had been carried? He had asked for water, and they had given him ——

MR. MORAN: Whisky; hear, hear.

MR. MITCHELL said he would have this reply published in the newspapers, to show how the Railway Department treated this unfortunate pioneer line. He would support the extension of the Cue railway to Tukanarra, and in a future session, if he had an opportunity, he would support the further extension of this line, because it would not have to stop at Tukanarra, but must go farther. He would take this course notwithstanding that he had not the help of a newspaper to blow his trumpet; but still he believed he would be in the next Parliament.

On motion by MR. GEORGE, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 11 o'clock, until the next day.

Legislative Council,

Wednesday, 21st November, 1900.

Question: Burning off and Bush Fires—Motion: Guano (Abrolhos), to permit export (adjourned)—Motion for Papers, Gold-mining Lease 35M—Return: Contingents, Deferred Pay—Municipal Institutions Bill: Reinstatement after Count-out, Assembly's Amendment, Divisions—Fire Brigades Board Debenture Bill, second reading, in Committee, third reading—Truck Act Amendment Bill, Administrator's suggested Amendment—Industrial Conciliation and Arbitration Bill, in Committee, Clause 58 to end, Divisions, reported—Adjournment.

THE PRESIDENT took the Chair at 4·30 o'clock, p.m.

PRAYERS.

QUESTION—BURNING OFF AND BUSH FIRES.

HON. R. G. BURGES asked the Colonial Secretary: 1, If he is aware that the Government is allowing persons to burn in all the eastern districts up to the 30th November? 2, Is the Government aware that the matter has been reported to the Minister of Lands? 3, Can he state why the Minister of Lands has taken no steps to alter such date? 4, Is the Government aware that large fires are now raging through the eastern districts at the present moment, by reason of this not being attended to? 5, Does the Government intend to take immediate steps to stop the continuance of this burning?

THE COLONIAL SECRETARY replied: 1. Yes; the date of the commencement of the prohibited period in the Eastern Districts was altered during last year from 1st October to the 1st December at the request of the Conference of Roads Boards held at Northam on 9th October, 1899. 2. Yes. 3. Steps have been taken; the date has now been amended to 1st November, and the alteration will be notified in the next issue of the *Government Gazette*. The Resident Magistrates at York, Northam, and Newcastle, and the Government Land Agent at Beverley have been so informed, and instructed to make the alteration public. 4. The Government is aware of fires having lately occurred in the Eastern Districts, but can offer no opinion as to origin of same; inquiries are, however, being made. 5. Yes; see reply to No. 3.

MOTION—GUANO (ABROLHOS), TO PERMIT EXPORT.

HON. R. S. HAYNES (Central) moved:

That, in the opinion of this House, it is unnecessary that the restriction on the exportation of guano from the colony should be further enforced.

Some two years ago a motion was passed providing that no further leases should be granted to persons for the exportation of guano, on the ground that the guano was required for agricultural purposes in the colony. The only place where there was a guano lease of any large proportions was on the Abrolhos Islands, and under that lease, which expired in about three years from now, the lessees had the right to export guano, on every ton paying a royalty to the Government, though on the guano used in the colony there was no impost at all. The lessees

had a large industry on the Abrolhos Islands.

HON. R. G. BURGES: Worked by Malays.

HON. R. S. HAYNES: No; worked by Europeans, of whom there were about thirty on the islands.

HON. R. G. BURGES: And how many Malays?

HON. R. S. HAYNES: None. There were seasons of the year when white men could not do full work, but they worked all the year round, and the full complement was about thirty employees. The industry kept employed several vessels trading between the islands and Geraldton, and altogether there were about a hundred persons depending on the wages paid by the lessees.

HON. R. G. BURGES: The lessees got the benefit.

HON. R. S. HAYNES: And the lessees were entitled to the benefit, because they practically discovered the guano deposit, and had expended about £10,000 in constructing tramways and jetties on the islands. For some time the lessees worked the islands with white labour, but found that the Europeans got "coasty," and, feeling they were "marooned," would not stay on the islands. Then Malays were tried, but after two attempts, these were found to be worse than the white men; and, consequently, during the last two years only white labour had been employed. There were three or four vessels engaged in the trade.

HON. R. G. BURGES: The trade would go on all the same.

HON. R. S. HAYNES: No; it would not. These boats brought guano deposits to Geraldton and Fremantle, for the purpose of transhipment to Victoria.

HON. R. G. BURGES: That was it; for the benefit of other places.

HON. R. S. HAYNES: That was a "dog in the manger" spirit; because Mr. Burges never used any guano on his own land.

HON. R. G. BURGES: Hundreds of tons were used on his land.

HON. R. S. HAYNES: Then there would be plenty of guano left for Mr. Burges. The guano which was sent out of the colony was not lost, because it went to Europe, where it was treated, and imported again as a superior article.

HON. R. G. BURGES: Where was it treated?

HON. R. S. HAYNES: The phosphates were sent to Europe, turned into artificial manures, and used in all the colonies throughout the world.

HON. R. G. BURGES: That was a different matter altogether.

HON. R. S. HAYNES: It might just as well be argued that all the gold should be kept in the colony, as to restrict the exportation of this guano, seeing that both would be worked out in time. When this lease was taken up there was no question at all about restrictions.

HON. R. G. BURGES: This was the second lease these people had had.

HON. R. S. HAYNES: That was so. In the first instance they expended £2,000, and then getting a further lease for ten years, they spent £10,000; and as the lease would terminate in two or three years, all the improvements they had made would be absolutely lost to them, unless this motion were passed. The lessees would have to open up other islands and it would cost £8,000 or £10,000 to put down the plant there. The Colonial Secretary had informed him (Mr. Haynes) and his colleagues, also the member representing Geraldton, that it would be advisable to bring this matter before the House by motion. The Commissioner of Crown Lands had authorised him (Mr. Haynes) to state that he had no objection to the motion. The Commissioner thought at one time it was advisable that guano shouldnot be exported, but reconsidering the matter he saw no objection to the motion. The Colonial Secretary would make some such statement or read a minute by the Commissioner of Crown Lands to the House to-night. The Government had no objection to the motion, and if there was one person who understood the value of guano, and the good it did on the farming lands of the colony, it was Mr. Throssell, who saw no objection to this motion. This was a matter entirely affecting the province which he (Mr. Haynes) represented, and he and his colleagues and the member for Geraldton had waited on the Commissioner of Crown Lands to urge that the lease be continued.

HON. A. P. MATHESON: A renewal of the existing lease?

HON. R. S. HAYNES: When the old lease expired it was renewed, and it was expected that the present lease would be renewed for another ten years. The Government could grant a lease now, but they could not allow the guano to be exported.

HON. R. G. BURGES: What was the restriction?

HON. R. S. HAYNES: There was a resolution of the Council that no further guano should be exported. The Commissioner of Crown Land would not grant a lease unless it contained a proviso that no guano would be exported, and this would render the lease useless. There was not sufficient guano used in the colony to keep one lugger going. The Messrs. Broadhurst had invested £10,000 in this industry, and the Messrs. Broadhurst were West Australians. They had put all their money into this industry, and it was not right to deprive them of the results of their labour in the last 20 years.

HON. J. E. RICHARDSON: The colony could not take all the guano?

HON. R. S. HAYNES: One lugger working for three months would supply all the guano used in the colony. There was no necessity to stop the industry: there was as much sense in opposing the motion as in putting a duty on the exportation of gold.

HON. J. M. DREW (Central) seconded the motion.

HON. H. LUKIN (East): Although Mr. Haynes had compared the guano deposit with the gold-mining industry, the hon. member did not mention that the guano deposit, like the gold, was limited. Land settlement was increasing and greater use was being made of the guano in the colony. More and more guano was being consumed, and this was likely to be the case for years to come. It was a great mistake to allow a valuable deposit such as the guano to be shipped away from the colony—a commodity that we would want ourselves in the immediate future. Mr. Haynes had said that this guano was being manipulated at Antwerp, and came back to this colony in another form. Very little came back to this colony. It would be a very great mistake to allow any more of the guano to be exported. The land settlement was spreading and the guano was coming into use more and more. Its value was being recognised every day, and as to the industry being killed by stopping the exportation, he did not think anything of the kind would occur. Supplying guano to the agriculturists of the colony would be quite a lucrative business to undertake.

THE COLONIAL SECRETARY (Hon. G. Randell): In 1897 a resolution was carried in the House—he did not know whether Mr. Burges was the mover or not—"That in the interests of land settlement and agriculture generally this Council is of opinion no further lease or concession should be granted to any company or individual with the idea of exporting guano." He believed that was the result of opinions expressed by some of the conferences of agriculturists.

HON. R. G. BURGES: The agriculturists had not altered that opinion.

THE COLONIAL SECRETARY: From what he learned, the agriculturists had changed their opinion, and had advised the Lands Department that it was not now necessary to stop the exportation. He might read a minute by the Commissioner of Crown Lands, which was addressed to the Premier, on this subject:—"So far as the export of guano is concerned, it is no longer a matter of importance to the agriculturists; in this the Advisory Board and many farmers concur. Thomas's phosphate is in general use, is more reliable and can be obtained at less cost than guano. I held the view expressed in the resolution above, but I have abandoned that opinion. The question is, 'Is Mr. Broadhurst worthy of consideration?' I think he is, and advise accordingly.—G. THROSSELL." There was no necessity to add anything to that minute: there had been a change of opinion in regard to this matter. The enterprise was entitled to consideration at the hands of the Government. There was a considerable quantity of guano on the islands, and it seemed that the consumption in the colony was very small. It was not equal to the production of the islands, and we should be acting improperly in preventing Messrs. Broadhurst from getting the best advantage out of their arrangement with the Government. This was the opinion of the Commissioner of Crown Lands, backed up by the Advisory Board to the Department of

Agriculture and many farmers. He presumed that if this motion were carried it would be forwarded to the Legislative Assembly.

HON. R. S. HAYNES: That was not necessary.

THE COLONIAL SECRETARY: Perhaps it would be advisable to do so, but he would leave that to the hon. member to consider. The Government had acted on the resolution of the Council, and another resolution was required before anything could be done.

