H. SAW: In connection with the Golden Casket sweep, which the Government have taken as their model, within the last month or so two of the people employed on the staff have been sent to undergo terms of imprisonment for frauds committed.

Hon. T. Moore: You find that in connection with every business that is run.

Hon. A. J. H. SAW: For one fraud committed in a legitimate business, ten are committed under this system of getting rich quickly.

Hon. T. Moore: That is all supposition on your part.

Hon. A. J. H. SAW: The atmosphere surrounding such a method of raising money will undoubtedly tend to create fraud. For all these reasons it is incumbent upon the Government to step warily before starting this nefarious principle.

Hon. J. R. Brown: Your arguments are assisting the Bill.

Hon. A. J. H. SAW: I think most people will agree with what I have said. A Bill similar to this was defeated some years ago when an attempt was made to legalise lotteries. At that time the Council vetoed the measure, and I trust they will repeat their action on this occasion.

On motion by Hon. J. Cornell debate adjourned.

BILL—CLOSER SETTLEMENT.

Second Reading.

Debate resumed from 11th October.

Hon. J. E. DODD (South) [5.35]: When the Closer Settlement Bill introduced by the previous Government was before us I said I supported it with very great reluctance, and I will support this Bill without any enthusiasm. I propose to give a few reasons why I do so, and to state the objections I have to it. I support the effort to bring about closer settlement because I think it is vital that we should have all

our land adjacent to railways brought under cultivation, if possible, and have it all utilised. Although most of our land may be alienated, I do not think any of us can say that it is utilised to its fullest extent. When one realises that it is the people who are further out, in what we call the back country and the wheat areas, who are utilising their lands most of all, one must agree there is need for a Bill of this nature. In many of the older settlements I do not think the land is being utilised to the extent that it ought to be. It is not possible for us to go on borrowing money at 6½ per cent. for the construction of new railways. It, therefore, remains for us to do all we can to see that the land adjacent to the existing railways is utilised. I have one great objection to the Bill in that I consider an unimproved land values tax should have been brought down by the Government before the closer settlement measure was introduced. There is no guarantee that any proposal of the Government in that direction will be carried, but if it had been brought down, we would have known what their intentions were in respect to unimproved land values taxation. I am disappointed to find any such proposal had been embodied in the Assessment Bill that is now before the Assembly. A Land Values Taxation Act would force land into use and render a Bill of this kind unnecessary. It would also operate equitably all over the State. It would apply not only to the farmer, but to the owner of city property. I do not think this Bill can be called a confiscatory one, nor do I agree that land titles are sacred. A title should be respected, and we should not lightly deprive any man of his rights to his land, but to say that because a person has received a title he can do what he likes with the land, is to advance a wrong principle, and one that is opposed to the natural privileges of the community. I have referred once before to the remarks of Sir Samuel Griffiths in Queensland when introducing a Bill of this kind. He pointed out clearly the difference between man-made laws and the laws of nature, and showed that land was practically the right of all. A title over land gives no one the right to do as he likes with it; the right is subject to the right of the community. Land is limited in quantity, and if we admitted the superior rights of the landowner we might as well step off the universe and let the landowner remain. Some member interjected during this debate, "Thou shalt not steal." That is one of the commandments. The great Law-giver who promulgated that commandment also gave us some comprehensive land laws. It is interesting to read the Mosaic land laws and to understand what they mean. It was laid down under the land laws of Moses that no land could be sold in perpetuity. We have not gone as far as that yet. We do sell land in perpetuity, although it is subject to the laws of the country. Another of Moses' laws was that all land reverted to the original owner in the year of jubilee, subject to compensation. Sometimes when we are quoting from certain authorities it is just as well that we should quote the whole and not the part. Members owe a debt of gratitude to Mr. Burvill for the information he gave concerning the number of persons who have applied for land in this State. The information astonished me. I did not think so many people were looking for land. There appear to be many land hungry persons here who are anxious to settle somewhere near a railway where they have some hope of making a success. Mr. Burvill also showed that many of these people possess a fair sum of money with which to develop their holdings. His figures certainly disprove the statement that no land hunger exists here. Mr. Stewart referred to a scientific method he had in view and which he had proposed more than once, of bringing land into use by means of a tax on unimproved land. I should like Mr. Stewart to have said whether or not he meant to impose a uniform tax on all unimproved land. I take it he would not do so, and that he would put a tax on forest land near a railway that was unimproved different from that which he would put upon light land near a railway. A tax on unimproved land values is one of the most scientific ways of dealing with the question. Why representatives of farming communities can advocate a tax on unimproved land, is more than I can grasp. My intelligence must be low, or there is something in the system I have not grasped. For a farmer, of all people, to advocate a tax on the unimproved value of land seems equivalent to committing suicide. Under such a scheme of taxation the city man would go almost scot free. But to put a tax on unimproved land values would be a totally different proposition. Now I wish to state a few objections I have to the Bill. The first relates to the board. Undoubtedly the board are given great power in dealing with land under the measure. The board would consist of two civil servants and one other person, the civil servants thus being the majority. I like to put myself in the other fellow's place at times, and I have asked myself how I would like a board composed of two civil servants and one other person to decide whether my land is being utilised, with a view to its being taken away from me without the slightest appeal. Acting on the report of the two civil servants, the Government could take the land away from the owner without any right of appeal. I cannot think that is equitable. We should legislate as far as possible from an equitable standpoint. Very different methods are adopted under various Bills and under various Acts. I take it that the man who owns land gets his living from it. The land gives him his wages. Now, under the Industrial Arbitration Act Amendment

Bill certain boards are to be created to fix wages; and the workers have the right to choose one representative on the board, and the employers have the right to choose another, and those two representatives have the right to choose a chairman, failing which the Government have the right to appoint him. If that principle is right in fixing men's wages, surely there is nothing unfair in applying it to the taking of land. If that were done, it would be very much better than placing the matter in the hands, practically, of two civil servants. I have a great objection to giving more power than can possibly be avoided to civil servants, though not because I have any objection to civil servants as such. However, on many occasions I have spoken here in a similar strain regarding the Commissioner of Public Health, the Conservator of Forests, and other civil servants. We go too far in the direction of handing over power to individuals.

Hon. C. F. Baxter: Civil servants invariably carry out the policy of whatever Government may be in power.

