the House will agree to the second reading of the Bill.

On motion by Hon. R. G. Ardagh, debate adjourned.

House adjourned at 6.0 p.m.

Legislative Assembly,

Wednesday, 18th October, 1922.

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

QUESTION—RAILWAY CONSTRUCTION, MARGARET RIVER-FLINDERS BAY.

Mr. PICKERING asked the Minister for Works: 1, When is it intended to proceed with the reconstruction of the Margaret River-Flinders Bay railway? 2, Has an estimate of cost been prepared? 3, If so, what is the estimated cost of carrying out the necessary works? 4, Has the site of the Margaret River station been decided upon?

The MINISTER FOR WORKS replied: 1, 2, 3, Under construction. 4, Yes.

QUESTION—LOCAL PRODUCTS AND GOVERNMENT ORDERS.

State Sawmills Tenders.

Mr. McCALLUM asked the Minister for Works: 1, Is he aware that the tender forms of the State Sawmills Department specify Eastern States manufactured biscuits, jams, preserves, etc., to the detriment of the locally manufactured article? 2, Will he take the necessary action to assure the locally produced article having at least an equal chance of competing for Government orders with the imported product?

The MINISTER FOR WORKS replied: 1, Where the buyers insist on special brands of jams, biscuits, etc., the sawmill stores have to stock same, but every effort has been and will continue to be made to put forward Western Australian productions, and certain lines are regularly stocked. 2, The sawmill stores are in competition with private storekeepers, either local or in Perth, Fremantle, Bunbury, and Bridgetown, and accordingly must cater for their customers.

LEAVE OF ABSENCE.

On motions by Mr. Mullany, leave of absence for three weeks granted to Mr. Boyland (Kalgoorlie) and to Mrs. Cowan (West Perth) on the ground of ill-health.

MOTION—GOVERNMENT BUSINESS, PRECEDENCE.

The PREMIER (Hon. Sir James Mitchell—Northam) [4.40]: I move—

> That for the remainder of the session Government business shall take precedence of all motions and Orders of the Day on Tuesdays and Wednesdays and on each alternate Thursday beginning with Thursday, 19th October.

Mr. PICKERING (Sussex) [4.41]: This presents a favourable opportunity to move in the direction of reverting to private members' business being taken on Wednesdays instead of Thursdays as at present. With this object in view I move an amendment—

> That the word "Wednesdays" be struck out, and that "Thursdays" be inserted in lieu.

Mr. WILLCOCK (Geraldton) [4.42]: I support the motion, and in speaking against the amendment I contend no reason has been given for an alteration. The reason may be obvious to the member for Sussex, but it is not obvious to the House. I have carefully watched the attendances of members since the alteration from Wednesday to Thursday and there has been no difference. If anything, there has been a better attendance of members on private members' day than in past sessions when their business was taken on Wednesdays. For instance, on last Thursday night when private members' business was taken there was a larger attendance than there was here last night when Government business was under consideration. The Minister for Works was not present last night.

The Minister for Works: If you want to know, the Minister for Works was ill last night.

Hon. P. Collier: He has enough to make him ill nowadays, too.

The Minister for Works: Don't you worry about that.

Mr. WILLCOCK: Some reason should be given for an alteration in the present arrangement, which has given entire satisfaction to the House.

Mr. MUNSIE (Hannans) [4.45]: I support the amendment. Thursday, as private members' day, has been an absolute failure. There has been a fair attendance of members, but on nearly every occasion, the Minister interested in the particular business has not been present. On one occasion only one Minister was present on the Thursday. When the alteration was suggested at the beginning of the session I opposed it, because I feared Ministers would not be in attendance, and events have proved that to be the case. By reverting to Wednesday Ministers must be in attendance, because their presence will be necessary when Government business is considered on Thursday.

Amendment put and passed.

Mr. PICKERING (Sussex) [4.46]: I move a further amendment—

That "Thursday, beginning with Thursday, 19th October" be struck out and the words "Wednesday, beginning with Wednesday, 25th October" inserted in lieu.

Hon. W. C. ANGWIN (North-East Fremantle [4.47]: I move—

That the amendment be amended by striking out "25th" and inserting "18th" in lieu.

The Notice Paper for to-day is arranged in order to give precedence to Government business, and my amendment will reserve Wednesday of next week for private members' business.

Amendment on amendment put and passed.

Amendment as amended put and passed.

Question as amended agreed to.

BILLS (2)—THIRD READING.

1, Attorney General (Vacancy in Office).

2, Pensioners (Rates Exemption).

Transmitted to the Council.

BILL—LICENSING ACT AMENDMENT.

Reports of Committee adopted.

BILL—THE PERPETUAL TRUSTEES, EXECUTORS AND AGENCY COY. (W.A.), LIMITED (PRIVATE).

Report of Select Committee.

Debate resumed from the previous day on the motion by Mr. Mann:—

That the report of the select committee be adopted.

Mr. STUBBS (Wagin) [4.55]: I desire to inform the House that the provisions of the Standing Orders with regard to this Bill ha been complied with.

Question put and passed.

Mr. MANN (Perth) [4.56]: I move—

That the second reading of the Bill made an order of the day for Wednesda 25th October.

Mr. O'Loghlen: Why name a special d for this Bill?

Mr. MANN: That will be private member day.

Mr. SPEAKER: Under the Standing O ders seven clear days must elapse betwe the adoption of the select committee's repo and the moving of the second reading. T date mentioned in the motion will give sev clear days.

Question put and passed.

BILL—CLOSER SETTLEMENT.

In Committee.

Resumed from the previous day. M Stubbs in the Chair; the Premier in char of the Bill.

Clause 6—Notice to owner:

Hon. P. COLLIER: I move—

That paragraph (b) of Subclause 2 deleted.

This paragraph gives the owner the right subdivide the land himself or to pay by w of penalty, if he wishes to retain his land, sum equal to three times the amount of t tax. I contend that this paragraph will nulli the effects of the Bill. As a matter of fa it is entirely foreign to the principles of t Bill. The Bill aims at bringing into use la which to-day is unused. But the paragra will allow that condition of things to contin so long as an owner is willing to pay a co paratively small sum by way of penalty. am surprised that the paragraph finds a pla in the Bill. There should be no escape the part of those owners who have come wit in the purview of the Bill, merely becau they may be willing to pay an additional su by way of taxation to retain possession their land. Take, for instance, a holdi of 10,0000 acres, the unimproved value which has been assessed for taxation pu poses at, say, £1 per acre, which is a fa average value to place upon a holding like to come within the scope of this measu We thus have a property valued at £10,00 The present tax of 1d. in the pound £10,000 will give £41 13s. 4d. All these hol ings are sufficiently improved within the mea ing of the Land Tax Assessment Act to e title them to the exemption for improvement The Land Tax Assessment Act makes a ve low standard of improvements necessary entitle the holder to the exemption of a hal penny in the pound. Say that nine-tenths the holders who would be likely to be affect by the closer settlement legislation came wit in the meaning of the Taxation Act, entitli

them to the payment of only a half-penny in the pound. At a half-penny the tax would amount to only £20 6s. 8d. If an owner desired to retain possession of his 10,000 acre holding, he would pay three times that amount. In any case he would have to pay £20 6s. 8d., so that the penalty for retaining possession would be merely an additional £40.

Mr. Davies: A mere bagatelle.