HON. J. M. DREW (Central): If the former resolution of the House was adhered to, the guano deposits in the vicinity of the Abrolhos Islands would not be worked, because it was impossible to carry on the industry profitably at the present time without exporting the guano. The lessees now charged something like £3 a ton for the guano, but if the supply of guano was confined to the local farmers, the lessees would have to charge something like £10 per ton to make the industry pay them. In the first place it required something like £10,000 to purchase machinery in order to work the deposits.

HON. R. G. BURGES: What sort of machinery?

HON. J. M. DREW: Plant.

HON. R. G. BURGES: A sieve and a shovel.

HON. R. S. HAYNES: Tramways and schooners, and other things.

HON. J. M. DREW: In order to pay the interest on the cost of the machinery a very large price would have to be charged. At the present time, and for many years, the average quantity of guano sold in the colony was 500 tons a year.

HON. R. G. BURGES: Where were those figures obtained from?

HON. H. LUKIN: As much as that was sold in one district.

HON. J. M. DREW: These were the correct figures, and it was not good enough to lock up deposits for 20 years for the purpose of selling, in the country, 500 tons of guano a year. Messrs. Broadhurst and Company had paid in royalty from 1884 to 1900 no less than £19,923 11s., and from the sales of guano at a fair price a reasonable income was obtained. Messrs. Broadhurst could well charge £5 a ton, but they only charged £3 per ton; in addition, they did all they could to encourage the use of guano. There were instances in which Messrs. Broadhurst had sent guano around districts free to the farmers.

HON. R. G. BURGES: Where was that?

HON. J. M. DREW: Through the Geraldton district. Some years ago Malays were employed on the islands, but at the present time none but white men were engaged in the industry. Something like 40 white men with their wives and families, who lived in the Geraldton district, were supported by the industry. It would be a mistake to crush this important industry, which was good for the country at large.

HON. R. G. BURGES (East): There was no occasion to submit this motion now, seeing the lease had yet about four years to run. He had been in communication with the lessees, and he was sorry he could not bear out the statements made by Mr. Drew as to the trouble taken by the lessees to popularise the guano by placing it in a proper manner on the market. He and others introduced the guano into their own district, chartering a small steamer to carry the stuff, and, after a good trial, the guano proved a most useful fertiliser for light country, of which a large amount in the colony had been taken up. When he entered into a contract with the lessees for the supply of guano, he specially advised them that he would not take it unless it was sifted so that it might be sown either by fertiliser or drills; but the guano was only sifted in a sort of manner; and the reason it was not used as it should be was that it was not sent out in a proper marketable condition, in the same way as were the English and German phosphates and other fertilisers.

HON. F. WHITCOMBE: The guano could not be supplied for £3 per ton, if all that had to be done to it.

HON. R. G. BURGES: The hon. member knew nothing about the matter.

HON. R. S. HAYNES: Mr. Burges sometimes dabbled in legal Bills.

HON. R. G. BURGES: Mr. Whitcombe did not know anything about the matter, and was only advocating this motion because it affected his own district, whereas the interest of the whole colony ought to be considered. It might be rather hard that these men should lose

the value of their plant, but there was large settlement going on in the colony, and settlers should also be considered. Mr. Haynes ought to have given some figures in support of his motion, instead of mere assertions; and, further, why did the Colonial Secretary not produce a report on the guano deposits, which report he (Mr. Burges) believed was in the possession of the Government, and should be available in order that hon. members might arrive at a fair decision? He hoped the debate would be adjourned until more information was available, and that in the information would be included the report to which he had alluded. It would be better for the country if the Government would give the lessees a few thousand pounds and buy them out, because if the agricultural and producing interests of the colony were not worth a few thousand pounds, the Commissioner of Lands could not have much faith in the land settlement which he appeared so anxious to promote. No one begrudged the spending of millions of money on the Goldfields Water Scheme, but it would appear as though settlers should be left to drag on, assistance only being given to those who "kicked up a bobbery." Although Mr. Haynes represented a large agricultural centre, he would not vote £6,000 or £7,000 to buy the lessees out for the benefit of the country.

HON. F. WHITCOMBE: If Mr. Burges would move a motion to that effect, he would be supported.

HON. R. G. BURGES: There was no doubt the guano was a good fertiliser, and all that was necessary was that it should be put on the market in a proper manner. The whole wording of the motion was contrary to common sense, because the only restriction on the industry was for the benefit of the revenue.

HON. R. S. HAYNES: There was a restriction on exportation.

HON. R. G. BURGES: What restriction was there?

HON. R. S. HAYNES: The previous resolution passed by the House.

HON. R. G. BURGES: But the lessees could come before Parliament.

HON. A. B. KIDSON: The lessees were coming before Parliament now.

HON. R. G. BURGES: Yes; before it was necessary to do so.

HON. R. S. HAYNES: What would the lessees do with their plant in the meantime?

HON. R. G. BURGES: Let it run on, and work for the three years, by which time he hoped the country would be in a position to spend a few thousand pounds in the interests of agriculturists and orchardists, because more guano would be wanted than Mr. Haynes had any idea of. To send this guano out of the country was sending away our wealth for nothing, and guano was in a different position from gold, which was useless in itself. Had Mr. Haynes any idea of the quantity of phosphates used in the country? Some merchants dealt with thousands of tons every year, and one agent sold some hundreds of tons in the York district alone. He hoped to be supported by every reasonable member in the House, including members for the goldfields, for the benefit of whose constituents the country spent all the money it could possibly afford. The Government were described as dying, and the sooner they died the better, if they agreed to a motion of this kind; and it was undesirable to come to such a decision when Parliament was about to be dissolved. If he lived to be a member of the House when this lease was drawing to a close, he would not forget to move that the industry be bought over for the benefit of the colony. An enormous amount of second-class land was being settled, and fertilisers were required; and in the Meckering district third-class land, with the aid of fertilisers, had yielded bigger averages than in South Australia. It was desired to show there was good land in the country, and to encourage settlement, and we would be very badly advised to give away this valuable deposit. He knew that Mr. Haynes was ashamed of the motion, and now that explanation had been made, one was sure Mr. Haynes would withdraw. We all had faith in the country, and he knew the goldfields members would, in justice to the colony in which they meant to live, not vote for a proposal of the kind. If he had not more knowledge or practical experience than the Commissioner of Crown Lands, he would not speak to the motion. Out of the land, and by his knowledge of the country, he had made all he possessed.

On motion by HON. C. SOMMERS, debate adjourned until the next Tuesday.

MOTION FOR PAPERS—GOLD MINING LEASE 35M.

HON. F. WHITCOMBE (Central) moved—

That there be laid upon the table of the Council all papers and correspondence between the Mines Department (including the Warden of the Murchison Goldfield) and any other persons, referring to the forfeiture or resumption of Gold Mining Lease 35M, in and after the year 1897.

This case resembled, to some extent, those of the Ivanhoe Venture and the Hainault. Some mistakes had been made by the officials of the Government. The original locator of the lease 35M had suffered an injury, and it was necessary that the papers should be produced so that the matter should be properly represented to the department.

HON. R. S. HAYNES seconded the motion.

Question put and passed.

RETURN—CONTINGENTS, DEFERRED PAY.

HON. A. P. MATHESON (North-East) moved—

That a return be laid on the table, showing: The amount of deferred pay that will have accrued due to the members of the—(a.) First Contingent, (b.) Second Contingent, (c.) Third Contingent, up to the 30th November, 1900. 2, Also the amount of deferred pay that will accrue to the members of each Contingent, monthly, from the 1st December next, on the basis of their existing strength.

The three first Contingents were to be paid at the rate of 2s. a day, with 2s. 6d. per day deferred pay, which was accruing. Before we dealt with the Estimates we should know what the indebtedness of the colony in this respect was, also what was the estimated indebtedness prior to the 30th June next year. He was anxious to have the information before the Estimates were dealt with, because he believed a very inadequate provision had been made to meet this liability.

HON. A. B. KIDSON: Of what?

HON. A. P. MATHESON: The deferred pay. Any member of the Contingents returning to Western Australia had a right to go to the Treasury and demand his deferred pay on the nail.

HON. A. B. KIDSON: That was a matter for the Government, surely.

HON. A. P. MATHESON: It was a matter for us when dealing with the Estimates to know that we were on the right side.

HON. C. SOMMERS (North-East) seconded the motion.

THE COLONIAL SECRETARY (Hon. G. Randell): No opposition was offered to the motion, but members should leave it to the Treasurer to see that proper provision was made for the Contingents. He did not think members need have the slightest fear that proper and ample provision had not been made. It seemed that the motion was a slur, almost, on the administration of the Treasury department. He would leave it to the hon. member whether it was advisable, now he had given expression to his opinion, to press the motion. It was always desirable that members in moving returns should show clearly that some useful purpose was to be served. A good many returns were moved for which were never used, and the preparation of returns involved trouble and expense. However, he did not suppose this one would. There was no objection to the motion, but it seemed to convey that proper provision had not been made for the payment of members of the Contingents returning to the colony.

HON. A. P. MATHESON (in reply): There was no wish on his part to throw any slur on the Treasurer, but, when dealing with the Estimates, we should have ample information before us to guide us in our vote. The information asked for would give no trouble to prepare, as the amounts should be written up every month. It was an indebtedness of the colony day by day, and should be shown.

Question put and passed.

MUNICIPAL INSTITUTIONS BILL.

REINSTATEMENT AFTER COUNT-OUT.

THE COLONIAL SECRETARY moved:

That the Chairman of Committees do now report to the House the proceedings of the Committee on the consideration of Message No. 38 from the Legislative Assembly, relating to the Municipal Institutions Bill.