Hon. J. E. DODD: The owner, after he has been given notice that his land is not being utilised, has the right to subdivide the land and sell it, failing which it will revert to the Crown in three months, and compensation at the rate of 10 per cent. above the assessment valuation is to be paid. I have yet to learn what the words "prima facie" mean in legal terminology, though of course we all understand what they mean generally. As regards the compensation clauses of the Bill, the Public Works Act of 1902 embodies the very principle which I advocate in connection with the present measure, namely the landowner nominating a man and the Government nominating a man, and a judge or a chairman being chosen by those two. I do not think the Government are unfair in regard to compensation, but this Bill admits of no appeal whatever except in the case where the owner of the land has undertaken to subdivide it and makes default in doing so, whereupon the Government, after the lapse of three months, have the right to notify him of their intention to resume the land. In that instance the owner has the right of appeal to a Supreme Court judge. However, that is the only place in which the Bill gives any right of appeal. Another point raised by Mr. Stewart referred to the classification and valuation of land. The principle which he advocates is similar to that operating in New Zealand. I feel sure that this State sooner or later—and the sooner the better—will have to adopt some such principle of classification and valuation as that which obtains in New Zealand. That country has, I consider, the best method in existence for dealing with the problem. New Zealand has a Land Valuation Department and a Valuer General, and men are selected for their local knowledge of land to classify it. The officials of the Land Valuation Department are looked upon almost in the same way as judges of the Supreme Court; everybody seems to have a fair amount of respect for their decisions. Something of the same kind must be adopted here. Every year our valuations are increasing, and every year we are clearing more land. There may be a little extra cost involved in establishing the department, but it will be well worth the expense. As regards the 10 per cent. compensation above the valuation, again great injustice may result if the landowner is not dealt with under the system prescribed by the Public Works Act. Nearly all valuations of to-day are departmental valuations. Many of them are far below what they ought to be. Indeed, that is the case except in the outer portions of the municipalities. In Victoria Park, for instance, the landowner is valued at the full limit. But the reverse is the case here in Perth. If the right to go before a compensation court, as under the Public Works Act, is not applied under this measure, a landowner might lose a considerable sum of money. I consider that the Government are warranted in bringing forward the Bill, and I hope they will see their way to accept an amendment making the constitution of the board more equitable than it would be under the proposals of the measure.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. J. EWING (South-West) [5.55]: This Bill is of vast importance to the State, and I am sure it will be considered by hon. members with that earnestness which is requisite in a matter of such importance. Mr. Lovekin, speaking yesterday, characterised the Bill as well thought out and well compiled. I am very pleased to know that our Parliamentary Draftsman is so good, and that the Bill, at any rate from that aspect, meets with Mr. Lovekin's approbation.

Hon. J. Cornell: Which is not usual.

Hon. J. EWING: At the same time Mr. Lovekin said the Bill was one of scissors and paste, presumably meaning that it has been taken from various Acts. I suppose the Minister for Works endeavoured to get what, in his opinion, was the best measure to place before Parliament. Mr. Lovekin, in expressing his approbation of the measure, said that he intended to support the Government in every possible way, and to assist them to make this a much better measure. One might almost infer that he is in favour of the Bill as drafted, practically, whereas I am sure that Mr. Lovekin, like me, favours the principle only of the Bill. At all events

the hon. member has placed on the Notice Paper no fewer than 36 amendments, all of them vital, all of them amendments of principle. The inference is that he cannot think much of the Bill. Therefore it was almost laughable to hear the hon. member express a desire to support the Government in every possible way with regard to the Bill.

Hon. J. Cornell: The hon. member was prancing then. He will jib later on.

Hon. J. EWING: I am one of those members who said that they are prepared to assist the Government in every possible way for the advancement of the State of Western Australia. I am still prepared to do that, but I am not prepared to swallow my principles. Some remarks have been offered with regard to the Royal Commission on Arbitration. Mr. Lovekin said that the Royal Commission was appointed by the Mitchell Administration, and that of course the circumstances surrounding the public life of Western Australia had altered since in every possible way, but that Mr. Walsh, nevertheless, had gone to the Eastern States. We heard all about Mr. Walsh and his trip, and I do not propose to refer to the subject further except to direct Mr. Lovekin's attention to Mr. Walsh's report, which is now on the Table of the House, and which will assist us very materially in connection with the Bill.

Hon. J. Cornell: There is no doubt about that.

Hon. J. EWING: Mr. Walsh has put up a very able report; and if it did cost the country £136 to send Mr. Walsh to the Eastern States, he has well repaid us. I do not think I will be contradicted by the Colonial Secretary when I say that the Minister for Works, and every other member of the Cabinet, desired all possible information on this subject in order that the best possible Bill might be submitted to Parliament. Evidently the Minister for Works has made considerable use of Mr. Walsh's report in framing this measure. All that Mr. Lovekin has said about Mr. Walsh's trip to the Eastern States he will, I feel sure, be prepared to withdraw after he has read Mr. Walsh's report.

Hon. A. Lovekin: But we had all that information tabulated long ago.

Hon. J. EWING: I do not care to take away from a man the credit for the work he has done. Let us give credit where credit is due. The Minister for Works has stated more than once that he knows all about industrial arbitration. I have no doubt that the hon. member knows considerably more than most people about it, but others have their views as well.

Hon. A. J. H. Saw: According to the angle of view point.

Hon. A. Lovekin: There is nothing new in that report at all.

Hon. J. Cornell: It is one of the best digests I have ever read.

Hon. J. EWING: Mr. Walsh has justified his position, and the Bill gives evidence of the good work he has done.

Hon. A. Lovekin: You only say that because you have not read these Acts before!

Hon. J. EWING: Perhaps I do not know as much about the subject of arbitration as does the hon. member, but there are others who know something about it.

Hon. J. Cornell: We will defer judgment on the point.

The PRESIDENT: Will the hon. member address the Chair.

Hon. J. EWING: But the hon. member has been interjecting.

The PRESIDENT: You need not take any notice. You should address the Chair.

Hon. J. EWING: I wish to give Mr. Lovekin credit for the great work he has done for the Parliament of this State. That does not prevent me, however, from seeing some defects in his work and giving other people some credit as well as the hon. member. The fact that he has 36 amendments to the Bill set out on the Notice Paper is evidence of the fact that he has gone through the Bill thoroughly.

Hon. J. Cornell: Those represent the first instalment only.

Hon. A. J. H. Saw: The hon. member has gone through the Bill more drastically than some of the patent medicines we have heard of.

Hon. J. EWING: That being so, the hon. member has given evidence of his desire to assist in passing legislation, but he has his own ideas as to the amendments necessary.

The PRESIDENT: Will the hon. member address himself to the Bill.

Hon. J. EWING: In drawing attention to the fact that Mr. Lovekin has interested himself in the Bill to the extent of framing 36 amendments, I am surely speaking to the Bill. If I am not doing so I do not know what constitutes speaking to a measure. Last night Mr. Harris delivered a most informative address giving evidence of his close study and knowledge of arbitration. That contribution to the debate will be of value when dealing with the Bill in Committee. There seems to be an idea—I hope it is not true—that the object of some members in this Chamber is to destroy the Bill. Mr. Lovekin, I understand, proposes to combat certain statements at a meeting on the Esplanade next Sunday.

Hon. A. Lovekin: No, that is not right.

Hon. J. Ewing: I am not out to destroy the Bill.

Hon. J. Cornell: There seems to be some intimidation abroad.

Hon. J. EWING: I am in favour of arbitration, and every hon. member recognises the value of that principle.

Hon. C. F. Baxter: If properly applied.

Hon. J. EWING: I shall endeavour to improve the Bill at a later stage, but only in relation to matters of principle. I will

support the second reading of the Bill. That is evidence of my belief in arbitration and my desire to assist the Government in a direction that I think will be in the best interests of the State. Three parties are concerned in arbitration: the employer, the employee and the general public. In giving consideration to a Bill of this nature that means so much to the worker, we must not lose sight of its economic importance. We must not lose sight of the fact that if imposts are levied that industries cannot afford to pay, the result will be economically bad. We must give consideration to the consuming public who have to pay the price of improvements in working conditions and wages through the increased cost of commodities.

Hon. J. Nicholson: The consumer is not represented on the court.

Hon. J. EWING: If wages are too high and working conditions are such as to increase the prices of commodities unduly, the effect upon the economic position may lead to reduced employment in Western Australia.

Hon. A. Lovekin: That is right.