Hon. P. COLLIER: Can anyone imagine that there is an owner of a block of ground such as I have described, retaining possession of that land and not utilising it, who would not avail himself of this paragraph and pay the additional £40?

The Premier: The amount would be £125 at 3d. in the pound.

Hon. P. COLLIER: The tax, in the circumstances I have described, would be a half-penny in the pound, and he would have to pay three times the amount.

Mr. A. Thomson: You are dealing with unutilised land.

Hon. P. COLLIER: Nine-tenths of these holdings are sufficiently improved to entitle them to the exemption under the Taxation Assessment Act to which I have referred.

Mr. Harrison: That is your contention.

Hon. P. COLLIER: Of course it is my contention. I am not voicing the contention of anyone else. Why make such an unnecessary observation?

Mr. Harrison: I am simply emphasising your point.

Hon. P. COLLIER: I do not think that the point needs to be emphasised. Other members may contend otherwise, and if Ministers are in possession of information to prove that I am wrong, I shall be glad to have it. Even if the holders of these properties paid 1d. in the pound, then their total tax, including the penalty, would amount to 3d. and on a 10,000 acre proposition the payment would be £125 as stated by the Premier. That is all that it will be necessary to pay to retain possession of a 10,000 acre holding without using it or cutting it up.

Mr. Munsie: And in any case the holder would have to pay £41 13s. 4d.

Hon. P. COLLIER: And the penalty would amount to another £84. Would not an owner readily jump at the chance of paying that sum to retain possession of his property? The whole object of the Bill I repeat will be defeated if the paragraph is permitted to remain. Take a farm of 2,000 acres, which I venture to say would be more likely to be the approximate size of holdings in the South-West, and which would be regarded as a large holding. Say it is considered advisable to acquire a holding of that size for closer settlement. It should be possible, if we take our group settlement scheme as a guide, to subdivide that 2,000 acre block into 200-acre holdings. In that case instead of having 2,000 acres held by one man practically unused, it would be possible to subdivide it and place 10 families on it. What may happen? The owner may elect to pay the penalty tax. Let us value that holding at £1 an acre. If it is taxed at a half-penny in the pound, we find that the owner will be called upon to pay only £12, or merely an extra £8 a year to retain possession of the property. Does not the Premier see that this provision is going to defeat the whole purpose of the Bill? Instead of having 10 families on that area, all bringing trade and revenue to our railways, and paying taxes in many other directions, we allow one man to continue in possession practically without utilising the land. The position is absurd. The whole principle of permitting an owner to retain possession of his holding by merely paying an additional tax is wrong. The mere fact of the owner paying £20 or £30 or £40 a year is a very poor monetary compensation to the State for the loss suffered by the State through there being only one man on the holding, instead of 10 or 12, as there ought to be. I hope the Premier will recognise the utter absurdity of the position. If this paragraph is allowed to remain, the time of the House should not be wasted in going any further with the measure. Land that is worth having for subdivision by the Government is worth having to the owner, who will not surrender it for the sake of an additional £30 or £40 annual taxation.

The PREMIER: A good deal could be said for the position adopted by the Leader of the Opposition if the coast were as clear as it seems. But in taking land compulsorily, there are a good many things to be considered. It is the custom of financial houses and also of private persons to lend money against freehold land—a popular form of security. If land is to be improved, in most cases money must be advanced against it by someone other than the holder. We do not wish to do injustice to people who lend money against landed security. A further object of the clause is that mortgagees may be enabled to protect themselves until they find a better market, if they can, than that offered by the Government under the Bill. The measure refers not only to large holdings, but also to small areas. Under it the Board may, if they think fit, resume an area which would accommodate only one settler. Probably £1 per acre would be the lowest price paid for any land taken, even if the land were unimproved. We have unimproved land in the South-West valued up to £5 per acre.

Mr. Willcock: It is not worth anything unimproved.

The PREMIER: All over the world there is a great deal of land which is worth nothing unimproved. However, we do not want to settle people on such land.

Mr. Willcock: You bought estates for soldier settlement in the South-West at less than the cost of the improvements, which fact shows that the unimproved land is worth nothing.

The PREMIER: Values were down all round during and shortly after the war. It

is useless to contend that three times the present tax is no burden. It is a burden, and the man who has to bear it will soon endeavour to bring his land into use. Moreover. Parliament meets year by year, and this measure, like all other measures, can be amended. If we find that the paragraph stands unreasonably in the way, we can amend the measure accordingly; but I think the paragraph should be retained. In comparison with the total number of landholders, the properties resumed will be very few.

Mr. WILLCOCK: If the paragraph proposed anything like an adequate addition to ordinary taxation, there would be something to be said for it as an incentive to people to say to the board, "We will put this land fully into use." But three times the ordinary tax is absurd. Seven or eight times would be something.

Mr. A. Thomson: Make it a hundred times while you are about it.

Mr. WILLCOCK: The proposed treble tax does not amount to one per cent. of the capital value.

The Minister for Works: You have no more right to tax a man in respect of his unused land than you have the right to tax a man because he will not work.

Mr. WILLCOCK: I would be quite prepared to support taxation on the man who will not work. Quite a number of people sit in little offices in St. George's Terrace, and do what they call business; but they do no actual work. They just hang around, and make a very good living by it. I am thoroughly in favour of imposing taxation on such people. To get back by this imposition of taxation the value of unimproved land would require 160 years. The Leader of the Opposition has moved to delete paragraph (b). The motion will be put "that the words proposed to be struck out, stand as printed." If that is defeated. I will not have an opportunity to move to delete the word "three" and insert another word.

Hon. P. Collier: You could not do it in any case, because a private member cannot move to increase the imposition of taxation.

Mr. WILLCOCK: The penalty is altogether inadequate, so I have no option to supporting the deletion of the whole paragraph.

Mr. MONEY: This paragraph (b) represents the unimproved land tax I have heard so much about. The position of the owner of unimproved land has not been sufficiently demonstrated, not even by himself. Take the illustration of 10,000 acres valued at £1 per acre and held unutilised. At bank rate of interest, seven per cent., the owner is losing £700 per annum, which is ten times as much as his taxation. But because he has not been paying that amount, he has never realised that he is losing it. Some years ago I paid £150 for a small unimproved building block. It is still unimproved, and I have lost the whole of that £150 in the interim. That position is not sufficiently realised. There is no mug bigger than the mug who owns for an indefinite period unimproved land. If he be made pay a specially stiff tax upon it, the position he is in will be brought to his notice. If, merely to avoid taxation. he improves his land up to the value of, say, £1 per acre, he will be losing interest not merely on £10,000, but on £20,000 per annum; while if he improves it sufficiently to get a return on his capital, the land should never be the subject of this legislation. It will do good to bring these facts before the land owners, to let them see what they are losing by holding unutilised land. To treble the tax is an excellent idea. If they have to pay it in addition to losing interest on their capital they will not do it for very long.