The Municipal Institutions Bill was returned to this House by the Legislative Assembly, an amendment having been made in the Bill, striking out certain words inserted by the Council, autho-

rising females and ministers of religion to sit as members of municipal councils or mayors. It was necessary to state this for the information of members who were not present when the unfortunate count-out occurred last night. The members of the Committee were not unanimous on the question last night; indeed one or two were opposed to it. He (the Colonial Secretary) did not care much about the amendment. The only objection he had was that females and ministers of religion were bracketed with persons who had committed infamous crimes: it was more sentiment than anything else. The provision existed in Victoria and other places. Mr. R. S. Haynes, who felt strongly on the question, thought that these persons should not be prevented from being elected if the voters so desired. He (the Colonial Secretary) was sorry for what transpired last night, but he had in his mind a promise he had given, which was influencing him in the matter. The occasion had been described as unprecedented. If it was so, he was sorry that he should have made a precedent or erred at all. The hon. member (Mr. Hackett) had said the difficulty occurred through his (the Colonial Secretary's) ignorance of *May*. He had not time to study *May*, he was so fully occupied, and he left it to the officers of the House to put him right if he was wrong on any question. He thought it would have been better, in the earlier stages of the debate, to have adopted the idea of Mr. R. S. Haynes and have reported progress; but anxious desire had been expressed by some members to go on with the Bill and get it through, so that the measure would be secured to the country and brought into operation at the earliest possible moment. In falling in with that view he became involved, and if any inconvenience had been caused he apologised to Mr. Hackett and the House. He was exceedingly anxious that it should not be felt a breach of faith was being committed with the House in forcing any matter forward. The President could not but be aware of the fact that there was not a quorum present, because Mr. R. S. Haynes took particular care to draw the President's attention to it, when the hon. member rose in his seat and left the Chamber. Therefore it was all the more necessary for him (the Colonial Secretary) to draw the attention of the President to the fact that there was not a quorum. The main moving principle in his mind was the assurance which he had given to members that he would not, on any occasion, seek to unduly press a Bill through the House against the wishes of members. He felt that something unprecedented had happened, but he was quite innocent of having intended to do anything wrong: if he had done wrong he was sorry for it.

HON. E. McLARTY seconded the motion.

THE PRESIDENT: It was only right he should make some remarks on the point which had been raised. He agreed that the Colonial Secretary was placed in a very awkward position in reference to this question last night. Mr. R. S. Haynes and Mr. Brookman distinctly stated they would leave the House, and when they did leave it was patent there was no quorum. So far as the duty of the President was concerned, when the President saw there was a quorum to commence business, he did not take notice later of the absence of a quorum till attention was drawn to the fact; and he thought the Colonial Secretary had no other course left to him but to draw formal attention to the state of the House after the statements made by Mr. Haynes and Mr. Brookman. As to the position now, Standing Order 356 provided:

> The resolutions reported from a Committee may be agreed to or disagreed with by the Council; or agreed to with amendments; or recommitted by the Committee; or the further consideration thereof may be postponed.

So that, although the resolution was passed in Committee agreeing to the amendment made by the Legislative Assembly in the Municipal Bill, it was for the House to decide now whether the Message should be recommitted for consideration, or whether, when the Chairman of Committees reported the resolution, the report of the Committee should be adopted.

Question put and passed.

Resolution reported.

RECOMMITTAL.

THE COLONIAL SECRETARY moved that the report be adopted.

HON. R. S. HAYNES moved that the Assembly's Message be recommitted for

the purpose of striking out the words "female nor." When hon. members left the House last night, it was practically understood no further business of any importance would be dealt with, and it was for that reason he then asked the Colonial Secretary not to move the adoption of the resolution of the Committee. Members, generally speaking, were very tired at the time, and the Message of the Legislative Assembly was certainly not considered in Committee at all; and his only object in drawing the attention of the Colonial Secretary to the fact that if he (Mr. Haynes) left there would be no quorum, was to have the matter fully and freely dealt with. There had been no, what he would call, mature consideration given to the question, and he therefore hoped no objection would be raised to the proposed recommittal. He had some very good reasons for proposing to strike out the words indicated; because to one day give females the right to vote, and then, without any discussion, to deprive them of the right to sit as councillors, did not appear fair or reasonable.

HON. R. G. BURGES: The hon. member wanted New Zealand experience.

HON. R. S. HAYNES: The matter would not be discussed now, when all that was asked was that the Message should be recommitted.

HON. J. W. HACKETT: There was no objection on his part to the recommittal of the Message, and no doubt the House would accede to the desire of Mr. Haynes. He rose now to refer for a moment to a matter to which Mr. Haynes, the Colonial Secretary, and the President had made some reference, and he would be granted some indulgence in this, seeing his name had appeared in connection with the matter. The Colonial Secretary had disarmed hon. members by his apology, and of all the members of the House the hon. gentleman the least required to make any apology, and was the one least likely to be taken to task for any abuse of the etiquette or courtesies of the Chamber. Last night hon. members were placed in a very singular position. The Colonial Secretary said he had given a pledge, when he moved the suspension of the Standing Orders, that no business should be rushed through. Why, then, did the Colonial Secretary ask hon. members to go into Committee on the Assembly's Message?

THE COLONIAL SECRETARY: That was an error.

HON. J. W. HACKETT: Again the Colonial Secretary disarmed hon. members. But if the Colonial Secretary were right, and the President also were correct, in the view that Mr. Haynes called attention to the state of the House, which was not then short of a quorum, but which he intimated he would make short of a quorum—though that was not very much in accordance with parliamentary custom——

HON. R. S. HAYNES: It would appear that he must apologise also.

HON. J. W. HACKETT: If Mr. Haynes's intimation was taken as a substantive calling of the attention of the Chairman to the state of the House, then before the hon. member had left was the time to count the House. The Colonial Secretary argued that Mr. Haynes's intimation was a sort of general standing notice that there was no quorum, a notice which was to be put in force at some time posterior to the event; and, as a matter of fact, it was. With the utmost respect to the President, his office, and his position, he (Mr. Hackett) desired to call attention to the fact that the President, on more than one occasion, had declined to proceed with the business of the House, on the ground that there was not a quorum present, and there was something of this in the Colonial Secretary's mind when he stated last night that he "doubted whether it would be legal"—these were his own words—to proceed with the business in the absence of a quorum; and evidently that was the view the President himself held.

THE COLONIAL SECRETARY: What was meant was that the vote might be challenged to-day.

HON. J. W. HACKETT: How could the vote possibly be challenged to-day? If attention were called to the state of the House, and, on a count being made a quorum were present, the business could proceed; if there was not a quorum, then, in the usual way, the House adjourned. On more than one occasion—and yesterday there was another case—the President had refused to put a question because there was not a quorum present; but,

with very much respect, the President or the Speaker, to use an old parliamentary phrase, had "eyes only to see and lips only to declare" what the House instructed him to do. He (Mr. Hackett) thought he was not going too far when he stated that it was with the President's cognisance attention was called last night to the absence of a quorum. The attention of the President was called by the leader of the Government on a Government measure, and for reasons which he (Mr. Hackett) was even now at a loss to fathom. Had it been the desire of the Colonial Secretary not to discuss the Message, he should not have moved the House into Committee. Many members remained, at much personal inconvenience, to dispose of the business, and their reward was to have all their proceedings made abortive by attention being called to the want of a quorum, not by an independent member—because Mr. Haynes's intervention might go for nothing —but by the Colonial Secretary. He would not refer further to the matter, however, but many lessons might be learned from the incident, and these lessons he left those who desired the information, to discover.

THE PRESIDENT: Perhaps it was fitting that he should reply to some words which had fallen from Mr. Hackett in reference to the attitude of the President in the absence of a quorum. He could unhesitatingly say that every President had always refused to put the last stages of a Bill unless there was a quorum present. That might not be absolutely in accord with strict parliamentary practice as laid down in *May* and other authorities, but it had always been the rule in this House. When he was leader for the Government, the then President, the late Sir Thomas Campbell, adopted the same course; and he (the President) thought it a wise course to pursue.

HON. J. W. HACKETT: It would be the duty of hon. members to test this matter at a later period. He said this with great respect, and with great personal affection for the President; but this was a matter affecting the privileges of the House.

Motion put and passed, and the Message recommitted.

IN COMMITTEE.

HON. R. S. HAYNES: The Bill as it originally left the Council, and as unanimously approved by a select committee, left females or ministers of religion eligible to sit as councillors. There seemed, however, to be some decided objection to ministers being members of the council, though he himself saw no reason for this, provided the ratepayers desired a minister to represent them. He did not think that in any ward in an important town the ratepayers would return a minister, or that ministers were desired to be returned; and therefore he was prepared, so far as ministers were concerned, to fall in with the view taken by the Assembly. But the time had gone by when any female should be excluded from a privilege of the kind. The Council had so often affirmed the principle for the future that men and women should be placed on the same pedestal, that he did not know how members could consistently consent to this amendment. The Council had approved of the principle of females being admitted as barristers.

A MEMBER: Shame!

HON. R. S. HAYNES: Shame on the Council that the principle had only just been passed! Some 12 years ago women were excluded from every position in England; now they were admitted to boards of guardians; they were admitted and filled the position of members of boards of education; they were admitted and filled the position, with honour and credit to their sex, of members of the London County Council, and there was no body in this colony so important as the London County Council, not even excepting this Chamber. The work of the London County Council was greater in volume than the business to be transacted by this Chamber. The number of electors for the London County Council was far in excess of the whole of the electors of Australia, and the British House of Commons and House of Lords had agreed to women being admitted to the London County Council. No more forcible argument could be brought forward than that. Throughout the whole of America women were admitted to the different bodies. In New Zealand they were admitted, and he believed they were admitted in South Australia; but why wait for the other

colonies to move when we had the signal example of the mother country. He moved as an amendment, "That the amendment of the Legislative Assembly be agreed to, subject to the omission of the words 'female nor.'" For years women had had the right to vote at elections for municipal councils, and if the ratepayers thought fit that women should discharge the duty of councillors, there was no reason why we should object to it. It had been said that a high compliment had been paid to this Chamber by the way in which the Assembly had passed the Bill. This was the only new principle in the Bill. Otherwise the measure was only an extension of the present Act, and dealt with details. To say it was only a small amendment might be true, but it was an important one. He did not know what the debate in another Chamber was or what the reasons given were, but if it were a fact that one hon. member got up and said that he did not like this provision, but in order to test the feeling of members he would move that the provision be struck out; that there was no debate, no one opposed it, but that the Assembly passed it; he did not think it right to treat the one important amendment in the Bill in that manner. Members of another place should not have forgotten they were on the eve of an election. Only one-third (a quorum) was present when this Bill was passed in the Assembly, and he hoped the women would keep their eyes open and remember those who were opposed to this provision.