Hon. J. EWING: We do not mind men earning really good wages. We must not, however, increase wages and provide such conditions as will retard industries and hamper the advancement of the State. The advocacy of arbitration is the monopoly of no particular political party in Australia. Long before the rise of the Labour Party, the principle was supported by such men as Charles Cameron Kingston, Samuel Griffiths, and Alfred Deakin. That shows that it was not a class matter and supports my contention that in these days, not only Labour members but others holding different political beliefs, are in favour of improving the position of the workers. At the same time, I consider that the Bill before us is overloaded from one end to the other. There is no necessity for a Bill of such magnitude and I shall endeavour to prove that in the course of my remarks. The amending Bill of 1902 was introduced by Sir Walter James, who was the Premier of the day. I was in the Legislative Assembly at that time, and there were then only four or five Labour members in the House. Sir Walter James considered that an Arbitration Act should operate in Western Australia that would be of advantage to the workers. Here again is proof that the question of arbitration was not, even in those days, confined to one particular party, or to any particular class of the community.

Hon. W. H. Kitson: It is just a question of the brand of arbitration.

Hon. J. EWING: Very little alteration is required in connection with the arbitration system as it obtains to-day. The brand of arbitration is the same so long as it gives consideration to more than merely one section of the community.

Hon. J. Cornell: If it is in the interests of one section, it becomes a demand.

Hon. J. EWING: The defects in the earlier legislation quickly became apparent and the later amending Bill of 1912 has proved of great advantage to Western Australia. Experience gained subsequently in the working of the Act evidenced the necessity for some further amendments and the Minister for Works has given proof of the fact that he has gone into this question fully. The present legislation provides that the court shall be constituted by a president and two lay members. The fact seems to be lost sight of that the 1920 amending Act provided for the appointment of a special commissioner who was vested with considerable powers. As a matter of fact, the real explanation of the introduction of the present Bill arises from the congestion and delays in connection with the Arbitration Court work. When, as a Minister of the Crown, I happened to be administering the Arbitration Act, I learnt to realise the difficulties facing a Government in overcoming that congestion. When Mr. Justice Draper resigned from the position of president, Mr. Justice Burnside fell in with the wishes of the Government, and accepted the vacant post. His Honour did not like doing so, and I had a good deal to do with inducing him to take the position. He has a great deal to do to-day, and has his Supreme Court duties to carry out as well. The result has been that considerable delays have been experienced with Arbitration Court work during the last 12 months. This is the main question to be overcome. We must provide that parties shall be able to get to the court quickly and have their cases dealt with immediately. If that difficulty could be overcome, the necessity for many of the amendments suggested would not exist. The Bill provides for a full-time president. I agree with that. The clause dealing with that question sets out that the president may be, but shall not necessarily be, a judge of the Supreme Court. I hold that the president should be a judge, and I hope hon. members will support me in that contention. We are very fortunate in having our present president, and I am sure he has the confidence of all. When the Mitchell Government introduced an amending Bill in 1922, it contained a provision that it was not necessary that the president should be a judge of the Supreme Court.

Hon. E. H. Harris: But that Bill was rejected.

Hon. J. EWING: Yes, because the House considered that a judge of the Supreme Court should be appointed as the president of the Arbitration Court. If we are to have someone who is not a legal man, why should we not do what they did in South Australia and name the president in the Bill?

Hon. E. H. Harris: The president of the court in South Australia has, I understand, the qualifications of a judge.

Hon. J. EWING: I do not know about that, but his name appeared in the Bill so that hon. members were able to consider

whether the man proposed was suitable for the position. We might find in Perth a man who would be more fitted for the position of president of the Arbitration Court than even a judge of the Supreme Court.

Hon. A. Lovekin: Do you think it would be advisable to discuss the merits and demerits of an individual on the floor of the House?

Hon. J. EWING: It was done in South Australia. If it is not desirable, I would suggest that the position should be filled by a judge of the Supreme Court.

Hon. J. R. Brown: The worker does not think so.

Hon. J. EWING: If hon. members read Mr. Walsh's report, they will see that the presidents of arbitration courts or similar bodies in the Eastern States, except in Victoria, are judges. In South Australia the appointment was fixed by Act of Parliament, but an appeal is provided from the industrial court there to a judge of the Supreme Court. Thus even there they carry out the principle of having a judge to appeal to.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. EWING: Before tea I was speaking of the constitution of the South Australian court. In New South Wales a judge of the Supreme Court sits alone. Of course I am aware that in New South Wales there are also boards operating under the Arbitration Act.

Hon. J. Cornell: Queensland, New Zealand and the Commonwealth also have a judge as president.

Hon. J. EWING: In Queensland, the State so often quoted as the ideal in matters of social legislation, a judge of the Supreme Court sits alone. There is provision for three judges to be appointed to the Queensland Arbitration Court, one of whom shall be president, but at present the judge sits alone. In the Commonwealth court a judge of the High Court is president, and proceedings under the Industrial Peace Act and Public Service Act are presided over by some person having the qualifications of a judge, usually a district court judge, barrister or solicitor of a certain number of years standing. In our Arbitration Court we have two lay representatives. It has been said that they are not really what they are supposed to be. They are supposed to be judges to weigh the evidence and give a decision according to the weight of evidence. They, however, are super advocates. One is appointed by the employers and the other by the unions and they prompt the president all the time.

Hon. J. R. Brown: The judge takes a lot of notice of them.

Hon. J. EWING: The lay representatives are not required. If they were ordinary persons elected irrespective of the views they held, they might be valuable, but one being an advocate for the employers and the other an advocate for the employees, nothing tangible results from their being on the bench. Under the existing Act the court may appoint assessors. This provision has not been availed of to any extent. If the lay members of the court were dispensed with and the judge sat alone, he could call in assessors to aid him in any matter requiring expert knowledge. I favour the abolition of the lay members and advocate the appointment of two deputy presidents. Then the difficulties arising from congestion of business and the consequent delays would be overcome. The deputy presidents could preside over any boards and would be available to visit country centres whenever their presence was required. This system would tend to ensure continuity of administration of the Act because the three presiding judges would meet together and determine matters of policy. This in itself would be a great advantage.

Hon. J. R. Brown: Would the deputy presidents be judges?

Hon. J. EWING: Any man who occupies a position necessitating the taking of evidence and adjudicating upon it should be possessed of legal training. Any difficulties could be overcome by appointing a judge as president, and barristers or solicitors as deputy presidents. I consider the Bill is terribly overloaded, largely because of the number of boards proposed to be appointed. I am not in favour of the boards. Under the existing Act we have provision for compulsory conferences and a special commissioner may be appointed at any time. With the addition of two deputy presidents, any difficulty now experienced would be overcome. The proposed system of boards is most cumbrous.

Hon. J. Nicholson: And it will be expensive.

Hon. J. EWING: Yes; it is a formidable list of boards, and we do not know where they will end or what complications they will lead to. There is to be an industrial board; there is to be a board of reference. Under the Commonwealth Act boards of reference may be appointed, but they are necessary in order that cases in distant parts may not be unduly held up. I am not wedded to the idea of excluding boards, but I am rather fearful as to the expense they will entail.

Hon. A. Lovekin: They will be very cheap.

Hon. J. EWING: When the Minister for Works was introducing the Bill in another place, he was asked what the cost of the boards would be, and he did not say. We can be sure, however, that they will cost a good deal.

Hon. A. Lovekin: They cost little in Victoria.

Hon. J. EWING: But in Victoria there are wages boards.

Hon. A. Lovekin: That is practically the same.