Hon. P. COLLIER: Does the hon. member realise that under paragraph (b) the owner of a block of 2,000 acres in the South-West will have to pay merely an additional impost of £8 per annum? Will such a man be forced into the market by that extra £8 per annum? Of course it will have no effect whatever. I would have been prepared to support the provision if the penalty had been an adequate one. but it was not open to me to move to strike out "three" with a view to inserting a larger figure which would attain my object. I agree that there may be men who, on the passing of a provision like this, would proceed to effect improvements in conformity with the requirements of the law. Those people certainly should have some reasonable time in which to effect their improvements. The Government would say—"Very well, we will give you due opportunity, but in the meantime you have to pay a penalty." If the penalty were sufficient to compel those people to carry out the improvements, the policy might be a good one; but when on 2,000 acres the penalty is only £8, it is not sufficient. The holders would simply pay the penalty and carry on as in the past. No large land holder would be forced out of his stride by a penalty such as this. Rightly the Premier says the Bill applies, not merely to large holdings, but to all holdings. So, if a man held out of use 100 acres valued at £1 per acre, his penalty would be 17s. per annum. By the payment of that sum he could continue to hold his land entirely unutilised. The owner of a large area, say 10.000 acres, could retain possession of it all by the payment of £40 per annum. The Premier talks about the security. This question does not affect the security. If the Premier thinks nothing should be done which might have the effect of scaring people who invest in landed security, it is the Bill, and not this paragraph (b), which is going to affect that security. The mortgagee is protected. No person would advance on land money to an amount greater than will be paid for compensation if the land is taken under the Act, therefore the security remains sound.

Mr. Willcock: And would not that be an argument with the compensation court?

Hon. P. COLLIER: Of course it would. The court would not dream of awarding as compensation a sum less than that which had been advanced under mortgage.

Mr. Pickering: Is not the amount fixed?

Hon. P. COLLIER: Of course it is. But the hon. member must recognise that where there are no improvements, the mortgagee would calculate the value of the land in its unimproved state. In the case of land which is unimproved, and where the owner would be entitled only to its unimproved value, then it is certain that the amount paid for it would be more than sufficient to repay the advance made by any mortgagee. It may be reasonable to allow people, who have not done their duty in the matter of improving their holdings, an opportunity to carry out such improvements as will place them beyond the purview of this measure. People may be quite ready to comply with the altered conditions regarding the holding of land if they are given time in which to do so. If the Premier would agree to make the amount of tax six times greater than the existing amount there might be something in it, but the present proposal is quite inadequate. We have the lightest land tax in Australasia, it being at the rate of one half-penny on the improved value, and one penny in the case of unimproved land. Unless the taxation penalty is made sufficiently high, the Bill will be a dead letter.

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

Ayes	12
Noes	21
Majority against ..	9

AYES.

Mr. Angwin	Mr. McCallum
Mr. Carter	Mr. O'Loghlen
Mr. Chesson	Mr. Simons
Mr. Collier	Mr. Walker
Mr. Heron	Mr. Willcock
Mr. Lutey	Mr. Munsie
	(*Teller.*)

NOES.

Mr. Broun	Mr. Money
Mr. Davies	Mr. Pickering
Mr. Denton	Mr. Piesse
Mr. Durack	Mr. Richardson
Mr. George	Mr. Sampson
Mr. Harrison	Mr. Scaddan
Mr. Johnston	Mr. A. Thomson
Mr. Latham	Mr. J. Thomson
Mr. H. K. Maley	Mr. Underwood
Mr. Mann	Mr. Mullany
Sir James Mitchell	(*Teller.*)

Amendment thus negatived.

Mr. PICKERING: I move an amendment—

That a new subclause be added to stand as Subclause 2 as follows:—"Within three months of the service of such notice upon the owner of the land, the owner and any person having any estate or interest in the land, legally or equitably, including a mortgage or other encumbrance, may appeal to a judge of the Supreme Court from the declaration as notified in the "Government Gazette" that the land is subject to this Act, and the judge may in his discretion annul such declaration, and the decision of the judge shall be final."

Since this matter was under discussion I have consulted the Parliamentary draftsman, and I am advised by him that the proper place to make the amendment I desire is in this clause. The amendment I have just moved has been carefully drafted to suit my requirements. The Bill introduces certain obligations upon the land owner which have not hitherto appertained in this State.

Hon. W. C. Angwin: You have no confidence in the Government.

Mr. PICKERING: I have every confidence in the Government.

Hon. W. C. Angwin: You want a judge to override them.

Mr. PICKERING: I have not complete confidence in the board. The Government have recognised the right of appeal under certain circumstances, and I want to see the principle applied elsewhere in the Bill.

The PREMIER: Already the Government may resume valuable land, as is frequently done in the city, and the only appeal that is allowed is in connection with the valuation of the amount to be paid by way of compensation. There is no appeal permitted against the taking of the land. The board will be composed of experts and will take only that land which is not utilised. The amendment is quite unnecessary. There is already provision for an appeal and the evidence can be produced and will be considered by Ministers before Cabinet decision is given on the question. I do not think anything more is required. The appeal suggested will be too costly and cumbersome and I do not think that if a judge were appealed to, he would know very much about the question. Such a provision will be certainly something new in the way of legislation. Surely the board can be trusted to do what is right. I hope the amendment will not be agreed to. If it were a matter of compensation it would be difficult, but the member for Sussex does not argue that way. He says he does not trust the board.

Hon. W. C. Angwin: It is the Government that the Country Party members do not trust.

The PREMIER: Is it that he will not trust the fairness or judgment of the board?

Mr. Pickering: May be a bit of both.

The PREMIER: The hon. member has no right to say that. Cannot he trust the Government to do a fair thing. I have been accused of giving too much consideration to the land owners. We have had every consideration for them and with the safeguards provided in the Bill, it is not necessary to

give the right of appeal suggested. I do not know of any argument to justify the amendment.

Hon. P. COLLIER: The progress of the Bill through Committee reveals an extraordinary state of affairs.

Hon. W. C. Angwin: We ought to go to the country. That would be the best thing to do.

Members: Hear, hear!

Hon. P. COLLIER: The Bill embraces a vital principle of policy. It is not a Bill that can be described as open for the House to mangle or for members sitting on the Government side of the House to mangle at will. The Bill is the only one introduced this session or of which we have been given notice, that involves a direct question of Government policy, and yet we find members sitting on the cross benches moving amendments which state as clearly as language can express it, that they have no confidence in the Government. If it were a question of conferring powers upon a board to finally determine what land should be acquired, I could understand the member for Sussex moving an amendment to provide for an appeal. It is not a question of an appeal from the decision of a board, but from the decision of the Government. Not an acre of land can be acquired under the Bill except with the consent and approval of the Government; yet members who are part and parcel of the Government as members of the Coalition, say, by their constant amendments, that they have absolutely no confidence in the Government. They do not trust the Government to deal with the question of acquiring land, but wish to provide an appeal to a Supreme Court judge. The position is emphasised when we realise that the Bill is not of that class which, once enacted, remains on the statute book until it is amended or repealed. The Bill has a duration of 12 months only. The member for Sussex cannot say that he is moving the amendment because of the possibility of some Bolshevik Government occupying the Treasury benches in the near future. He cannot say that he is prompted by the possibility of a Labour Government being in office in the near future, because there are no signs at present that Labour will be in office within the next 12 months. There will be no general election for 18 months, so that the Government which the member for Sussex was elected to support and included in which are three members of his own party, are certain to be there during the life of the Bill. Notwithstanding that fact, the member for Sussex contends, and I suppose he has the support of his colleagues, that he has no confidence in the integrity, honesty or judgment of the Government, of which his party forms a part.

Mr. Johnston: The Bill will run out nine months or so before the general election.

Hon. W. C. Angwin: A lot of mischief can be done before then!

Hon. P. COLLIER: The member for Sussex will not take the stand that he is moving the amendment because of the possibility that future Governments may take certain action. Not only in the present amendment but in others he has moved, the effect is one of no confidence.