HON. A. B. KIDSON: What was that, a threat?

HON. R. S. HAYNES: It was a piece of information. Sending the Bill back would not delay the measure in the slightest. Weeks had been spent over the measure, and he did not want to see the labour which he had bestowed on it of no avail. The Bill would not be wanted for a few days, and so long as it was passed by the end of the session that was all that was necessary, so that there would be no delay. If the Assembly insisted after their attention had been drawn to the fact, that it was the only new amendment asked for, then rather than wreck the Bill, he would be prepared to give way. It was well to return the measure to the Assembly, and give reasons why the amendment was objected to. It was a compromise, and he was sure the Assembly would accept it in the spirit in which it was given.

HON. M. L. MOSS: While completely in accord with Mr. Haynes's observations, members should not lose sight of the state of the Notice Paper of another Chamber. The Trustees Bill, which left this Chamber some three or four weeks ago with some alterations made by this Chamber, which alterations the Attorney General and the member who introduced the Bill in the Legislative Assembly were in accord with, was now half-way down a very long Order Paper, and there was some fear that the Bill might be slaughtered amongst the "innocents," as soon as the Estimates were agreed to. The Estimates were pretty well finished, and if the Municipal Bill went back to the Legislative Assembly leaving any matter open for argument or discussion, what position would the Message occupy on the Order Paper?

HON. R. S. HAYNES: It was Government business.

HON. A. P. MATHESON: It would be on the top of the list.

HON. M. L. MOSS: It would be the last of the Government business on the Notice Paper. During this session he had called for a return as to the cost of printing this Bill, and it was shown that the cost was something like £200. That was a considerable item. Members of the House had some knowledge of the trouble which the Bill had caused this session, and if anything happened to the Bill the type might be distributed. He did not rise to protest against the observations made by Mr. Haynes, for he could not see why the Legislative Assembly should have made the alteration. However, this was not the only new principle involved in the Bill, because in many respects the Bill was a great advance on the municipal law of the present time. It would be a very serious thing for the community if the Bill was jeopardised through the Council insisting on Clause 41 as it left this Chamber, or insisting that females should be eligible for municipal positions. He was a strong believer in women being placed on exactly the same footing as men; but the fact of our disagreeing with the Legislative Assembly meant that there was a strong probability of the Bill meeting a similar fate to a

good many measures on the Notice Paper of another place.

HON. C. SOMMERS: Although agreeing with what Mr. R. S. Haynes had said, we should do nothing to endanger the Bill becoming law. The session was nearly at an end, and when the new Parliament met it would be easy to introduce a Bill containing the clause which Mr. Haynes was so anxious about. It would be better to pass the Bill so that the new municipal councils meeting next month would be educated up to the measure. We should not put any obstacle in the way of the Bill becoming law.

THE COLONIAL SECRETARY: Mr. R. S. Haynes had now had an opportunity of expressing his views on the question, and he had done so earnestly and cogently; at the same time it was undesirable on ordinary grounds that we should press this matter, but accept the amendment made by the Assembly in the Bill. A large number of members were opposed to the principle.

HON. R. S. HAYNES: Only one or two.

THE COLONIAL SECRETARY: On the ground of expediency, was it worth while insisting on the amendment? The hon. member had admitted that it was not likely that clergymen would be willing to be elected to the positions, also women.

HON. R. S. HAYNES: Only clergymen.

THE COLONIAL SECRETARY: The principal objection he had was that he did not like to see females and clergymen bracketed in the same clause with felons and others: it was a matter of sentiment. The hon. member, having expressed his mind fully and shown he was decidedly in favour of women being admitted, might be content to let the Bill remain as at present; and hon. members might rest assured there was not the slightest possibility of the Bill passing through the other House if this amendment were insisted on. The leader of the Opposition in the Assembly objected strongly to the admission of women, and there were also some members of the Ministry equally opposed; and when it was found that on a motion to recommit the Bill only three members voted in favour, what expectation could be entertained of the Bill passing through with the amendment proposed? To discuss this further was only prolonging the matter needlessly; and he appealed to hon. members to settle the question at once. He would be exceedingly sorry to see females elected to some of the municipal councils of the colony, considering what had passed at council meetings on recent occasions; and he did not think gentlemen would be desirous of exposing their women-folk to what had taken place.

HON. R. S. HAYNES: The amendment would prevent such proceedings.

THE COLONIAL SECRETARY: The hon. member had only to refer to some instances which had been quoted to see that would not be the effect of the admission of women, the restraining influence which he thought would be exercised by the presence of ladies in a council being discounted by what we had heard from other parts of the world.

HON. R. S. HAYNES: Nothing objectionable had taken place in the London County Council.

THE COLONIAL SECRETARY: The provision admitting women and ministers of religion was, he believed, passed more out of a feeling of consideration for the select committee, who had given great attention to the Bill; and if any one had got up and earnestly opposed the clause, it very likely would have been rejected.

HON. A. B. KIDSON said he was unable to support the amendment of Mr. Haynes, for the reasons mentioned by Mr. Moss, who had to be thanked for drawing the attention of the House to the congested state of business in another place. All who had to do with municipal work knew the Bill was absolutely necessary in order to improve the conduct of municipal affairs; and it would be very much to be regretted if by any chance the Council were to do anything which would have the effect of throwing out the measure, which could easily be amended next session if necessary.

HON. J. M. DREW: Women ought to be elected to municipal offices, but he saw a little difficulty in the matter. If a woman were elected to the position of mayor, she became *ex officio* a justice of the peace; and he was thoroughly opposed to that, for reasons which he did not care to state.

HON. A. JAMESON: The Colonial Secretary had advised that this matter be settled at once, and it was to be hoped it would be settled by the passing of Mr. Haynes's amendment. Mr. Haynes had shown very clearly why the amendment which had been unanimously adopted by the select committee should be supported; and it would be altogether irrational to exclude women, who were admitted to the London County Council, and even in this colony to the education boards. He himself sat on an education board with three or four lady members who were valued very much; and as to technicalities about throwing the Bill out, if the Council desired to see a principle adopted, the fate of the Bill was a matter with which hon. members had nothing to do. They must do their duty according to their conscience, and it seemed monstrous to consider difficulties and technicalities which might arise in another place.

HON. A. P. MATHESON supported the amendment because he thought the opinion of another place had not been properly taken on the question. If that amendment were returned to another place, and there was a concensus of opinion there that the words should be inserted, he was prepared to bow to that decision; but at the present time it was notorious the matter had not been discussed at all. He was sorry to listen to the despondent tone of the Colonial Secretary, because it was pretty clear this proposal was not receiving that support from the Government which might be expected; and hon. members would be able to judge of that by the position the Message took on the Notice Paper when returned to another place. There was no rule that a Message sent back would be placed at the bottom of the Notice Paper, and have to wait until private members' business had been dealt with, the private measure which had been instanced, having been simply placed at the bottom amongst all other private measures. If the Government were in earnest in their desire to pass this measure, the Message would receive immediate consideration.

THE COLONIAL SECRETARY: The opinion of the Assembly was obtained when an effort was made to recommit the Bill.

HON. A. P. MATHESON: It was very likely the members of another place thought the Council did not lay any particular stress on this provision; but he himself laid the strongest possible stress on the women being eligible as municipal councillors, and if women were excluded it would be entirely retrograde legislation. Mr. Haynes was wrong in one respect as to the eligibility of women in England, because for twenty years women had been members of school boards there, though in other respects Mr. Haynes was quite correct.

HON. A. G. JENKINS moved that the question be now put.

Motion (Mr. Jenkins's) put, and a division taken with the following result:—

Ayes	...	...	18
Noes	...	...	8
Majority for		...	10

AYES.	NOES.
Hon. G. Bellingham	Hon. W. G. Brookman
Hon. T. F. Brimage	Hon. J. M. Drew
Hon. R. G. Burges	Hon. R. S. Haynes
Hon. J. T. Glowrey	Hon. A. Jameson
Hon. J. W. Hackett	Hon. A. P. Matheson
Hon. A. G. Jenkins	Hon. F. M. Stone
Hon. A. B. Kidson	Hon. F. Whitcombe
Hon. H. Lukin	Hon. E. McLarty (*Teller*).
Hon. W. Maley	
Hon. M. L. Moss	
Hon. C. A. Piesse	
Hon. G. Randell	
Hon. J. E. Richardson	
Hon. H. J. Saunders	
Hon. C. Sommers	
Hon. J. M. Speed	
Hon. W. Spencer	
Hon. D. McKay (*Teller*).	

Motion to put the question thus passed.

Question (Mr. Haynes's amendment to strike out certain words) put accordingly, and a division taken with the following result:—

Ayes	...	...	8
Noes	...	...	18
Majority against		...	10

AYES.	NOES.
Hon. J. M. Drew	Hon. G. Bellingham
Hon. R. S. Haynes	Hon. T. F. Brimage
Hon. A. Jameson	Hon. R. G. Burges
Hon. A. P. Matheson	Hon. J. T. Glowrey
Hon. E. McLarty	Hon. J. W. Hackett
Hon. F. M. Stone	Hon. A. G. Jenkins
Hon. F. Whitcombe	Hon. A. B. Kidson
Hon. W. G. Brookman (*Teller*).	Hon. H. Lukin
	Hon. W. Maley
	Hon. D. McKay
	Hon. M. L. Moss
	Hon. C. A. Piesse
	Hon. G. Randell
	Hon. J. E. Richardson
	Hon. C. Sommers
	Hon. J. M. Speed
	Hon. W. Spencer
	Hon. H. J. Saunders (*Teller*).

Amendment thus negatived.