Hon. J. EWING: But there is right of appeal from the wages boards, and the president of the court presides at the appeal, so that there is a president connected with the administration of the Arbitration Act even in Victoria. Reference boards may be valuable to the Commonwealth, but if we had a president and two deputies available, there would be no need for reference boards in this State. If a difficulty occurred at Bunbury, Albany or Kalgoorlie, a deputy president could be despatched thither to deal with the matter. In and around the city the president or one of the deputy presidents would be available at all times. Our aim should be to obviate delays. These were numerous a little while ago, but I understand there is less trouble in that respect to-day.

Hon. A. Lovekin: In Victoria they sit in the evenings.

Hon. J. EWING: I am desirous of doing anything possible to assist in the settlement of industrial disputes.

Hon. J. Cornell: Very few Victorian disputes go to the court.

Hon. J. EWING: I do not think the boards of reference will tend to settle disputes. Apprentices are dealt with under the Bill. They should be dealt with in a separate measure, and I hope the Government will agree to exclude them from this Bill.

Hon. A. Lovekin: It is a very difficult question, however it may be dealt with.

Hon. J. EWING: Yes, and especially difficult is it to deal with apprentices in an Arbitration Bill. The Government would be well advised to eliminate the reference to apprentices.

Hon. J. Nicholson: That portion of the Bill is not covered by the title.

Hon. J. EWING: I daresay that could be overcome. Perhaps apprentices were included as an afterthought. Under the Bill, industrial magistrates are provided for, but I think they will be almost useless. If any question of interpretation arises, it must be referred to the president. Conciliation boards have been of no value in the past. In the space of 10 years there have been only 25 favourable settlements by these boards.

Hon. E. H. Harris: Not 25, only three.

Hon. J. EWING: You want to get to the fountain-head of the Arbitration Court—the President, who, as under the Queensland Act, acts as mediator. In Queensland the President of the Court endeavours to settle difficulties himself and he has been very successful. The President in that State is a judge of the Supreme Court and has done an immense amount of good. Why, therefore, cannot our judges do the same thing? Let there be compulsory conferences and let a judge preside and use his influence in the direction of settling a question in dispute.

Hon. A. Lovekin: This Bill covers all that.

Hon. J. EWING: In another way, but I am advocating the appointment of a president and two deputy presidents. The assessors will still be available for the members of the court when anything of a technical nature comes along. A judge of the Supreme Court is a man of learning and is used to the taking of evidence, and if he gets an assessor to assist him he will be able to arrive at a decision without the assistance of laymen. Boards will be unnecessary if what I am advocating is carried out.

Hon. A. Lovekin: Don't you think it better to start at a round table first and have a chat?

Hon. J. EWING: I do, and the president or one of the deputy presidents should act as mediator. Under our present system the president of the court has the right to appoint a special commissioner, and if he orders a compulsory conference and a part of the dispute is settled, that becomes law. Members will agree that that is all that is required and a very simple amendment to the existing Act would make everything work smoothly and well.

Hon. J. R. Brown: You could not get the workers to agree to that.

Hon. J. EWING: I have endeavoured at all times to assist the workers, and we shall be creating more difficulties if we appoint boards. Rather should we adopt the method I have suggested, if it is desired to simplify matters. I notice that domestic servants are to be brought under the definition of "workers." I am not in favour of that at all. It is also intended to include insurance canvassers. I cannot make myself believe that a canvasser whose work is intermittent, and who is paid by results, desires that he should be brought within the ambit of the Arbitration laws.

Hon. A. J. H. Saw: A canvasser often works for several masters.

Hon. J. EWING: Yes, and sometimes works 10 and 12 hours a day.

Hon. A. Lovekin: And sometimes only one hour a day.

Hon. A. J. H. Saw: And then he may snap up a commission at the eleventh hour.

Hon. J. EWING: He will not have the advantage, under the Bill, of doing that. I am sure that canvassers have not asked to be brought within the scope of the measure. If members consult them they will find that 75 per cent. will ask to be permitted to remain free to do their work.

Hon. E. H. Harris: It would be difficult to prove that they were breaking the Act.

Hon. J. EWING: It would indeed. In Committee I have no doubt this House will eliminate that portion of the Bill.

Hon. W. H. Kitson: Would you say that the Bill should apply to industrial insurance agents?

Hon. J. EWING: I would not interfere with their hours at all. They are masters of their own time and they should do what they like.

Hon. W. H. Kitson: They are not.

Hon. J. Cornell: I hope to hear the other side soon. Everything has been on one side up to date.

The PRESIDENT: Members must cease interjecting. They will have an opportunity of contradicting Mr. Ewing when their turn to speak arrives.

Hon. J. EWING: I hope to hear from the Minister an explanation in regard to these matters when he replies. There are some points that he will need to emphasise when he speaks again, or perhaps he will deal with them in Committee. We shall then know where we are.

Hon. T. Moore: Don't you know where you are?

Hon. J. EWING: Mr. Cornell interjected that the debate had been all one-sided up to date. I yield to no one in my desire to see a good Act passed, and if notice be taken of the views I have enunciated we shall have a good Act.

Hon. T. Moore: Why did you not bring in an Act yourself when you were on this side?

Hon. J. EWING: I had no power to do so. If I had anything to do with such a measure I would not submit one like the Bill before us.

Hon. T. Moore: You were a member of a Government and had the chance to do so.

Hon. J. EWING: With regard to the question of preference to unionists, the statement made by Mr. Harris at yesterday's sitting has set me thinking. The hon. member said that the Tally Clerks' Union at Fremantle balloted for its members, and the result might be that those now in the union would get all the advantages, and those outside would be kept out by the ballot box.

Hon. E. H. Harris: And that is not the only union either that does that sort of thing.

Hon. J. EWING: That makes the position worse. I am astounded at what the hon. member has said. The hon. member who represents the West Province will remember that there was trouble at Fremantle a little time ago.

Hon. W. H. Kitson: That trouble was entirely due to a certain case having been referred to the court as a result of one of the compulsory conferences that you have been talking about. The case was not heard for 2½ years after it was referred to the court. Hence the trouble.

Hon. J. EWING: All that difficulty would be overcome if we had a president and two deputy presidents. There would then be no delay. If what Mr. Harris has said can possibly exist, then I am not in favour of preference to unionists. It is far better to make the way to unionism as clear and as easy as possible. My experience of unionism is that it has opened the door on every occasion to those who want to join the ranks. In Collie it would not be possible for anyone to work unless he was a unionist. That is the safeguard for the employer.

Hon. E. H. Harris: What is the safeguard to the employer? Does it provide him with good workmen?

Hon. J. EWING: The unionist is contented and happier than the man who is fighting the union and who is discontented. I hope it will be found out whether it is true that the Tally Clerks' Union has been acting in the way that has been suggested. We want to hear the testimony of those who know all about it.

Hon. W. H. Kitson: All the members of that union are elected by ballot.

Hon. J. Cornell: A sort of secret society.

Hon. J. EWING: And it is a very dangerous procedure.

Hon. G. W. Miles: They have a monopoly.

Hon. J. EWING: My idea is that a man should see the secretary of a union, tell him that he wants to join up and then should be permitted to become a unionist.

Hon. E. H. Gray: You do not know much about trade union rules or you would not speak like that.

Hon. J. EWING: Just consider the position as it has been stated by Mr. Kitson. He said that the members of the Tally Clerks' Union were elected by ballot. Anything of that kind is wrong and pernicious. Would it not be possible, with the aid of a couple of blackballs, to keep a man out, and make the union a close preserve? I am sorry the hon. member admitted that. The best thing he can do for Western Australia and the Tally Clerks' Union is to get that procedure abolished.

Hon. W. H. Kitson: I am afraid you do not understand the conditions down there.