Mr. O'Loghlen: He has not the courage to vote the Government out.

Hon. P. COLLIER: His amendments show that he cannot support the Government. If I were in the position of the member for Sussex, I would say that my conscience would not allow me to support the Government and I would move accordingly.

Mr. Pickering: On a point of order, are we discussing a vote of no-confidence?

Mr. McCallum: We will give you an opportunity to define your position by your vote.

The CHAIRMAN: Let us discuss the amendment.

Hon. P. COLLIER: We are discussing a question of no confidence because the amendment is, in effect, one of no-confidence. I do not know how the Premier views the situation, but if I were in his place and the Committee agreed to the amendment, I would take it as a motion of no-confidence in the Government. I do not desire to do so, but I would be justified in covering the whole range permitted under a no-confidence motion in discussing the present amendment. If the member for Sussex were honest, he would say openly that he has no confidence in the Government. Apparently he has no confidence not only in the Premier, but in the three members of the Primary Producers Association who are included in the Ministry! Willy-nilly, however, he is drawn at the wheel of their chariot. In these circumstances, he is attempting to bring about the downfall of the Government by moving amendments of this description.

Mr. McCallum: Let us give him an opportunity of bringing that about.

Hon. P. COLLIER: I am justified in saying that he cannot vote against the principle embodied in the Bill because if he did so, his attitude would be diametrically opposed to that which he took up last year. It is not the principle of the Bill he objects to, but it is the Government with whom he disagrees. A similar Bill had his whole-hearted blessing last year. He has changed his attitude towards the Government, however, and now he has no confidence in them and asks members to agree to amendments and so assist in defeating the Government. No Government having any regard for the dignity of office would retain their seats on the Treasury benches if the amendment were carried. The member for Sussex is engaged in undermining the Government by means of a succession of amendments. I will not support the amendment. We are sitting in opposition, but I will go so far as to say that I feel no want of confidence in the Government in regard to the clause the member for Sussex seeks to amend. If the Government misuse their powers under the clause, they can be taken to task in Parliament. I hope the member for

Sussex will take the open course of moving directly a motion of no-confidence in the Government.

Mr. Johnston: That issue does not arise here.

Hon. P. COLLIER: I hope the member for Sussex will adopt that course, instead of moving amendments night after night to bring about the downfall of the Government.

Mr. JOHNSTON: I protest against the remarks of the Leader of the Opposition so far as they put the member for Sussex in a false position.

Mr. O'Loghlen: Have you confidence in the Government?

Mr. JOHNSTON: There are some matters regarding which I have no confidence in the Government.

Mr. O'Loghlen: You would not support a direct motion in the House on that point.

Mr. JOHNSTON: If I could discuss the Narrogin-Dwarda railway under this clause, I would very soon show you where I stand.

The Minister for Mines: We can reciprocate and point to many things regarding which we have no confidence in you.

Mr. JOHNSTON: That is quite possible.

Mr. McCallum: What a happy family you are!

The Minister for Mines: Well, let us go to tea now.

Sitting suspended from 6.15 to 7.30 p.m.

[Hon. G. Taylor took the Chair.]

Mr. JOHNSTON: I disagree with the contention of the Leader of the Opposition that the very desirable amendment before the Chair involves any question of confidence or want of confidence in the Government. I object to the continual cry of "Trust the Government" that is raised when we try to protect the interests of the people who sent us here. In this matter I am not prepared to trust entirely either a board or the Government. I would rather trust a judge of the Supreme Court.

Hon. P. Collier: How can a judge decide a question of policy?

Mr. JOHNSTON: It is a question of whether land is unimproved within the meaning of the Act. In that connection there should be a right of appeal to a judge, which right, I feel sure, would not be exercised unless there was good reason for doing so. The duty of the Minister under this measure will be mainly to assent to recommendations made by the board. He will naturally uphold the board. The judge will weigh both sides of the question, and frivolous appeals will involve payment of costs.

Hon. W. C. ANGWIN: I agree with the Leader of the Opposition that this amendment represents a motion of want of confidence in the Government. In my opinion, the amendment was brought about by the Country Party as a whole. The member for Sussex says he has no confidence in the board. The member for Williams-Narrogin says the amendment has nothing whatever to do with confidence in the Government. The proposed appeal is to be against the decision of the Governor-in-Council, and therefore means placing the judge above the Governor and the Executive of the State. From one aspect I feel inclined to support the amendment, because it is about time the Premier realised his responsibilities. In all my 18 years here I have never seen such a fiasco as has occurred during this Parliament. The Government are not acting fairly by the people in carrying on under such conditions as have latterly prevailed. The time has arrived for Ministers to ascertain clearly and decisively whether or not they have the support of a majority of this Chamber. When a policy Bill is introduced by the Government, the supporters of the Ministry do not support that Bill.

Mr. Mann: That applies only to a section of the supporters.

Hon. W. C. ANGWIN: To a majority of the supporters.

Mr. Mann: Not a majority.

Mr. Latham: Surely you would not bind individual members to a Ministry.

The CHAIRMAN: Order!

Hon. W. C. ANGWIN: In reply to the Deputy Leader of the Opposition, when we realise how these amendment have come forward, the system adopted for introducing them——

Mr. Mann: They do not come from the Deputy Leader of the Country Party.

Hon. P. Collier: He is supporting them all through, and they come from the deputy Deputy Leader, anyway.

Hon. W. C. ANGWIN: The amendment means that Ministers either cannot be trusted or else have not the ability to decide in the best interests of the State on reports submitted by the board. For that reason, the amendment says, there must be a means of getting Government decisions set aside by a judge of the Supreme Court.

Mr. Pickering: There is nothing very unusual in that.

Hon. W. C. ANGWIN: It is very unusual. In moving the amendment the member for Sussex failed to realise that the Government for the time being are above any judge, that Parliament is the ultimate supreme court, and that the Government for the time being should be able to rely on a majority of members of Parliament to carry their policy.

Capt. Carter: The Government have your side behind them.

Hon. W. C. ANGWIN: Yes, and that may be the reason why these amendments are being brought forward; they think it is quite safe. Seriously, it is time the Government ascertained their true position and got back to a more honourable one. Never before have a Government submitted to the conditions which have prevailed during the discussion of this Bill. I remember when, in 1905, on a motion moved in this House, some of the Government's supporters voted against the Government, the late Hon. H. Daglish, who was then Premier, handed in his resignation next day. It was not that he could not carry on; it was that he realised he could no longer rely on a majority. No Government should carry on

unless sure of a majority; if they did we should not have either good administration or good legislation, because they could not know how their proposals would be received. The amendment is a direct challenge to the Government, a challenge that they have lost the confidence of a large number of their alleged supporters, a challenge that they have not the ability to administer the Bill when it becomes an Act.

Mr. Manu: On a point of order. Is the hon. member speaking to the amendment?

The CHAIRMAN: As a matter of fact, I have been reading the amendment, and am somewhat confused as to its proper place. I think we have passed the place where it should be inserted. I see it is marked "To stand as Subclause 2."

Mr. Pickering: I did not mean that to be its place.

The CHAIRMAN: However, that can be adjusted if the amendment be agreed to. The hon. member may proceed.