Further question (that the amendment made by the Legislative Assembly be agreed to) put, and passed on the voices.

FIRE BRIGADES BOARD DEBENTURE BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: This is merely a formal Bill to enable the Fire Brigades Board to issue debentures. Section 8 of the Fire Brigades Act of 1886 gives power to the Fire Brigades Board to borrow £5,000. In 1889 an amending Act was passed, increasing the borrowing power to £10,000. The present Bill authorises the Fire Brigades Board to borrow on debentures to secure a loan of £8,000, which has already been raised by the board: the last clause of the Bill deals with that. The other portion of the Bill provides the machinery for carrying the object of the measure into effect, and providing for the repayment of the loan, with interest thereon. It is a simple Bill, and it is necessary to pass it at as early a date as possible, because the Fire Brigades Board have already borrowed £8,000, and they wish to issue debentures in addition to the security given, of the land. From some oversight, the old Act did not give power to issue debentures, and that is now desired. The Fire Brigades Board is supported in this manner: one-ninth of the revenue is received from the Government, four-ninths from the Perth Municipal Council, and four-ninths from the various insurance companies. The Fire Brigade is a useful institution, and is being worked up to a high state of efficiency. Members are aware that a large building is being erected at the corner of Irwin and Murray Streets, Perth. I beg to move the second reading.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Read a third time, and *passed*.

At 6·30, the PRESIDENT left the Chair.

At 7·45, Chair resumed.

TRUCK ACT AMENDMENT BILL.

ADMINISTRATOR'S SUGGESTION OF AMENDMENT.

Message from the Administrator read, suggesting that the following words be added at the end of Clause 1:—

And Section 19 of the said Act is further amended by adding immediately after subsection 9 the following:—"Nor shall this Act extend or apply where any employer or his agent supplies or contracts to supply to any workman any medicine or medical attendance in any part of the colony defined by the Governor by Proclamation for the purpose of this exemption."

IN COMMITTEE.

THE COLONIAL SECRETARY moved that the amendment recommended by the Administrator be agreed to. The amendment was intended to meet a difficulty which had arisen in the timber mills at Denmark, which was some forty miles from the seaport of Albany. A petition from the employees at these timber mills had been presented to the Premier, pointing out that the Truck Act in its present form acted prejudicially and disastrously on the inhabitants there, who lived in an isolated position in the heart of the forest, and who at the present time were, by arrangement with the employers, provided with medical and nursing attendance. This arrangement was, of course, impossible under the Bill, and notice had been given by the manager at the mills that it must be discontinued as illegal. The amending Bill was introduced because, on the goldfields especially, similar sick and accident funds at the mines acted prejudicially to friendly societies generally, and also interfered with the self-help it was desired to see cultivated in this colony. It was possible other places besides Denmark might experience difficulties as described in the petition, and the only way of meeting such cases was that suggested in the amendment. The power would be exercised with the greatest caution, and no attempt would be made to carry out the amendment on the goldfields. Hon. members might take it as an assurance that the Bill would be placed in a position on the Notice Paper in another place, so that its passing would not be jeopardised this session. He understood that Mr. Speed, who introduced the amended measure, had no objection to the proposed amendment,

and it was to be hoped hon. members would be willing to trust the Government and the Administrator in the matter.

HON. M. L. MOSS said he had strongly supported Mr. Speed in the introduction of the amending legislation, and there could be no possible objection to the amendment, provided there were added words giving the Governor power from time to time to amend and alter these proclamations. The whole object of the Truck Bill was to prevent these sick and accident funds coming into direct competition with friendly societies whose transactions were all under the purview of the Registrar General; and as newly settled communities like Denmark might become more populous, and friendly societies branches be started there, it was desirable to give the Governor power, to withdraw the proclamation.

HON. J. M. SPEED: There was no objection to the amendment with the addition of some such words as suggested by Mr. Moss. The Truck Bill was introduced at the request of the friendly societies, and for the benefit of the workers in the colony; and there was no doubt the measure was very necessary on the goldfields. Such laws, however, should always be capable of administration with a certain amount of elasticity, and he moved that the following words be added to the amendment:—"And the Governor may from time to time amend, alter, or revoke any such proclamation."

HON. E. McLARTY: Not only should this amendment refer to Denmark mills, but to other timber stations in the colony. The employees did not complain of the small amount that was deducted from their wages: they cheerfully agreed to give it up. On one timber station there was ample provision in the way of hospital accommodation, medical attendants, and nurses, which the men would miss if the amendment were not passed. There were few more dangerous occupations than working at timber mills, and to take away a medical man would be a great hardship, because if an accident occurred a medical man would have to be obtained from a long distance. It had been stated that the amount deducted from the men's wages was not properly administered. That was denied as far as the timber stations were concerned, and he was acquainted with most of the managers of the mills. These gentlemen took the greatest interest in the employees, and supplemented to a large extent the fund.

HON. W. MALEY: The Denmark mills were in his Province, and he knew how this provision would work. As an Oddfellow, he was acquainted with the working of lodges, and one time, when he filled the position of head of the Oddfellows' Lodge in Albany and was the oldest officer in that lodge, it occurred to him very desirable to establish an Oddfellows' Lodge at Denmark, in the interests of the men as well as the society, but an objection was made to the establishment of a lodge there, as the population was not settled and the workmen were not attempting to make permanent homes for themselves, for the men felt they might not be at any one mill for any length of time; they went from mill to mill according to the demand for labour. It was not like an agricultural or mining population, which generally was in touch with some town or settlement. Denmark was 40 miles from Albany, which was too far for the doctor at Albany to attend. He (Mr. Maley) started an Oddfellows' Lodge at Katanning, which was the only lodge in the Plantagenet district outside Albany. Dr. Gray was the medical officer at Denmark, and he was receiving something like £450 a year. He was a most excellent officer, and it would be impossible to replace him with a man of the same stamp. If Dr. Gray left Denmark it would be a great loss to the people, who had a remarkable affection for him. The men contributed 6d. per week, and the company contributed a similar amount per man. There was a hospital there, and everything was worked satisfactorily to the men. If there was a surplus, and this applied to other timber stations, the men received the benefit of it. There was no objection to the amendment and to the proviso suggested.

Amendment on the suggested amendment put and passed.

Amendment as amended agreed to.

Resolution reported to the House, the report adopted, and a Message accordingly transmitted to the Legislative Assembly.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

IN COMMITTEE.

Resumed from the previous sitting.

Clause 58—Appearance of parties:

HON. R. S. HAYNES moved that in line 5 the words "whether it be strictly legal evidence or not" be struck out. At the time he met the members of the various trade societies he understood there was not so much objection to the employment of solicitors as to striking out these words. After consultation with the members of the select committee it was agreed not to press this amendment, and a compromise was come to; but as members had withdrawn from that compromise he did not feel bound by it.

THE COLONIAL SECRETARY: What effect would the words have if retained?

HON. R. S. HAYNES: All kinds of evidence could be admitted: reports, letters, and correspondence could be put in. He moved the amendment because it was brought forward in the select committee's report, but he would leave it to the Committee to decide whether the words should be struck out or not.

HON. M. L. MOSS: We would be dealing a serious blow at the whole policy of the Bill if the amendment was agreed to. It was hardly possible to conduct an inquiry under the Bill and be bound by the ordinary rules of evidence, that a person should be compelled to have his evidence strictly to the question at issue, in the legal sense of that expression. It would shut out expressions of opinion of the unions and the trades and labour councils; also resolutions which might be conveyed from these bodies, hearsay statements of employers, or certificates containing statements, which under ordinary circumstances would have to be taken from witnesses on commission. That would add considerably to the litigation under the Bill.

HON. R. S. HAYNES: With the words in, it would.

HON. M. L. MOSS: From inquiry as to the working of the New Zealand Act he found that there was no complaint in regard to these words in the New Zealand law; it was not one of the matters productive of contention in New Zealand: it was absolutely necessary that a perfectly free hand should be given to the tribunal. If the court was bound down to the ordinary rules of evidence, the inquiry would be very restricted indeed. It had been stated this Bill was introducing a novel piece of legislation; it was one of the novelties of the Bill that evidence which was not strictly legal was to be admitted. References under the Bill should be decided in equity and good conscience.

HON. R. S. HAYNES: All cases in law courts were decided on the same principle.

HON. M. L. MOSS: True. Even Mr. Haynes must admit that in sticking closely to the rules of evidence occasionally injustice was done.

HON. R. S. HAYNES: Very seldom.

HON. M. L. MOSS: Occasionally it was so. One could not define hard-and-fast rules for hearing cases under the Bill. But in isolated cases great hardship might be inflicted, and it should be for the court to say what weight they would give to evidence, whether strictly legal or not.

Amendment put and negatived.

HON. R. S. HAYNES moved that the following new sub-paragraph be added:—

> Where the dispute before the court is one of wages, the court in determining the rate to be paid shall take into consideration the cost of living in the neighbourhood where the dispute arises and the degree of skill necessary for the performance of the work and the risk necessarily incurred by the workman in the course of his employment.

The amendment did not in any way restrict the freedom of the court, but only said these three cardinal points should be taken into consideration, while other points were not excluded. The amendment had been agreed to by both employers and employed.

HON. J. W. HACKETT: There was no need to tinker with the Bill more than was absolutely necessary, and every amendment jeopardised the measure, which ought to be passed as nearly as possible in the form in which it was drawn in another place, seeing it was founded on similar legislation which was said to have worked well elsewhere. When three principal considerations were set out they would be likely to overshadow all other considerations; and the court ought to be allowed a perfectly free hand to take these and other points into consideration without the permission given in the amendment.

HON. R. S. HAYNES: What other grounds could be introduced?

HON. J. W. HACKETT: A vast number.

HON. R. S. HAYNES: Mention one.

HON. J. W. HACKETT: If all the other possible points were mentioned he could detain the Committee for some time, because in the great bulk of cases there would be other considerations. Wages in this colony must tend to a level of the wages of similar trades throughout the federated colonies. In the printing trade, with which he was more particularly connected, he took it that not one of these points would come in for consideration, and possibly there had been more important disputes in connection with the printing trade in New Zealand than with any other trade. Was it to be understood that the Judge was to take for granted that other matters were of minor importance?