Hon. J. EWING: I had no idea that any man was admitted to a union through the ballot box. If one applies for admission to a club, one is balloted for; but then a club is properly a close preserve. To apply such a system to a union is pernicious.

Hon. E. H. Gray: You are only knocking down men of straw.

Hon. J. EWING: No, I want to see every man join a union.

Hon. G. W. Miles: How does one join the lumpers' union?

Hon. J. EWING: A man should be able to obtain admission to a union on going to the secretary and saying that he wants to join up.

Hon. T. Moore: But the ballot may be to keep out undesirables.

Hon. J. EWING: Then a man ought to be told why he is not wanted in the union. As to the basic wage, there is in the Bill a provision that the standard shall be a dwelling-house of five rooms, and the cost

of food, clothing and other neccessaries for a man, his wife and three dependants. If we are to have arbitration, let us have it, but do not let us direct the court as to the basic wage. The court is there to determine that for itself.

Hon. A. Lovekin: Both the federal and the State courts have asked the respective Parliaments to give them the basis on which to found the basic wage.

Hon. J. EWING: It should be the duty of the court to determine the basic wage. We ought not to lay down the basis. If we have not our best men in the Arbitration Court, we ought to have.

Hon. A. Lovekin: What is a basic wage; on what foundation is it based?

Hon. J. EWING: There are different views of that. It could be based either on the cost of living or on the purchasing power of the sovereign. I am not going to argue that to-night.

Hon. A. Lovekin: Should it be based on what a man produces?

Hon. J. EWING: We should leave this to those in a better position to judge. The most interesting thing that has happened in Western Australia since the advent of the present Government is the proposed introduction of the 44-hour week. I take up the same position in regard to this as I take up in respect to the basic wage, namely, that the hours of employment should be decided by the court. Mr. Justice Higgins has said that Parliament should take that responsibility. I do not agree with him. The fixing of the hours should be the function of the court. In Collie to-day the hours are less than 44. That is quite right, having regard to the nature of underground work. But there are other industries, in which 48 hours are not too great. The economic conditions of the State have to be considered. It ought not to be for Parliament to say what the hours shall be.

Hon. E. H. Harris: Did the court award 44 hours at Collie?

Hon. J. EWING: Yes.

Hon. E. H. Harris: Nothing of the sort. It was the result of an agreement.

Hon. J. EWING: However, 44 hours is quite sufficient at Collie. I think they have it also at Kalgoorlie.

Hon. C. F. Baxter: Which is the worse operation, gold-mining or coal mining?

Hon. J. EWING: At Collie they work 44 hours by contract. I cannot say how long they should work at Collie, at Kalgoorlie or in the agricultural areas. The agricultural industry ought to be taken out of the Bill altogether. I hope that portion of the Bill dealing with that industry will be eliminated. I wish to read an extract from a speech by Mr. Theodore, the Premier of Queensland. I have heard it said by men not in the Labour Party that Mr. Theodore is a very brainy man. Mr. James Gardiner, a former Treasurer of Western Australia, has said that. Mr. Theodore on the 8th December, 1923, spoke on the 44-hour week, and was reported as follows:—

> Addressing the Trades and Labour Council in regard to various matters of Ministerial policy, the Premier (Mr. Theodore), according to a report in the Labour press, referring to the proposed 44-hour week, said that there were 113 awards or agreements in force in Queensland which prescribed a 44-hour week or less. Therefore any person who was under the impression that the 44-hour week was not observed in Queensland, and that the majority of workers was working for 48 hours, was labouring under a delusion. To bring about a reform would mean undoubtedly a reduction of four hours. If they brought the hours of work from 48 to 44 where 48 hours now prevailed it would mean a corresponding reduction for those now on 44 hours. It was really a reform, not for a 44-hour week, but a reform for knocking four hours off the existing working week. That involved a very difficult economic question, and that was what the Ministry had to consider. The question had not been disposed of by the Ministry without careful consideration. If there were no economic consequences following such a reduction of hours, why stop at 44? Why not have a 24-hour week? The council had not passed a resolution in favour of a 24-hour week, because it knew that it was impracticable, and it was only a question of degree where it stopped. It was obvious that a 24-hour week would mean the closing of industries, and they had to consider how far they could go in arbitrarily reducing hours without bringing about more evils in the train of that reform than in accomplishing the reform itself. Mr. Theodore said that he recognised the evils of the present system of capitalism, and the Labour policy was endeavouring to remove those evils—evils such as arose from wasteful competition, where, perhaps, a dozen traders carried on in the same street in the same line of business. That kind of wasteful competition under private enterprise could be eliminated. All of these reforms could not be accomplished by a kind of magic—it meant a gradual and slow process, because of the finance involved. Labour had never advocated the expropriation of private property or capital, and it would be foolish to do so, because such a policy could last only so long as they lived upon their own resources. They would not be able to deal or trade with the rest of the world. If they knocked off four hours they would get lesser production, and that would bring about the economic consequences he mentioned. It was more desirable to accomplish such reforms as a 44-hour week through the Arbitration Court. Some would say that by reducing hours production would not be reduced at all, and that there would be greater effic-

iency. Unhappily, that was not the case. He was speaking with experience as the head of an Administration administering nationalised industries as well as others.

That is a very important statement.

Hon. G. W. Miles: That is a reply to the Colonial Secretary's statement about increased production under the 44-hour system.

Hon. J. EWING: Yes. Mr. Theodore says clearly that the 44-hour system involves an economic loss, and that he would not be prepared to introduce it. But whether we be in favour of a 44-hour week or of a 48-hour week, it is wiser to leave that decision to the Arbitration Court.

Hon. J. Cornell: You have too much faith in the Arbitration Court.

Hon. J. EWING: I would not be prepared to say how many hours should be worked in any industry. In my view the decision should be left to the court. The court will award 44 hours where that period should be awarded, and 48 hours where the week should be 48 hours. If necessary, no doubt, the court would reduce it even below 44 hours. However, we should let the decision lie with the Arbitration Court, believing that the result will be more satisfactory to the people of the State. I am not in favour of retrospective awards, holding them to be altogether wrong. In one instance, of course, the Mitchell Administration paid an award retrospectively. That was in the Railways. But the ex-Premier said that even before the men went to the court he was convinced that their wages were too small.

Hon. G. W. Miles: How would you get on if the award meant a reduction?

Hon. J. EWING: I believe the Minister for Works is giving consideration to that question and intends to provide in the Bill for a reduction as well as for an increase in wages.

Hon. G. W. Miles: But how are you to get a refund from the worker?

Hon. J. EWING: When we get the basic wage fixed up there will be no occasion to provide for retrospective awards. There ought to be no trouble whatever. Plenty of arguments have been brought forward against retrospective awards, and there is no need for me to repeat them. Of course, I am opposed to that sort of thing.

Hon. T. Moore: It would be interesting to hear why.

Hon. J. EWING: The whole matter has been fully debated. An employer might, during the three or four months that have elapsed between the making of the claim and the giving of the award, have sold his goods at a price that would not be satisfactory.

Hon. T. Moore: What about the men who may have been waiting 12 months for an award?

Hon. J. EWING: It would not be likely that retrospective awards would be required under this Bill, for determinations should be arrived at quickly and the delays that occur now should be entirely avoided. An award should be made within a week or two after the claim has come before the court. At present there is too much talk in the court. I believe that what I have advocated is right. I am not opposed to the workers by any means. If we have a court constituted as I wish, there would be no trouble over retrospective awards. I believe it would work out splendidly, and awards would be delivered very quickly.