Hon. W. C. ANGWIN: I have not seen a copy of the amendment, but I understand that it provides for the landowner an appeal to a judge of the Supreme Court to say whether the land shall be subject to the Act. It is putting the judge above the Governor-in-Council, is taking the administration out of the hands of the Government and placing it in those of a judge. We have no right to elevate a public official above the executive of the State.

Mr. Pickering: We often do it.

Hon. W. C. ANGWIN: We do not. In the few instances where a public official is rendered independent of the Government, he is still subject to Parliament, whereas under the amendment the judge will be independent of Parliament. If that is not a motion of want of confidence in the Government, I do not know what is.

Hon. P. Collier: It is a deliberate attempt to wreck the Bill.

Hon. W. C. ANGWIN: I have never seen a motion of no confidence couched in stronger language than that expressed in the amendment. I hope the Premier will even yet take up the challenge and test the position.

Mr. PICKERING: Last night the discussion on this selfsame amendment turned, not so much on its value as on the proper position for it in the Bill. Now we are told it should be an appeal, not against the Government, but against the board.

Hon. P. Collier: Not so. You are told it is bad, lock, stock and barrel, anywhere and everywhere.

Mr. PICKERING: First we are this way, then that way.

Hon. P. Collier: That is your usual attitude.

Mr. PICKERING: We only want to find the right place for the amendment.

Hon. P. Collier: Try it on the next clause.

Mr. PICKERING: No, we have it in the right place now. If I desired to move a motion of no confidence in the Government, I would do it in a direct way. The amendment was never intended to be regarded as such a motion. I want to see the amendment inserted, because I believe it to be right and proper. To hear members of the Opposition, one would think we over here had no right to criticise a Bill. Why is a Bill submitted to us? Is it only necessary that the Premier should submit the title, and we pass the Bill without looking into it? Why not let the Premier move the title and leave the filling in of the measure to the Opposition? Judging by what has been said, it is difficult to believe that there is any intelligence at all on these cross-benches.

Hon. P. Collier: Quite so. Anyhow, we have not said that you should not discuss the Bill.

Mr. PICKERING: You have said that none but Opposition members should move amendments, that we on this side are not to criticise any Government Bill. I hope the Committee will not think I have moved the amendment with a view to embarrassing the Government.

Hon. P. Collier: Oh, no!

Mr. PICKERING: I have done it because I believe the amendment to be in the interests of the State. Not very long ago we passed the Divorce Act Amendment Bill without due discussion and, in consequence, grave injury resulted to many in the community.

The Premier: That Bill came from another place.

Mr. PICKERING: Still, it passed here, and much injury resulted through lack of discussion in this Chamber.

The Premier: You had months.

Mr. PICKERING: The amendment simply provides for an appeaal. The Bill seeks to impose new conditions on settlers, and every opportunity should be given them to have the board's decisions reviewed. No more just way could be suggested than an appeal to a judge of the Supreme Court.

Hon. P. Collier: I could suggest a more just way—appeal to a board of arbitration of three members, two of them to be members of the Country Party.

Mr. PICKERING: I doubt whether the hon. member would agree to such a board. It is quite possible that settlers may have observed all the conditions under which they acquired the land, and yet might be unable to comply with the ideas of the board. We have no knowledge of the board. We do not know whether they would be civil servants. I assume they will be, in which case I am at a loss to suggest suitable men. The staff at present are pretty fully occupied with existing boards.

Hon. P. Collier: This is not a question of the board but the Government.

Mr. PICKERING: Then if it is the Premier, I tremble to think what might happen, because he already controls more departments than any man can effectively control. He has to entrust a lot of his work to subordinates.

The Premier: How do you know? You are talking nonsense.

Hon. P. Collier: Take the new Colonial Secretary, could you trust him?

Mr. PICKERING: He has not had much experience.

Hon. P. Collier: I am sure you have absolute confidence in him.

Mr. PICKERING: As member for Swan we have complete confidence in him, but as a Minister——

Hon. P. Collier: He has yet to prove himself.

Mr. PICKERING: He has already proved that he is not with the party on every division.

The CHAIRMAN: Order! The Colonial Secretary is not under discussion.

Mr. PICKERING: I think I have said sufficient to exonerate myself from the charge of moving anything in the shape of a vote of no-confidence. It is only right to make provision for an appeal when such a radical change in our land policy is contemplated.

The PREMIER: I quite understand the attitude of the member for Sussex, but I wish him to tell us what he wants the judge to decide. We have passed a clause setting forth that the board shall decide all matters. Last year the hon. member must have agreed to the Bill without knowing what it meant.

Mr. Pickering: It is not the same Bill.

The PREMIER: It is almost word for word with the Bill passed by us last year. What is the judge to decide? What is the appeal to be on?

Hon. P. Collier: On Government policy.

The PREMIER: I want the Government to get the land required and to get it fairly. We have agreed that the board shall decide whether land is properly utilised, and all things leading up to the taking of the land. What could be placed before a judge on an appeal? Would the judge call the board and ask them whether the land was unproductive and unutilised? The Bill says the board must decide the question, and no amount of evidence could possibly alter that. What could the judge do?

Mr. Pickering: What could the Minister do?

Mr. Munsie: The board can only recommend to the Minister and he has the last say.

The PREMIER: The member for Sussex evidently does not recollect the meaning of Clause 3 which, together with Clause 4, makes it quite clear that the board alone shall decide the questions leading to the acquiring of the land.

Hon. P. Collier: It is the judgment of the board.

The Minister for Agriculture: On sworn evidence, too.

The PREMIER: We shall have a board of experts as against a judge who is not an expert. The hon. member should state what the appeal could be based on.

Hon. P. Collier: He is trying to wreck the Bill.

The PREMIER: A Bill which he blessed last year and agreed to clause by clause. The amendment will not achieve anything, but may put landowners to the expense of litigation.

Hon. P. Collier: But the Country Party are not taking the Bill seriously. There are only two members and a probationer on the cross benches.

Mr. Pickering: Are you referring to the member for Leederville?

Hon. P. Collier: No, to the member for Claremont.

The PREMIER: We should be reasonable in framing a law of this kind. The amendment cannot mean anything. Up to this stage we have merely provided for notifying the owner that we intend to buy his land, and the next clause provides the method of paying for the land.

Amendment put and negatived.

Clause as previously amended agreed to.

Clause 7—Acquisition of land:

The PREMIER: Last night the Leader of the Opposition raised the question as to the power of Parliament to apply the Bill to lands owned by the Midland Railway Company and land granted before responsible Government. I have consulted the Solicitor General and his ruling is that we can apply this measure to Midland Railway lands. We say that the unimproved value of the land shall be deemed to be the amount at which the unimproved value is assessed for the time being under the Land and Income Tax Assessment Act, 1907, with 10 per cent. added. This would mean that the owner himself would place the unimproved value on the land. Little can be said against that system, particularly as the owner has a right to amend his assessment. We provide that beyond this, the value of the improvements shall be added, and the owner shall get the added value by reason of the improvements. If we proposed o take from the Midland Railway Company land adjacent to our own line from Wongan Hills to Mullewa, and retained this clause as printed, our object could easily be defeated. We could not apply the unimproved value set upon the whole of the Midland lands amounting to one and a-half million acres; neither could we annex all estates under the provision for taking a portion, leaving to the owner such lands as he requires for his own purposes. We do not want to take a man's land if he is using it or is likely to use it. I shall have to postpone consideration of the clause until I can have an amendment framed which will meet the case. It is possible that in the case of a 1,000-acre block, the average value of which is £2 an acre, portion of it may be worth £4 and the balance £1 per acre. If we desired to take the land comprising the lower value we should be paying more under the scheme than we ought to. On the other hand, if the owner desired to retain the portion of lower value, we should be paying less under the clause

than we should for the balance. I shall have to consult the Solicitor General. I move—

That the consideration of this clause be postponed.