HON. R. S. HAYNES: What other considerations could arise?

Hon. J. W. HACKETT: A vast number.

HON. R. S. HAYNES: Mention one.

HON. J. W. HACKETT: In the scale of charges for piece work in any trade, none of these considerations entered. There was a process going forward in Australia, under the direction of certain federated bodies, by which the scale of wages would be the same in all the trades throughout Australia, so that a strong man who knew his trade would obtain the same wages in Perth as in Melbourne or Sydney.

HON. J. W. GLOWREY: It could not apply to the goldfields.

HON. J. W. HACKETT: Then the Bill was of no use, because it was introduced principally to meet the circumstances of the goldfields. The court should be left absolutely free without being given a lead in any direction.

HON. J. M. SPEED opposed the amendment. In the select committee it was distinctly stated that the reason this amendment had been adopted was to limit the power of the Judge.

HON. R. S. HAYNES: That was not said by him.

HON. J. M. SPEED: That was the object, or, otherwise, the amendment was quite unnecessary. It was quite possible, however, that a Judge might be obtained of equal ability with Mr. Haynes, and would be able to find out these things for himself.

HON. R. S. HAYNES: The amendment was absolutely necessary, and the reasons put forward by Mr. Hackett were insufficient to warrant the Committee in rejecting the provision, which had been agreed to by both employers and employed.

THE COLONIAL SECRETARY: What was the object of the amendment?

HON. R. S. HAYNES: The object was to give the court some indication of the manner in which the court should proceed in deciding a question of wages. In the select committee he never heard anyone suggest the amendment was drawn with the object of limiting the powers of the court, because the only object was to indicate to the court the grounds on which the members should proceed, without in any way limiting their powers. On what other grounds could the court proceed than those set forth in the amendment? Mr. Hackett apparently desired to have the same rate of wages throughout Australia, because the colonies were federated; but in New South Wales a man could live comfortable for 10s. or £1 a week.

HON. J. W. HACKETT: The Judge could find that out.

HON. R. S. HAYNES: In determining the rate of wages the cost of living must be taken into consideration, and it could not be said that the wages of a bootmaker in Perth should be the same as at Coolgardie; and the other elements proposed were all proper for consideration. If any hon. member could point out one of these elements or principles which was improper, wrong, or unjust, he would ask the Committee to reject the amendment.

HON. A. B. KIDSON: There was absolutely no necessity whatever for the amendment.

THE COLONIAL SECRETARY: It was an instruction, really.

HON. A. B. KIDSON: Strictly speaking, the amendment was an instruction, and it was next-door to an insult to suggest for a moment that the Judge and arbitrators would not know on what basis they ought to proceed. Mr. Haynes asked on what other grounds the court could proceed, and therein Mr. Haynes killed his own argument, because if there were no other grounds on which the court

could proceed, what object could there be in inserting the amendment?

HON. R. S. HAYNES: Was there anything wrong in the principles?

HON. A. B. KIDSON said he was now showing the absurdity of passing unnecessary amendments, which might lead to the wrecking of the Bill, and this amendment was just about on a par with the other amendments proposed by the select committee, and was certainly one which he did not think would be accepted by another place. If he had been on the select committee, he would have objected to such childish amendments.

HON. R. S. HAYNES: Now, wind up by moving the closure.

HON. A. B. KIDSON: If that were done, it would have a good result, because hon. members, like himself, found great difficulty in proceeding with the frequent interjections by the hon. member.

HON. A. JAMESON: There was no other colony in which a Bill of this description was in force, where there was no factory Act. There was no means of knowing on what grounds the court had to decide here. In the other colonies, where there was a factory Act, that was the industrial code of the colony, but there was no code in this colony. This was purely a novel measure, and up till to-day in this colony all questions of economics, as to wages, had been decided on the cost of production. If there was a high cost of production there were low wages; with a low cost of production there were high wages: all economists were at one on this point. Now we were going to proceed on another ground. These matters were not to be dealt with upon the cost of production. No longer were economic questions to be decided on the usual grounds, on the cost of production, but on the living wage. Seeing that we had no factory Act in the colony, the select committee had thought it necessary to bring forward this amendment and state that it was the living wage upon which the court should decide these questions. There was no industrial code in the colony, and unless the court went on the ordinary economic grounds of the past, what was it to go on!

HON. J. W. HACKETT: The court would proceed on the evidence put before them of all kinds.

HON. A. JAMESON: From all parts?

HON. J. W. HACKETT: From the colony, and other parts.

HON. A. JAMESON: As soon as evidence was admitted on economic grounds, from the other colonies, we struck a blow at the Bill because the conditions did not apply to us. The cost of living was different in all the colonies.

HON. J. W. HACKETT: The Judges would consider that.

HON. A. JAMESON: If the wage at Ballarat was compared with the wage on these goldfields, what solution could be come to? The cost of production was infinitely lower in Ballarat, and the wage was also lower.

HON. J. W. HACKETT: We should trust the Judge to find that out, without telling him.

HON. A. JAMESON: The Judge had nothing to go upon: there would be constant friction to know on what lines to proceed.

HON. C. SOMMERS: As to the statement by Mr. Hackett that the wages should be uniform throughout the colony, once he was speaking to a miner in Victoria who complained that the cost of living was so much higher in another part of the colony. That miner said that it cost him 8s. a week to live, whereas in another place nearer Ballarat he lived for 5s. That showed it was impossible to apply the conditions in one colony to other colonies, or to another place in the same colony. On the Government waterworks, the wage was 9s. a day; higher up the line, owing to the extra cost of living, it was 9s. 6d., still further it was 10s. a day. The same thing applied to miners, carpenters, railway employees and all Government servants: the further they went out into the country, the pay increased. This clause dealing with wages was a very good one indeed. The select committee had been twitted that the amendments brought forward by them were in favour of the employer, now the select committee brought forward an amendment in favour of the labourer and they were blamed for that. It seemed that the select committee did not do anything right.

HON. M. L. MOSS: The principle contained in this amendment was an exceed-

ingly good one, but it would be well if Mr. Haynes could see his way to alter the word "shall" in the second line to "may." A Judge might consider that was the method and basis on which wages should be computed.

HON. R. S. HAYNES: Give the Judges credit for some sense.

HON. M. L. MOSS: We wanted to guard against the Judge saying that these were the only elements he was entitled to take into consideration in fixing the amount. Members had drawn attention to the fact that there were different rates of wages in some parts of Australia from those ruling in Western Australia. That was so, and there ought to be different rates of wages paid in different parts of Western Australia. The cost of living in Perth and on the goldfields was not the same, especially those parts of the goldfields removed from the railway system where the cost of living was very high. There should be some guide to the Judge as to how the rate of wages should be fixed. The Judge should take into consideration the cost of living in the neighbourhood, and the risk incurred by the workmen. This was a clause which would benefit the workmen more than the employers. Courts of law, in giving decisions, were generally guided by precedent, and if an industrial dispute occurred in one part of the colony, and the rate of wages was fixed at 10s. a day that precedent might be trotted out when another dispute occurred, but if there was a provision in the Bill like that contained in the amendment, the attention of the Judge was directed to the fact that he could take into consideration the cost of living and other matters in the district where the dispute arose: the Judge would then say that he was not guided by the same considerations in all cases. The select committee were to be commended for having put this amendment into the report. He would rather see the provisions directory than mandatory.

HON. R. S. HAYNES: It was not necessary to make the alteration. "Shall" always was held to be directory in clauses such as the one before the Committee. Mr. Fergie Reid, who was a man who thoroughly understood what he was saying, gave the select committee some evidence on this point, and here was what the witness said. Question and answer 266 were as follow:—

> You seem to be in some doubt. In regard to the ground on which the Court is to proceed, there being no directions given, do you not think it advisable that some clause should be inserted directing the Court, in estimating wages in dispute, to take into consideration the cost of living, the amount of skill requisite for the performance of the work, and the dangers attendant on the work?—These will be the important factors.

Then there were questions and answers 267-8:

> Do you not think these are the three heads under which the Court should proceed?—Practically, I think.
>
> Can you suggest any other?—I cannot recall any other just now.

HON. J. W. HACKETT said he must protest against the way in which his words had been misquoted and mangled, that there should be a uniform rate of wages throughout Australia. Anyone in his position knew how absurd that was. The rate of wages varied, not only in the various colonies, but in most parts of this colony and in most parts of the other colonies. Mr. Haynes seemed to be answering Mr. Moss, and Mr. Moss answered Mr. Haynes. Mr. Haynes said it was not intended these should be the only grounds, while Mr. Moss said that might be the meaning, and wanted the essential word altered; and between these two hon. members, it would be better to take the safe side, and leave the Bill as at present.

HON. J. E. RICHARDSON: It was a workers' clause.

HON. J. W. HACKETT: Hon. members were well acquainted with Mr. Richardson's arduous labours, both inside the House and out, on behalf of the workers, and that hon. member and the workers might be left to settle the question between them. He (Mr. Hackett) objected to Mr. Richardson introducing himself into the reality of the question as the friend of the workers; and there ought to be no humbug about this matter. It was urged by Mr. Haynes that the amendment merely gave an indication to the court, and he quoted Mr. Reid's evidence to show these were practically the only grounds on which a Judge could give his decision; but either Mr. Reid misunderstood Mr. Haynes or Mr. Haynes misunderstood Mr. Reid, because

Mr. Haynes put the words into the mouth of Mr. Reid, who gave only very general admissions to Mr. Haynes's statements. It was an absolute affront to the intelligence of a Judge to say that he would ignore the three primary points which had occurred to the select committee; and not only was the Judge insulted by telling him that B followed A, and that two and two made four, but hon. members were asked to suppose that workers would go into the court without having any case at all. Doubtless these would be the very first three points which would be raised by the workers, who might be left to take care of themselves; and if the amendment were passed, legal gentlemen would argue that these three points were the only points which should be considered. The Judge, with his own unaided intelligence, would discover these three grounds and half a dozen more, while points would also be suggested by general conversation and the Press outside. So far as one knew, no employers were examined by the select committee except those connected with the mining business, and he, as an employer, refused to be bound by any agreement of the kind. The Judges had common sense, honesty, and a certain knowledge of law, and they would do their best if they were not led astray by false lights.