Hon. A. Lovekin: We have tried the court for a good many years.

Hon. J. EWING: The court is at present presided over by a judge who has other work to do, and cannot devote the necessary time to it. I hope members will think out my suggestion, and make up their minds before going into Committee what they are going to do. I do not know whether I have been severe on the Bill, but I have tried to show that our one desire is to get a Bill that will be of service to the workers, the employers and the State. Those who agree with me will vote for the elimination of the clauses to which I have expressed opposition. I do not want the Minister to think we are opposed to arbitration, but I am opposed to innovations that are not in the interests of the State. We have to judge between what is right and what is wrong. The worker wants all he can get, and the employer the same, but all the public wants is a fair deal. I have tried to deal with this matter quietly and dispassionately, and will vote in Committee in the way that will carry out the views I have enunciated.

On motion by Hon. A. Burvill, debate adjourned.

BILL—INSPECTION OF SCAFFOLDING.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

Clause 1—Short Title and commencement of the Act:

Hon. A. LOVEKIN: I suggest to the Colonial Secretary the advisability of recasting the Bill in view of the fact that he is proposing to insert the regulations governing scaffolding as a schedule to the Bill. If these regulations are inserted it is obvious that we do not want an interpretation of scaffolding, etc., because the scaffolding contemplated by the Bill is set out in detail in the regulations. Progress might, therefore, be reported until such time as the Bill has been recast.

The COLONIAL SECRETARY: When it was decided to insert the regulations in the Bill as a schedule Mr. Sayer went into the question, and after the schedule was printed he further revised the Bill. In consequence of what Mr. Lovekin suggested to me I asked the Parliamentary Draftsman to again go into the Bill and see that everything was correct. It is my intention, if necessary, to

have the Bill recommitted after it has passed through the Committee stage.

Hon. A. LOVEKIN: It would have been better to have the Bill recast before we spent any time in amending it. However, I move an amendment—

That in Subclause (2) the lines 2, 3, and 4 be struck out and "The metropolitan shop district, as defined by the Shops and Factories Act, 1920," be inserted in lieu.

We were told that it was intended to confine the operations of the Bill to the metropolitan area. If that be the case, let us say so in the Bill. If we pass the clause as it stands an Order-in-Council may be issued to-morrow applying the Bill to any part of the State.

Hon. J. Nicholson: Your amendment will give expression to what has been stated.

Hon. A. LOVEKIN: Yes.

The COLONIAL SECRETARY: I hope the amendment will not be carried. It is the intention of the Government for the present that the Bill shall apply only to the metropolitan area, but it stands to reason that with all the development going on the time is not far distant when it must be extended to other parts of the State. If some provision were inserted that, by resolution of both Houses of Parliament the operations of the Bill could be extended beyond the metropolitan area, I do not think there would be any objection to the amendment.

Hon. C. F. BAXTER: I support the amendment, as I do not believe in legislative short cuts. This measure is practically experimental, and will mean the creation of another huge Government department. When the measure is to be extended to the country districts, let Parliament deal with the question by Bill, and not by resolution. We should not legislate to bind the future.

Hon. J. CORNELL: The present case is analagous to one which arose in connection with the Inspection of Machinery Act. When that measure was introduced, practically the same contentions were advanced by agricultural members as are now put forward. A way out with which I did not agree, but which satisfied the agricultural members, was found. This measure is said to be unnecessary outside the metropolitan area. But if it is necessary here, it must be equally necessary in the country districts, for there is no difference between the erection of a two-storey building in Perth and the erection of such a building in Bunbury or Geraldton or Albany or Kellerberrin. I cannot conscientiously vote for a restriction applicable only to builders in the metropolitan area and for the benefit only of workers in that area.

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

Ayes	12
Noes	7
Majority for	5

AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Duffell	Hon. G. Potter
Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. H. A. Stephenson
Hon. A. Lovekin	Hon. J. Ewing (*Teller.*)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. Cornell	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. T. Moore
Hon. E. H. Gray	(*Teller.*)

Amendment thus passed.

Clause, as amended, agreed to.

Clause 2—Interpretation:

Hon. A. LOVEKIN: When this measure was before us last session, I pointed out that numerous clauses showed that very scant attention had been paid to the drafting of the Bill. Here is an instance in paragraph 3, which paragraph I propose to strike out. Clause 27 of the Act says that nothing in this Bill shall affect the Inspection of Machinery Act. Now, in the Inspection of Machinery Act I find the following defintion of "inspector":—

> Any person appointed to be an inspector of machinery under this Act acting within the district or districts for which he is appointed.

It is obvious that the paragraph is mere surplusage; so is the next sub-paragraph dealing with the interpretation of "Minister." I move an amendment—

That the following sub-paragraph be struck out: "The term 'inspector' with respect to any mechanical gear, as prescribed, includes the chief inspector and inspectors appointed under the Inspection of Machinery Act, 1921."

The COLONIAL SECRETARY: If the amendment be agreed to it will be impossible for an inspector under the Inspection of Machinery Act to exercise his functions in the inspection of gear. If that provision is deleted there will be no power for anyone else to do it.

Hon. A. Lovekin: Look at Clause 27 of the Bill.

The COLONIAL SECRETARY: That provides that nothing in this measure shall affect the provisions of the Inspection of Machinery Act, 1921. That supports what I have said. It means that nothing in the Inspection of Scaffolding Bill shall come into conflict with the Inspection of Machinery Act.

Hon. A. J. H. SAW: I agree with the Leader of the House. It is necessary to include the definition of "inspector" and even though it may be surplusage, it cannot do any harm. I have often heard Mr. Lovekin advocating making the obvious more clear, and this merely has that effect.

Hon. A. LOVEKIN: On the contrary, the inclusion of the sub-paragraph will make the position more complicated. There will be a conflict between the two Acts. In one part of the Bill we say that the Inspection of Machinery Act shall not apply, and in another part we say that it shall. This is likely to create difficulties. Gear is dealt with under the Inspection of Machinery Act. The sub-paragraph is redundant and not necessary. We are supposed to be a House of review and our functions in that capacity should be exercised to remove the sub-paragraph which may lead to a conflict between the two measures.

Hon. J. NICHOLSON: Mr. Lovekin is taking a wrong view of the matter. All that is intended by the inclusion of the definition of "inspector" is to extend to inspectors under the Inspection of Machinery Act, certain powers under the Inspection of Scaffolding Bill with respect to gear. Clause 27 is merely a saving clause. The provision merely safeguards against any possible risk of any provision of the Bill modifying or affecting anything in the Inspection of Machinery Act respecting machinery or gear.

Hon. A. LOVEKIN: The hon. member's explanation merely serves to convince me that the sub-paragraph should be deleted. We are to give the scaffolding inspector powers of an inspector of machinery. We provide that inspectors under the Inspection of Machinery Act have to pass examinations to prove their qualifications, whereas no such provision exists under the present Bill. We should not provide such powers for scaffolding inspectors.

Hon. G. W. Miles: The Bill merely provides for the inspectors of machinery in connection with mechanical gear.

Hon. A. LOVEKIN: That is not how I read it. The sub-paragraph will lead to a conflict between inspectors, and it is not necessary.

Amendment put and negatived.

Hon. A. LOVEKIN: My objection extends to the next paragraph dealing with the definition of "Minister." I move an amendment—

That the words "Minister for Works or other" be struck out.

The Interpretation Act provides for the definition of the word "Minister," and the paragraph should not appear in this Bill.