Motion put and passed; consideration of clause postponed.

Clauses 8 and 9—agreed to.

Clause 10—Owner may require the whole to be taken:

Mr. PICKERING: I move an amendment—

That in Subclause 1 the following words be added:—"which shall be taken on the basis of the valuation of the property as a whole."

The Premier: What does the amendment mean?

Mr. PICKERING: I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clauses 11 to 13—agreed to.

Clause 14—Power to discharge land from operation of Act:

Mr. PICKERING: I move an amendment—

That in line 4 the word "may" be struck out and "shall" inserted in lieu.

If the land is not required it should be an obligation upon the Government to discharge it from the operation of the Act, and should not be left to their discretion to do so.

Hon. P. COLLIER: It is unusual in any Act of Parliament to state that the Governor shall do anything. It is held to be improper to adopt such a tone to His Majesty's representative. I appeal to the hon. member not to press his amendment. I do not say it savours of disloyalty, but it suggests the embodiment in the Bill of a revolutionary spirit. If we begin by dictating to the Governor as to what he shall do, it will not be a long step to reach the point of dispensing with him altogether. The amendment would have no effect, but would suggest that we were going out of our way to dictate to the representative of the King.

Mr. PICKERING: I took it that the reference in the clause to the Governor was really a reference to the Government. There should be an obligation cast upon the Government to discharge from the operations of the Act land that is being utilised. If the Premier will say that "may" means "shall" in this case, I will withdraw the amendment.

The PREMIER: If it is proved to the satisfaction of the board that the land should not be subject to the Act, it will no doubt be discharged from its operations. Land could not be held under any other clause of the Bill. If the land is improved and utilised to the satisfaction of the board, it will not be held subject to the Act.

Mr. Pickering: I will withdraw the amendment.

Amendment by leave withdrawn.

Mr. MONEY: I move an amendment—

That the following words be struck out: —"either absolutely or subject to such conditions as the Governor may think fit."

There should be no favouritism in this matter. A property should either be wholly subject to the Act or be discharged altogether.

Amendment put and passed.

Clause as amended agreed to.

Clauses 15 and 16—agreed to.

Clause 17—Duration of Act:

Hon. W. C. ANGWIN: I hope the Committee will strike out the clause. What can be done in 18 months in connection with closer settlement? The time is altogether too short.

The Premier: I thought you would prefer a clause limiting the duration of the Act, so that you could deal with it later on.

Mr. O'Loghlen: We will have our own Bill next.

Hon. W. C. ANGWIN: I do not see the necessity for placing this limitation upon the measure because it merely involves the expense of bringing down a Bill every 12 months to continue the Act. It is ridiculous to have such legislation, because an Act can be repealed or amended at any time. It will be some time before the Bill is assented to before the board can be appointed and go through the country to make the necessary valuations and before the Government can find the necessary money to acquire the properties for closer settlement. This shows it is essential that the Act shall be in force for a longer period than up to the end of 1924.

The PREMIER: I hope the Committee will not strike out the clause. Members should have an opportunity to deal with legislation of this type later on.

Mr. O'Loghlen: The Country Party may be a lot stronger in the future and you may not be able to get a Bill through.

Hon. W. C. Angwin: There is not much chance of that.

The PREMIER: I am prepared to take that risk. Legislation of this type should come up for review until it is perfected in the light of experience. Many of our Acts are limited.

Hon. W. C. Angwin: And they are a jolly nuisance.

The PREMIER: With the inclusion of the clause, we will be able to determine where the weaknesses of the Bill are and we will be able to set them straight.

Hon. P. COLLIER: The clause should be defeated. It is a new principle to insert a clause of this description in ordinary legislation. Until the war period when we had to deal with special emergency legislation, such a clause limiting the duration of a measure was not inserted in our Acts.

The Premier: A section limiting the duration of the measure appears in many of our Acts.

Hon. P. COLLIER: I do not think so. There is no more reason for such a clause in the Bill than in any other legislation. Should it be one known to a considerable section of the House that the Act requires amendment, if the Government bring down a continuation Bill, we will not be able to discuss or amend the original measure. If an amending Bill be introduced, however, we will be able to deal with it properly. It is much more desirable that a Bill of this nature, which the Premier has referred to as being of an experimental character, shall be reviewed by way of an amending Bill rather than by the introduction of a mere continuation measure. We should regard the Bill as it leaves our hands as perfect, bearing in mind the political exigencies of the time when it was passed. I do not see any reason for departing from our ordinary procedure in this instance, unless it be that the Bill has been brought down in a hesitating, doubtful spirit, and not with the full-hearted approval of the principle embodied in the measure, yielding rather to pressure from some unseen quarters. I believe the measure will be of little value and that it is intended that it shall not be very effective. It has been brought down in order to meet the views of those who consider we should have legislation of this description, and, so as to meet the wishes of those who hold the views disclosed by the members sitting on the cross benches, it has been framed in such a way that it will do but little harm. Members will be gagged and prevented from amending it in future, if only a continuation Bill is to be introduced.

Mr. PICKERING: This is the only redeeming clause about the Bill, in that it fixes the duration of the measure.

Hon. P. Collier: That is what I say; you don't want the Bill.

Mr. PICKERING: It is a good thing there is a limit, otherwise harm may be done to the State.

Hon. P. Collier: Fancy you saying that and you supported it last time!

Mr. O'Loghlen: What hypocrisy!

Hon. P. Collier: We know you are in a difficult position, but do not expose it too much!

Mr. PICKERING: I hope the Committee will retain the clause.

Mr. WILLCOCK: I have a lively recollection of the Country Party making closer settlement a feature of their election campaign. They complained that land monopolists were destroying the agricultural possibilities of the State, and that in consequence of them, the railways could not be made to pay because the land adjacent to the railways was not being utilised.

The Minister for Agriculture: That was a feature of your campaign.

Mr. WILLCOCK: It should have been a feature of the campaign of every political party. The Bill has been discussed thoroughly and the Country Party have had plenty of amendments to move in Committee.

Mr. Pickering: We were not very successful though.

Mr. WILLCOCK: The Country Party members endeavoured to whittle it down to the best of their ability, and, having failed to get the board they desired, they set out to damn the Bill and have put forward every effort to defeat it. Now they are only willing to have it for the limited period. The Bill is inadequate, but it is better to have one such as that under consideration, than to have it wiped out automatically. I hope the clause will be struck out and that the Bill will be amended in due course in the light of our experience so that it will, in fact, achieve closer settlement.

Hon. P. COLLIER: I hesitate to take up the time of the Committee again on this matter, but I must comment on the remarks of the member for Sussex.

Mr. O'Loghlen: Hear, hear! He should be ashamed of them.

Hon. P. COLLIER: I am justified in saying that for many years past I have not seen such an atmosphere of rank hypocrisy as that which we have witnessed during the passage of the Bill. I do not believe that a third of the members sitting on the Government side of the House have any faith or belief in the measure. They are opposed to the whole Bill, lock, stock, and barrel. They have only permitted it to go through as far as it has gone, knowing that it will not be in any way effective. Last session the member for Sussex supported a similar Bill to this most enthusiastically, as likewise did his colleagues; and even at the beginning of the present session this Bill had the blessing of the Deputy Leader of the Country Party. The member for Sussex now says that the only clause in the Bill of any value is that which limits its operation to two years. Why did not the Country Party take the honest course of defeating the Bill? This is only playing with legislation.