THE COLONIAL SECRETARY: Mr. Haynes had not quoted Mr. Reid's answer to the question put by Mr. Brimage, and which showed that these answers quoted by Mr. Haynes had been put into the mouth of Mr. Reid by Mr. Haynes. In question 269, Mr. Reid was asked by Mr. Brimage whether he was in favour of the Bill going through as it was, and Mr. Reid's reply was, "I am in favour of the Bill going through just as it is at present." It must be borne in mind that these would not be disputes between individuals, but between larger and smaller bodies of men, amongst whom, with a common cause, there would be various degrees of skill and varying circumstances, which would affect the whole question.

HON. R. S. HAYNES: Truckers and miners at the face could not go to the court at once.

THE COLONIAL SECRETARY: The whole body would be appealing for the assistance of the court, notwithstanding the varying circumstances; and he took it the amendment was introducing a principle highly unnecessary and mischievous, and which evidently was not wanted by Mr. Reid. It was undesirable to introduce any more amendments into the Bill than were absolutely requisite, and Judges ought to be left free to consider all points they desired. It must be remembered that the Judge would have power to appoint experts, and would further be assisted by a representative of the employers and a representative of the employees; and the Committee had gone out of their way in introducing an amendment of the kind.

HON. R. S. HAYNES: Why did the Colonial Secretary not sit as a member of the select committee?

THE COLONIAL SECRETARY: It would have been improper, he thought, for him to sit on the select committee. He asked hon. members not to pass the amendment in any form, but if it were passed, the word "may" was preferable to "shall."

HON. M. L. MOSS: As Mr. Haynes did not seem inclined to adopt the suggestion made, he moved that the word "shall," in line 2, be struck out, and "*may inter alia*" inserted.

HON. J. M. SPEED: All the members of the select committee, with the exception of Mr. Haynes, might accept this amendment. If the word "may" were inserted, the amendment would be useless, as indeed was the amendment at present. But many hon. members seemed to think the proposed sub-clause necessary, and if they liked to have a lot of unimportant lines in the Bill, let them have them.

HON. M. L. MOSS could not agree with the contention that if the sub-clause were made directory, it would be useless, because it contained a basis on which the Judges were directed to go, and provided that they "may" take into consideration certain other things. The only object of his proposal was that the Judges should not be limited to the powers in the sub-clause, though it seemed to be agreed that these were the main considerations which would actuate a Judge.

HON. A. B. KIDSON: Of course a Judge might take other matters into consideration.

HON. M. L. MOSS: But what objection could there be to the proposed amendment? The cost of living, the degree of skill, and risk incurred were elements which the Judge should take into consideration if the clause was passed in the form he suggested; it did not follow that the Judge should not take other matters into consideration.

HON. R. S. HAYNES: The hon. member suggested that the word "may" should be inserted; that was permissive. It was not compulsory to take into consideration the rate of living, the degree of skill necessary, or the danger incurred. The court ought to take these things into consideration, and his amendment said that the court should do so.

HON. M. L. MOSS: Make it "shall *inter alia*."

HON. R. S. HAYNES: Those words were not necessary. The amendment as it stood directed the court to take these matters into consideration.

HON. J. W. HACKETT: Mr. Moss meant that the court might disregard the amendment.

HON. F. M. STONE: The clause gave the elements that should be taken into consideration, but it did not prevent the court taking other matters into consideration. If "may" was inserted, the clause might as well be wiped out.

HON. A. B. KIDSON: There were two legal members of the House on the one side, and two legal members on the other side, how were the ordinary members of the House going to act?

HON. R. S. HAYNES: Follow their own common sense.

HON. A. B. KIDSON: It was a legal question, and if the legal members were in dispute, it would be better to leave the amendment out altogether. By inserting the amendment, the passage of the measure would be hampered.

HON. A. JAMESON: This was not a legal matter at all. On economic grounds the question was very clear to himself. When one spoke of the high cost of production in Ballarat, that meant that there were low-grade ores there. The court had either to take the side of the employer or the side of the wage earner, the subjective or the objective side. If the court took the objective side, it must take the law of the past, the cost of production; if the subjective side, it must take the cost of living into account. The subjective aspect was the proper one—the living wage.

Amendment (Mr. Moss's) put and negatived.

Amendment (Mr. Haynes's) put, and a division taken with the following result:—

Ayes	...	...	13
Noes	...	...	6
Majority for		...	7

AYES.	NOES.
Hon. G. Bellingham	Hon. J. M. Drew
Hon. J. T. Glowrey	Hon. J. W. Hackett
Hon. R. S. Haynes	Hon. A. B. Kidson
Hon. A. Jameson	Hon. G. Randell
Hon. A. G. Jenkins	Hon. W. Spencer
Hon. D. McKay	Hon. J. M. Speed (*Teller*).
Hon. M. L. Moss	
Hon. C. A. Pisse	
Hon. J. E. Richardson	
Hon. H. J. Saunders	
Hon. C. Sommers	
Hon. F. M. Stone	
Hon. T. F. Brimage (*Teller*).	

Amendment thus passed, and the clause as amended agreed to.

Clauses 59 to 67, inclusive—agreed to.

Clause 68—Majority of court to decide matters:

HON. R. S. HAYNES moved that at the end of the clause the words "the decision of the President shall prevail in case of difference of opinion of the other members of the court" be added. Mostly questions of wages would come before the court. The employers' arbitrator would say that 10s. a day was a fair thing, the workers' arbitrator would say 12s. was a fair thing; then the Judge would suggest that 11s. be accepted; but both sides would say "No." What would be the result? There would be no award. In nearly every instance in New Zealand the workers only had to make a sufficiently exorbitant demand, and the employer not being able to go below the rate he was then paying, the workers always got the benefit. If the President had the right to give a decision, it would cause the arbitrators to come to some agreement in the matter.

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

Clauses 69 to 74, inclusive—agreed to.

Clause 75—The court may award costs and apportion them:

HON. R. S. HAYNES moved that all words after "therefor," in line 8, be

struck out. The select committee had reported as follows:—

The committee recommend that the court should not be deprived of its power to award costs to the successful party, if in its opinion they should be so allowed. There can be no difference in principle between the payment of costs of witnesses and costs of counsel. The successful party who has been compelled to employ legal assistance should not be deprived of the right to recover these costs from the unsuccessful party if the court should be of opinion that costs should be paid.

Supposing a solicitor appeared for the workers, and the case turned out to be a most scandalous one to bring before the court, or the opposition might be scandalous, the court should have the power to award costs as it thought fit. If the amendment were passed, parties would not rush into court with frivolous cases. It did not follow that the costs would always be given against the losing party, but the court should have this power.

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

Ayes	15
Noes	5
Majority for	10

AYES.	NOES.
Hon. G. Bellingham	Hon. J. W. Hackett
Hon. T. F. Brimage	Hon. G. Randell
Hon. J. T. Glowrey	Hon. J. M. Speed
Hon. R. S. Haynes	Hon. W. Spencer
Hon. A. Jameson	Hon. J. M. Drew (*Teller*).
Hon. A. G. Jenkins	
Hon. A. B. Kidson	
Hon. W. Maley	
Hon. D. McKay	
Hon. C. A. Piesse	
Hon. J. E. Richardson	
Hon. H. J. Saunders	
Hon. C. Sommers	
Hon. F. M. Stone	
Hon. M. L. Moss (*Teller*).	

Amendment thus passed, and the clause as amended agreed to.

Clauses 76 to 100, inclusive—agreed to.

New Clause:

HON. A. B. KIDSON moved that the following be inserted as Clause 14:

No proceedings shall be initiated or taken, or settlement of award made, in respect of an industrial dispute or industrial agreement entered into in connection with an industrial union of workers, consisting of less than one hundred members, excepting in the name of, and by, against, or with the council or industrial association of workers with which it is connected or affiliated, or of which it forms part.

It was essential there should be the strongest safeguards for the due carrying out of the award of the court, and there could be no better guarantee in this direction than that the larger body should have it in their power to see that the award was observed. In the case of a union of under one hundred members, all proceedings or agreements entered into must be in the name of the larger association to which they belonged, these associations being formed of delegates of the different unions. He knew this clause to be acceptable to both employers and employed.

HON. R. S. HAYNES: That was not so.

HON. J. W. HACKETT said he was certainly in favour of the principle of the clause, and only took exception to two or three of the words. He accepted the assurance of Mr. Kidson that that gentleman had the approval of both employers and workers in proposing the clause, but a conversation he (Mr. Hackett) had with some of the leaders of the workers some time ago, led him to believe that they objected to the words, "in the name of, and by, against, or with," on the ground that this saddled the larger body with responsibilities of which they knew little, and which they would be practically unable to carry out. In the absence of an assurance from Mr. Kidson, he would have moved that these words be struck out and "with the consent of" inserted in lieu.

HON. A. B. KIDSON: The proposed substituted words would not alter the effect of the clause, and as he believed some of the bodies interested desired the change, he would be prepared to accept the amendment.

HON. J. W. HACKETT then moved an amendment that the words "in the name of, and by, against, or with" be struck out, and "with the consent of" inserted in lieu.

HON. R. S. HAYNES: This clause looked harmless, but it was as full of mischief and danger as it was possible for a clause to be. The clause was proposed for the purpose of introducing into the Bill a principle which the workers' bodies had been fighting for in New Zealand all the time, namely that all power should be handed over to the Trades and Labour Council. According to the evidence before the select committee, eighty per cent. of the men employed on the goldfields were free labourers.

HON. M. L. MOSS: They would all be forced into unions under the Bill.

HON. R. S. HAYNES: As the Bill was now drawn, these men would not be forced into unions.

HON. A. B. KIDSON: Yes; they would.

HON. M. L. MOSS: That was the inevitable result of the Bill.