The COLONIAL SECRETARY: It has been the practice of Governments ever since the granting of responsible government to Western Australia to include in Bills a clause containing a definition of "Minister." It is not necessary inasmuch as the Interpretation Act provides the necessary interpretation, but it has to be remembered that this has to be gazetted, and failure to provide the necessary gazettal might result in litigation. It is always deemed advisable to include the definition as a safeguard.

Hon. A. Lovekin: The Interpretation Act sets out clearly what is meant by "Minister." If the Committee is agreeable to passing legislation in this slipshod way, I cannot help it.

Amendment put and negatived.

Hon. J. DUFFELL: I move an amendment—

That after "structure" in the definition of "scaffolding" the words "exceeding eight feet from the horizontal base" be inserted.

Those words appeared in the measure that was before us last session. It would be absurd to include anything less than 8 feet from the horizontal base. Scaffolding is necessary to renovate a cottage, but if everything in the way of scaffolding has to be included, it would be exceedingly inconvenient because of the need for frequently moving the scaffolding. The measure will undoubtedly add to the cost of erecting houses. Special planks will have to be obtained for scaffolding, whereas at present portion of the building timber is used. I know of no instance of an insurance company having been called upon to pay for an accident in connection with scaffolding below 8 feet from the horizontal base. There have been very few accidents due to faulty scaffolding because specialists are employed to ensure safety.

Hon. A. LOVEKIN: I have a prior amendment.

Hon. J. DUFFELL: I ask leave to withdraw my amendment temporarily.

Amendment by leave withdrawn.

Hon. A. LOVEKIN: My amendment will do away with the need for the definition. I move—

That after "scaffolding" the words "means any scaffolding prescribed by the schedule to this Act" be inserted.

The Minister proposes to insert the regulations as a schedule, and that will include the composition, height, and all other details of the scaffolding. It will exclude reference to ships and boats.

The COLONIAL SECRETARY: The hon. member has not offered any reason to convince me that the definition should be deleted. The definition will be in accordance with the schedule.

Hon. J. Nicholson: Is "scaffolding" described in the schedule?

The COLONIAL SECRETARY: No, but the nature of the scaffolding is given.

Hon. A. LOVEKIN: A definition is not necessary if we state as a fact what the scaffolding is to consist of.

Hon. J. Nicholson: What does the schedule say?

Hon. A. LOVEKIN: It says that scaffolding over 25 feet in height on a wooden building shall be erected accord-

ing to the following specification, and then details are given of standards and spacing. The scaffolding for painters, plumbers, carpenters and others working on such a building is also described.

The COLONIAL SECRETARY: The schedule simply sets out the nature and size of the timber to be used. If a case went to court the definition of scaffolding would be required. It is essential to have the definition in the body of the Bill.

Hon. A. LOVEKIN: If a case went to court, the magistrate would refer to the schedule and would see that scaffolding meant what was therein prescribed. The fullest details will be given in the schedule.

Hon. T. MOORE: The interpretation is absolutely necessary because it sets forth, not what the scaffolding is to consist of, but the purpose for which it is to be used. The schedule will show of what the scaffolding is to consist.

Hon. J. NICHOLSON: While it is true there is a full definition of scaffolding in the proposed schedule, it would still be essential to retain the words in the latter portion of the definition.

Hon. A. LOVEKIN: I hardly think that what is proposed will cover the cleaning of a window, which this does not contemplate. The schedule does not apply to a particular structure or anything the hon. member has in mind. If the clause is left as it is, we shall complicate matters.

Amendment put and negatived.

Hon. J. DUFFELL: I now submit my amendment—

That after "structure" in line 1, the words "exceeding eight feet from the horizontal base" be inserted.

We were informed by the Minister that the Bill to a great extent was a copy of the Queensland Act. I have a copy of the Queensland Act before me and I find it contains the provision I am seeking now to introduce. For some reason or other it was not put into the definition of "scaffolding."

Hon. A. LOVEKIN: Why does the hon. member desire to make it eight feet when the schedule does not go as far as that? There is nothing as low as eight feet in the schedule.

Hon. J. Duffell: That is the minimum.

The COLONIAL SECRETARY: The amendment will seriously affect the utility of the Bill. I am informed that in the metropolitan area 80 per cent. of the buildings usually erected will not come under the Bill if the amendment be agreed to.

Hon. J. Duffell: That is true.

The COLONIAL SECRETARY: They should do so. Say a scaffolding is eight feet high. It is not only a question of the weight of the man on the scaffolding, but also the weight of the material. I am told that as much as five cwt. of brick or stone have to be placed on the scaffolding to enable the men to carry on their work. With the collapse of that scaffolding a serious accident might result. If the amendment be carried it would be possible to use cement casks, one on top of the other, and that would constitute a danger.

Hon. J. CORNELL: The Minister has drawn on his imagination. If cement casks are used in the erection of a one-storey building, in 95 per cent. of the cases they will be used in localities where the Bill will not apply. In the construction of one-storey dwellings the risk, if any, is a mere bagatelle so far as workmen are concerned. The hod-carrier merely places the bricks on the platform by simply lifting the hod.

Hon. A. J. H. SAW: I am inclined to agree with Mr. Duffell's amendment, but I am open to listen to reason. My object in supporting the second reading was to safeguard the life and limb of workers. I am also anxious not to increase expenses of building unnecessarily. There can be little demand for inspection of scaffolding used in one-storey buildings. So far as I know there has been no demand for any such inspections. The amendment will exclude one-storey buildings from the purview of the Bill, and that will undoubtedly lessen expenses and therefore it is a wise provision. If a worker does fall off a platform not higher than eight feet he is not likely to suffer serious injury. He may sprain his ankle or break his arm, but he is not likely to fall on his head unless, before the accident, he is walking on his hands. The unions are quite strong enough to see that dangerous scaffoldings are not erected. The amendment is a perfectly reasonable one, and I can see no objection to it. There appears to be a conspiracy of silence among members opposite.

Hon. J. DUFFELL: These regulations of scaffolding are taken from the Queensland Act. But they do not include the Queensland regulation setting out the prices of inspection. In Queensland, for every building the cost of which does not exceed £500, the inspection fee is 10s.

Hon. A. Lovekin: The fees are set out in the schedule proposed to be put in the Bill.

Hon. J. DUFFELL: If there is to be an inspection every time the scaffolding is re-erected, we can see what it will mean in cost.

The COLONIAL SECRETARY: I hope great care will be exercised in amending the Bill. There is a real necessity for it in the metropolitan area. Within a few weeks after the Bill of last session was rejected, a couple of serious accidents occurred. Since then I have investigated the

matter through the police, and I have here a statement by one of the injured men.

Hon. J. Nicholson: What sort of scaffolding was that?

The COLONIAL SECRETARY: One of 16ft. in height. That man says the scaffolding was erected under the supervision of the contractor, and was a good, firm structure. He has no complaints to make about it. But then he goes on to give some facts. He says that when told to stack as many bricks as he could, he complained to the foreman that he had not sufficient room on the scaffolding. At one part of the scaffolding he had to walk along one plank, and that at another he had to spread his feet to walk on two planks. Obviously that was insufficient scaffolding.

Hon. J. Nicholson: That man will be subject to the Act in future.

The COLONIAL SECRETARY: Yes. We must exercise great care. There is in the schedule a provision for dealing with structures of limited height, and provision for the use of trestles up to 8ft. When a building is 25ft. in height, more drastic conditions are brought into operation.