The Minister for Mines: But that is only the opinion of the member for Sussex.

[Mr. Stubbs resumed the Chair.]

Hon. P. COLLIER: As shown by the voting throughout the Committee stage, it is the opinion of the party to which the Minister for Mines belongs. Is the whole of the Country Party out of step except the Minister for Mines? No. The Country Party, as a whole, are marching in step to the drum that is beaten in Wellington-street. The legitimate farmer supports this Bill, because he does not desire to hold any more land than he can efficiently work himself. The limitation of the duration of the measure proves my statement as to the hypocisy which has been displayed.

Mr. Mann: By whom?

Hon. P. COLLIER: I do not wish to be personal, and I hope the hon. member will not force me. Why the limitation? This is not experimental legislation. Every Australian State has effective legislation on these lines.

If a majority of the Chamber believe next year that it is necessary or expedient to amend or repeal the Bill, that can be done; but why provide that the measure shall automatically expire in 1924 in the absence of a continuation Bill? We had experience of continuation Bills during the war. We found then that we could not in connection with a continuation Bill make amendments in the parent measure. The member for Sussex has obtained an immense deal of enlightenment, or suffered some extremely heavy pressure, since last session with regard to legislation of this kind. The tendency of the Primary Producers' Association is to become a city association, an association of mortgagees, and to lose sight of the struggling settler. I appeal to that section of Government supporters who do not profess to represent the landowners. There may be only eight or nine of them, but they have not sacrificed their independence, and are not chained up to the money-lenders of St. George's-terrace or to the large monopolistic land holders. Those members are still sufficiently Nationalist to cast an independent vote on this clause.

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

Ayes	18
Noes	14
Majority for	4

Ayes.	
Mr. Broun	Mr. Money
Mr. Davies	Mr. Pickering
Mr. Durack	Mr. Plesse
Mr. George	Mr. Sampson
Mr. Johnston	Mr. Scaddan
Mr. Latham	Mr. A. Thomson
Mr. H. K. Maley	Mr. J. Thomson
Mr. Mann	Mr. Underwood
Sir James Mitchell	Mr. Mullany
	(Teller.)

Noes.	
Mr. Angwin	Mr. Lutey
Mr. Carter	Mr. McCallum
Mr. Chesson	Mr. Munsie
Mr. Clydesdale	Mr. O'Loghlen
Mr. Collier	Mr. Willcock
Mr. Gibson	Mr. Wilson
Mr. Lambert	Mr. Heron
	(Teller.)

Clause thus passed.

Progress reported.

BILL—PEARLING ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. R.S. Sampson—Swan) [9.0] in moving the second reading said: It is my duty to introduce an amendment to the Pearling Act, 1912. The Bill is not a lengthy one, but it deals with a very important industry which, in point of value, for the past five years has averaged over £250,000.

Mr. O'Loghlen: It does not employ many white men, though.

The COLONIAL SECRETARY: The principal features of the Bill are set out in the memorandum. In one slight particular that memorandum contains an error, in that in the third line it is stated that divers' and divers' tenders' licenses shall last for a term of three months only, whereas it should be four months. At this stage I propose to briefly elaborate the particulars set out in the Bill. At the Committee stage, of course, I will deal with them in greater detail. The main objects of the Bill are to prevent the dummying of boats and the production of culture pearls. These two features are very important indeed. The dummying of boats has for long been an evil, while the production of culture pearls also present a very difficult problem. Dummying is serious. It is alleged that 50 per cent. of the Broome boats are dummied. Possibly, and probably, that is an exaggeration, but it is certain that dummying exists. Attempts have been made to cope with the evil, but the careful manner in which negotiations have been carried out has seriously militated against all attempts to prevent dummying. Usually the diver is an interested party in dummying a boat. This emphasises the difficulty. The Bill proposes to control the evil by controlling the divers and the issue of divers' licenses. With this object in view, two new forms of licenses are being created, namely, the diver's license and the diver's tender's license. In future these will be issued three times a year, in place of annually.

Mr. Mann: Do you think you can carry on the industry if you offend the diver?

The COLONIAL SECRETARY: The industry will be placed on a firmer basis if the diver is controlled, and it is believed that better control will be brought about if the divers' licenses are limited to a period of four months. Probably it is impossible to entirely suppress dummying, but in this respect the Bill goes some way, and it is certain that good will result.

Mr. Underwood: How do you define dummying?

The COLONIAL SECRETARY: That, we can deal with better in Committee. I regret that with the exception of the members for Pilbara and for Kimberley, the northern members are absent. The members for Roebourne and for Gascoyne are away. The member for Gascoyne knows a good deal about pearls, and I hope he will be here when the Bill is going through Committee. The subject of culture pearls is a very interesting one, and has been receiving a good deal of attention, not only in Western Australia, but throughout the world. Probably members know something of recent history in respect of the production of culture pearls in this State. In 1921 a portion of Roebuck Bay was declared a pearlshell area, and an exclusive license for five years dating from January, 1921, was granted to Mr. A. C. Greg-

ory. Although the license did not grant authority to cultivate culture pearls, the licensee experimented in that direction, and as a result strong exception was taken to his enterprise by practically the whole of the residents of Broome. Western Australian waters produce a very large quantity of pearlshell and number of pearls. It has been stated, with what truth I do not know, that 75 per cent. of the world's pearl and pearlshell production comes from Western Australian waters. This goes to show how important the industry is in this State, and how necessary it is that the most careful legislation should be passed to protect that industry. It is contended that if the cultivation of culture pearls is permitted in Western Australia the industry must suffer severe injury. Anything that undermines the stability of the industry is to be deplored. It is the opinion of those qualified to judge that the production of culture pearls must mean to an extent the undermining of the industry, the reduction of prices, and consequent added disability in respect of the pearlshell and pearling industry.

Hon. W. C. Angwin: Did you say that A. C. Gregory started the trade?

The COLONIAL SECRETARY: He started certain experiments at Broome, and those experiments met with keen disapproval.

Hon. W. C. Angwin: I thought it was started by the Japanese.