HON. A. G. JENKINS: And one of the objects of the Bill.

HON. R. S. HAYNES: The select committee could not recommend that the provisions of the Bill be extended to free labourers, who, if they desired to take advantage of the measure, could form themselves into industrial societies. But if a society consisted of less than one hundred members, to what body could they apply for consent? The Trades and Labour Council? The result would be to force these labourers into a union, which was one of the very things it was desired to avoid.

HON. M. L. MOSS: Who desired that?

HON. R. S. HAYNES: The policy of the Council had been not to hand over the whole of the labour of the colony to the control of Trade and Labour Councils. The great cry in New Zealand was that preference should be given to unionists. Here the Government, though on the eve of a general election, had not had the temerity to ask that such a provision should be put in the Bill. The clause, if passed, would wreck the whole of the attempts of the select committee to do justice between the two parties interested. It was known how the Trades and Labour Council behaved, as had been seen by the action of some of their representatives, one of whom was a member of the Council. He (Mr. Haynes) would use all the power he had to wreck the Bill, if the attempt was persisted in of introducing this clause, which was most dangerous, most mischievous, and could lead to nothing but absolute despotism under the Trades and Labour Council, who were a power unto themselves, and now sought to get the upper hand. By all means do justice to the Trades and Labour Council, but do not hand over all the labourers of the country to the tender mercies of that body and the Hon. Mr. Speed.

HON. M. L. MOSS: Mr. Haynes took a most exaggerated view of the effects of the clause. A fair reading of the clause did not justify the statement that we were handing over everything to the Trades and Labour Council. He regarded the proposal as the safety-valve of the Bill. It would prevent a small union of 20 or 25 persons going on strike or setting the whole machinery of the Bill in force to decide a question on the vote of 10 or 15 persons. If a union or society consisted of 100 men, or more, the assent of no other society was asked. In small unions where an action might involve a hardship on an employer of labour, this union must get the consent of the body with which it was affiliated. There was very little opportunity of forcing an award whenever made in connection with a small number of men; they could not meet anything like a reasonable proportion of the expense. If a union lost public opinion, all its influence was gone. If a union had not public opinion at its back, it would not have the sympathy of the final arbitrator, the Judge, and it would bring disgrace on the heads of those who had set the machinery in motion.

HON. A. B. KIDSON: Mr. Moss was absolutely correct. The real and main object of the clause was to prevent a small union from creating a dispute, and thus causing friction in trade. Where any union numbered under 100 members, that union must go to the large body with which it was affiliated before any dispute could take place. Mr. Haynes had said that the amendment was mischievous and dangerous, but he did not point out how. Mr. Haynes had suggested an amendment to the amendment, that the provision should not apply to those unconnected with an industrial association. There could not be much objection to that. As a matter of fact there would be no societies in that position. A union not affiliated with an association could not come under the clause.

HON. C. SOMMERS: The amendment moved by Mr. Kidson was dangerous. Eighty per cent. of the labourers on the goldfields, and in the costal districts, were not members of unions, and we were legislating for 20 per cent. and binding 80 per cent. Mr. Norbert Keenan gave evidence on this point. Questions and answers 17, 18, and 20 were as follow:

17. In regard to Clause 19 (defining the parties to industrial agreements) you suggest the word "employers" should be struck out and "one or more workers" put in. What is your object?—Our object is this: Of the labourers on the fields at present, to our know-

ledge a very small percentage are members of unions.

18. There are a lot of free labourers?—They number about 80 per cent.; if our information is correct, they number more. It will be a considerable time before the large mass of working men have joined unions. We want to leave it open to the employers to make contracts with free labourers, a free labourer being a man who is not a member of a union, and that such a contract need not be a contract absolutely specified to be under this Bill, because there may be a difficulty in that. We want it provided that such a contract will not be in any measure disturbed by the provisions of this Bill. At present there are a large number of Austrians, Germans, and Italians on the fields woodcutting. There are a lot of Italians and Austrians working on the different mines. You cannot shut them out, but they must be allowed free entry. The Imperial Government would not allow our shutting them out, and they are coming here in large numbers, because the market is, from their point of view, a very highly-paid market. These men will not readily join unions, but the employers want a provision to be made in this Bill whereby they will be placed in a position, notwithstanding the passing of the Bill, to make contracts with men such as those. I am only taking those as an instance. There are numbers of Austrians on the fields who are free labourers. Those foreigners are not likely for a considerable time to join unions. They do not understand what a union is. They have their own societies, which are semi-political, semi-social, and these men will not readily fall in with the British idea of a workers' union. The object we have in regard to this clause is that nothing in the Bill shall interfere between the free labourer and the employer by reason of the fact that one is a free labourer; because we wish to point out that the sole object of the Bill is to prevent friction between employed and employers. If you create a condition whereby a free labourer is to be debarred from entering into an engagement with his employer, instead of lessening the friction in the labour world you are absolutely, in the case of the goldfields, creating what may lead to a good deal of disturbance, and I think there may be a difficulty in the Bill because one worker is not recognised. One worker has no standing under the Bill, but a clause could be so drawn that it would not interfere with the engagements made between free labourers and employers. For instance, a free labourer, if under an engagement, would not be entitled to take action under the Bill.

20. By forcing him to join a union?—By forcing him to join a union. If a free labourer were under an engagement and a certain amount of moral or other sort of suasion were brought to bear, and he became a member of a union, he might be forced into an industrial dispute, and he would then be entitled to the benefits of the Bill. Our only object is to have the rights between the free labourer and the employer preserved, and not allow any clause of the Bill to override those rights.

A small union, say the plumbers or typographical society which numbered 20 men, would have to affiliate with the Trades and Labour Council before they could get the benefit of the Bill, and these unions would be dragged into various disputes whether they liked it or not.

HON. M. L. MOSS: That was not the reading of the amendment.

HON. C. SOMMERS: If members looked at questions 497 to 500 and the answers, they would see that Mr. Diver was asked as to what percentage of free labourers there was in Perth, and his answer was that he would not like to give a reply, as he might get into trouble. Therefore we might take it that there were 80 per cent. of the workers who did not belong to unions, and it was not right to compel these men to join unions.

HON. J. W. HACKETT: The objection in regard to free labourers came too late. The natural effect of the Bill would be to drive all free labourers into unions for two reasons. First, no worker could take any steps under the Bill unless he was a member of a union: the Bill had nothing to say to free labourers; and secondly the Judges had decided under the New Zealand Act that preference would be given to unionists over free labourers. That principle was embodied in the New South Wales Bill. The question as to free labour should have been considered before the second reading of the Bill was passed. Labour was going to be united in Western Australia, and in all the colonies that adopted this Bill for the future, so as to make united labour as great a benefit to the community as possible. He had no faith in securities or deposits: he believed such a thing would not receive support in another place. If we exchanged the principle of security and deposits for fuller responsibility for a section of another body, a more impartial body, we should be making a very good exchange indeed. He did not understand Mr. Haynes's amendment, the hon. member spoke of unions not affiliated to trade unions. There might be unions which were not trade unions—unions of free labourers; but there could be no such thing. The unionist was one person and the free labourer another.

Amendment put and passed,

HON. R. S. HAYNES moved that the following be added to the clause: "provided that nothing in this section contained shall apply to a union of workers unconnected with an industrial association."

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

New Clause:

HON. J. W. HACKETT moved that the following be added to the Bill:—

Notwithstanding any of the foregoing provisions, it shall be lawful for the parties to any industrial dispute to refer such dispute to the Court in the first instance, provided both parties to the dispute assent to such reference.

The object was simply, if both parties were willing, to enable the intermediate stage of the conciliation board to be avoided, and the parties to proceed direct to the court of arbitration. He took it that in 99 cases out of 100 the parties would first meet and try to come to an agreement, and that it would be useless to go to the board of conciliation if an agreement had not been arrived at.

HON. R. S. HAYNES: The clause seemed to be a good one, which would be of great service.

Clause put and passed.

New Clause:

THE COLONIAL SECRETARY moved that the following be added to the Bill:—

The Court shall have power, by order, at any time during the currency of the award, to amend the provisions of the award for the purpose of remedying any defect therein or of giving fuller effect thereto.

He had submitted this to the Crown Law Department, who considered it a desirable provision.

Clause put and passed.

New Clauses:

THE COLONIAL SECRETARY moved that the following be added to the Bill:

In any proceedings before the Court the Minister may be represented by any officer of the department whom he appoints in that behalf.

All expenses incurred and moneys payable by the Minister under this Act shall be payable out of moneys to be appropriated by Parliament for the purpose.

Clauses (2) put and passed.

Preamble and title—agreed to.

Bill reported with amendments, and the report adopted.

REPORT OF SELECT COMMITTEE.

On motion by the COLONIAL SECRETARY, the order for considering the report of the select committee (already dealt with incidentally) discharged from the Notice Paper.

ADJOURNMENT.

The House adjourned at 9·55 o'clock until the next day.

Legislative Assembly,

Wednesday, 21st November, 1900.

Petition: Theatrical Performances on Sunday—Post Office Savings Bank Amendment Bill, first reading—Remedies of Creditors Act Amendment Bill, first reading — Paper presented — Question: Railway Rates, Fremantle to Cue—Perth Public Hospital Inquiry, Select Committee's report — Lunatic Asylums Inquiry, Select Committee's report — Annual Estimates, Ways and Means—Appropriation Bill, first reading—Loan Estimates (resumed), Railways Vote to end, reported—Hampton Plains Railway Bill (private), in Committee, reported—Kalgoorlie Roads Board Tramways Bill, Select Committee's report adopted; Bill in Committee, reported—Adjournment.

THE SPEAKER took the Chair at 4·30 o'clock, p.m.

PRAYERS.

PETITION—THEATRICAL PERFORMANCES ON SUNDAY.

HON. B. C. WOOD presented a petition from the W.A. Anglican Synod, praying that the law be enforced to prevent theatrical performances on Sunday (with charges for admission).

Petition received and read.

POST OFFICE SAVINGS BANK AMENDMENT BILL.

Introduced by the PREMIER, and read a first time.