Hon. F. E. S. WILLMOTT: Will one inspection have the desired effect? How many times will an inspector go up the scaffolding? It is proposed to charge for each inspection 5s. for every £100 of cost.

Hon. A. Lovekin: No, the schedule does not say that. There is but one charge for inspection.

Hon. F. E. S. WILLMOTT: But I take it that is for one inspection. I remember the experience we had under the Inspection of Machinery Act, when farmers were penalised for every little bit of machinery, even to a motor bike. In view of that, how will this measure be administered? We require to protect ourselves in future.

Hon. W. H. Kitson: Why not protect the worker?

Hon. F. E. S. WILLMOTT: I am sick of hearing of the protection of the worker. The hon. member knows who puts up the scaffolding. What is the Colonial Secretary going to do with the timber fellers in the bush? Will he have the scaffolding around a karri tree inspected?

Hon. T. Moore: Those men do their own work, notwithstanding which they often have accidents.

Hon. F. E. S. WILLMOTT: Will this protect anybody from accidents? Why is nothing said about scaffolding under 8ft. in height? Because it is absurd to bother about anything below that height. We shall be wise to accept the amendment. Let us have a common-sense Bill.

Hon. W. H. KITSON: I hope the amendment will not be carried. Men accustomed to working on scaffolding know that there is just as much danger on a scaffolding less than 8ft. in height as there is on a scaffolding 12ft. high. Quite recently there have been two scaffolding accidents in the metropolitan area. In the one instance a man fell from 30ft. on to a concrete pavement, and suffered nothing more than slight shock. In the second instance a man fell from a scaffolding less than 8ft. He has been laid up for months, and is likely to be laid up for many more months.

Hon. F. E. S. Willmott: But one can slip on a piece of orange peel and seriously hurt himself.

Hon. W. H. KITSON: When men have to work with heavy materials such as cement and bricks, there must always be a danger, unless the scaffolding is perfectly safe, of their losing their foothold and falling off.

Hon. H. A. Stephenson: You would want a stage round it.

Hon. J. Cornell: A pig net underneath would do.

Hon. W. H. KITSON: When men have to use scaffolding in the course of earning their livelihood, they should be safeguarded in every way. The regulations provide that there should be only one charge for the inspections, and that this shall be at the rate of 5s. for every £100 that the building is costing.

Hon. F. E. S. Willmott: What does "the inspection" mean?

Hon. W. H. KITSON: It means the inspection of the whole of the scaffolding on the building.

Hon. A. Lovekin: If you made the word "inspection" plural it would put the matter right.

The Colonial Secretary: The one inspection is intended. If necessary we can add an "s" to the word inspection.

Hon. W. H. KITSON: No worker who was having a home built would object to paying this fee when he knew that it would add to the safety of the men who were employed on the building. The demand for the legislation has in the past been allowed to pass unheeded. If the scaffolding must be used it should be rendered quite safe for the workers who have to stand on it, no matter how low it may be. In the past workers have had to use scaffolding which was not safe, because the question of profit to the contractor entered into the matter. The only question to be considered is the safety of the worker.

Hon. J. CORNELL: Are we going to bring a one-storey building within the provisions of this Bill? I admit that a charge of 5s. per £100 would not amount to more than 30s. in the case of a £600 house, but the question is whether that would be the total cost. There must be three lifts in the scaffolding used in erecting an 11ft. wall.

Hon. A. Lovekin: Trestles can be used up to 8ft.

Hon. J. CORNELL: This will necessitate at least three separate inspections. I now come to the inside of the building. How can the proposed 8ft. trestles be applied when it comes to plastering the ceiling? The plasterer himself would not stand them,

because his head would be through the roof he was supposed to plaster. There is a question of fees involved. If they are not to amount to more than 30s. for a two-storey building, the loss on the number of inspections will have to be made good out of Consolidated Revenue.

Hon. T. MOORE: I hope the amendment will not be carried. It surprises me that amusement should be created here by a proposal that seeks to safeguard the lives of workers. Dr. Saw, who has always walked in safety on the ground, does not realise the risk involved. He assumes that a man who falls from scaffolding will invariably fall on his feet; but that is not by any means the case. It has ben said that there is a conspiracy of silence. I have learnt that where property is at stake in this House as against human life, to reason is merely to beat the air.

The CHAIRMAN: The hon. member must not make any statement which reflects upon the Committee.

Hon. T. MOORE: I have been taken to task for remaining silent, and I give the reasons for my silence. The contention now is that the Consolidated Revenue will be affected by the cost of inspections. But the people administering the measure will see that unnecessary inspections are not made. Are we to assume that a builder will not put up scaffolding until every plank has been inspected? Let hon. members use their commonsense. The inspector will not be present every time scaffolding is shifted; but when anything goes wrong he will be there to make inquiries.

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

Ayes	10
Noes	6
Majority for ..	4

Noes.	
Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Duffell	Hon. G. Potter
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. F. E. S. Willmott
Hon. E. H. Harris	(*Teller.*)
Hon. A. Lovekin	

Ayes.	
Hon. J. Cornell	Hon. T. Moore
Hon. J. M. Drew	Hon. E. H. Gray
Hon. W. H. Kitson	(*Teller.*)
Hon. G. W. Miles	

Amendment thus passed.

Hon. A. LOVEKIN: The last amendment having been carried, it will not be necessary for me to move two other amendments I have on the Notice Paper.

Hon. J. DUFFELL: I move an amendment—

That in the definition of "Scaffolding" the words "ship or boat," in line 5, be struck out.

The words are unnecessary. If they are allowed to remain, it will mean that inspectors may cause trouble and friction by going on board a ship or a boat where some ordinary work, coming under the supervision of an officer of the ship or boat, is being done by the crew. Again, if the words are allowed to stand, a vessel travelling from Eucla to Wyndham might cause the operation of the measure to extend throughout the State. The Queensland legislation, which is the model for the present Bill, contains no provision applying the Act to ships or boats notwithstanding that there is a good deal of shipping in the Brisbane River and along the northern coast.

The COLONIAL SECRETARY: There would be some force in Mr. Duffell's contentions had the amendment restricting the operations of the Bill to the metropolitan area not been agreed to. The port of Fremantle is within the metropolitan area and, consequently, workmen on the ships there are entitled to as much protection as workmen on buildings in Perth.

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

Ayes	5
Noes	12
Majority against ..	7

Ayes.	
Hon. J. Cornell	Hon. A. Lovekin
Hon. V. Hamersley	Hon. J. Duffell
Hon. E. H. Harris	(*Teller.*)

Noes.	
Hon. A. Burvill	Hon. T. Moore
Hon. J. M. Drew	Hon. J. Nicholson
Hon. J. Ewing	Hon. A. J. H. Saw
Hon. E. H. Gray	Hon. F. E. S. Willmott
Hon. J. W. Hickey	Hon. G. Potter
Hon. W. H. Kitson	(*Teller.*)
Hon. G. W. Miles	

Amendment thus negatived.

Hon. A. LOVEKIN: I move an amendment—

That the following sub-paragraph: "'this Act'—this Act and any Orders in Council and regulations made thereunder," be struck out.

Section 4 of the Interpretation Act supplies the necessary interpretation, and, therefore, the provision in the Bill is not necessary. I will not stress the arguments I have already put before the Committee.

The COLONIAL SECRETARY: It will be necessary to frame regulations under the Bill and I intend to move an amendment providing that such regulations shall not have any effect until after the expiration of 14 days from the time they are laid on the Table of the House. The interpretation clause is necessary.

Amendment put and negatived.

Progress reported.

House adjourned at 10.25 p.m.