The COLONIAL SECRETARY: So it was, but I am referring to Western Australia. Even before the time of the hon. member, pearl culture in Japan and China was carried on with a good deal of success. The Chinese, for instance, by means of mussel oysters, produced what are known as Buddha pearls, and I believe they are still producing them. The culture pearl industry is extensively carried on in Japan, and the art has advanced to such an extent in that country that free pearls, pearls other than those contained in blisters and so on, are produced. It is in connection with free pearls that the danger largely exists. The question is, is it possible to do the same thing in Western Australia? Fortunately, up to the present there has been no successful artificial culture of pearls in this State. Those members who are not fully aware of the process may be interested to learn how culture pearls are produced. I am given to understand that a small bead of pearlshell is introduced into the shell of the oyster, between the oyster and the shell. The oyster, irritated by the foreign matter, sets out to cover it with an exudation, and so the pearl is produced. I have here a piece of oyster shell which has has turned up in a lathe and is a sample bead as introduced into the shell of the oyster. It may be asked why the culture of the pearl should be prohibited. It will be readily understood that when a pearl dealer buys a pearl blister he does so with the full knowledge that his purchase is in the nature of a gamble. The blister may contain a pearl or it may not; it may contain mud, or other foreign useless matter. But so long as the blister has not been brought about by material introduced by the hand of man, the pearl dealer realises that he has had a sporting chance, and that there is always the possibility of a genuine pearl being discovered. When, on the other hand, the foreign matter has been introduced by the hand of man, it goes without saying that the pearl dealer has no chance to secure a genuine pearl, because the pearl is cultured and, under examination, is a disappointment to the purchaser. In the opinion of experts the price of genuine pearls must fall if culture pearls are produced in this State. It is possible to produce such pearls in other parts of the world, and possibly in Western Australia also. Of course, a pearl having the characteristics of a Western Australian pearl cannot be produced except in Western Australian waters. Consequently it is necessary to the industry that a limitation should be placed on the operations of those engaged in the pearling industry in that the production of culture pearls shall not be permitted. The purpose of the Bill is to ensure that the pearl dealer shall obtain the guaranteed article. If members are interested in pearls, I should like to read about 12 lines touching upon the part which the pearl has played throughout history, the part it has played in decking beautiful women and brave men. All these matters are referred to in different works dealing with pearls. As I am sure will be readily agreed, there is no more appropriate gem than the pearl to deck women. The pearl is the emblem of purity and beauty, and many are the beautiful legends told in respect of it. In all ages pearls have been the social insignia of rank among the highly civilised.

Mr. McCallum: Then very few of us are civilised.

The COLONIAL SECRETARY: So long as Western Australia is the principal pearl country of the world, so long will our pearling industry flourish.

Mr. O'Loghlen: For the niggers.

The COLONIAL SECRETARY: The money from the pearl goes to enrich the State.

Mr. O'Loghlen: How much of it?

The COLONIAL SECRETARY: This work is by W. R. Cattelle, an American writer, who states—

> No other gem was so abundantly used for adornment by the Princes of the East. Above great diamonds from the mines of India, or glowing rubies from Burmah, the ocean gem became peerless amongst the ancient nations of Asia, and as their power began to wane and the tide of empire swept westward, there went with it the love of pearls.

Pearls appeal even in countries where coloured races are found.

Hon. P. Collier: It is their only dress.

The COLONIAL SECRETARY: That is a subject on which I am not qualified to speak. There are in India Rajahs who wear great numbers of pearls. The Rajah of

Dholpur possesses pearls worth in British money nearly £2,000,000.

Hon. P. Collier: No wonder Ghandi is trying to upset things there.

The COLONIAL SECRETARY: Cattelle continues—

> The rulers of Rome, when she was Empress of the world, sought pearls; so also have the rich and powerful of every nation as it rose to affluence.

Mr. O'Loghlen: We must look after the rich and powerful at all costs.

The COLONIAL SECRETARY: The only reason which justifies my reading of these lines to the House is that the pearl is essentially a Western Australian product. Seventy-five per cent. of the pearls of the world are raised from Western Australian waters.

Mr. Johnston: What about Cleopatra's pearl?

The COLONIAL SECRETARY: I could tell the hon. member something about Cleopatra.

Mr. SPEAKER: Is Cleopatra mentioned in the Bill?

The COLONIAL SECRETARY: No, but there is no reason why she should not be brought in. I might liken the member for Williams-Narrogin (Mr. Johnston) to that wonderful man, Mark Antony, who fired the imagination and enthusiasm of Cleopatra. She gave him a most wonderful toast. She took a valuable pearl and placed it in some acid liquid and history relates that the acid dissolved the pearl and that Cleopatra, in an excess of admiration for the wonderful Mark Antony, drank to his health this compound. I venture to say that if Cleopatra had studied the life history of the pearl oyster and had known the exact components of the pearl, she would not have been so ready to drink it. We might take for granted that any acid which might be consumed without injury to the body could not possibly have dissolved the pearl, so Cleopatra instead of drinking this toast to Mark Antony, performed the less romantic feat of swallowing the pearl whole.

Mr. Johnston: Do not shatter our illusions.

The COLONIAL SECRETARY: I do not know that we need pursue the pearl further. Cattelle continues—

> The pearl is essentially a jewel for the wealthy. Unostentatious, exquisite, it is insufficient for those who have no other jewels and unfit for common wear. Of a nature too delicate for rough usage, it must be well cared for and properly housed. Even then the hand of time bears heavily upon it, for it is susceptible to many influences which do not affect other gems. Comparatively soft, the lustrous skin is injured by rough and careless contact with other jewels. The gold of the setting, in time, cuts into the surface where it binds, or if it is pierced and strung, the rings of nacre about the orifices gradually peal away. Hot water injures it; gases discolour it. As the cheek of beauty grows dim with age, so gradually the brilliancy of youth fades from the pearl and the complexion of it is changed. And yet it retains a certain loveliness which may well be compared to the exquisite serenity with which the maturer years of some women are adorned.

I think we might now return to the Bill.

Hon. P. Collier: Do not slide back too prosaically.

The COLONIAL SECRETARY: A departure made by the Bill is the introduction of a limited pearl dealers' license. At present only dealers north of the latitude 27 south are required to be licensed. This line is just south of Shark Bay. South of that line, no license has hitherto been required. It is believed that pearls unlawfully obtained in the North have been sent south for disposal, and, in the absence of a license, this has been possible. The Bill seeks to provide much needed legislation in this respect. It is desirable that all persons dealing in pearls should be licensed. As, however, legitimate trade in pearls south of latitude 27 is limited, it is proposed that the license fee in that case be £5 per annum as against £50 north of latitude 27 S. This £5 fee for a limited license will entitle the holder to operate only south of latitude 27 S. The Bill also makes provision for bankers and other institutions to operate. At present pearl dealers are licensed from year to year, but it may happen that a licensed dealer may fail to dispose of the whole of the pearls in his possession during the 12 months currency of the license, and so the Bill gives power for such dealer to dispose of pearls for a period of four months subsequent to the term covered by the license. The value of the pearling industry to the State is very great. The average for the five years ending the 31st December, 1921, was as follows:—Number of vessels engaged 279; tonnage 3,516; employees, white 158, Asiatic 1,854; shell raised 1,542 tons; value of shell £217,947; value of pearls £53,534; value of boats and equipment £137,759. The industry has recently passed through a very trying period, because of the war and the aftermath of war, and to assist the industry the Government guaranteed payment in respect of the pearlshell raised. In 1919 the maximum advance was £180 per ton; in 1920 the maximum advance was again £180 a ton, and in 1921 the maximum advance was reduced to £107 10s. on Broome and Cossack shell. The matter of the Government guarantee was taken up because of the importance of preserving an industry which had had the effect of bringing so much money into the State. I understand that much of this money does remain in Western Australia.

Mr. Mann: What is the percentage that goes to Japan?

The COLONIAL SECRETARY: That would be a very difficult question to answer. It will be readily seen that the Bill is urgently needed. Experience has shown the

necessity for tightening up the law. The Bill will give the department greater power in regard to the issuing of licenses and the controlling of the production of cultured pearls. There is no reference in the existing Act to the production of cultured pearls.

Mr. Underwood: Do you give an exclusive license?

The COLONIAL SECRETARY: Because of the need for a variation of the licenses and of a license for divers' tenders, the Bill has been brought down. I move—

That the Bill be now read a second time.

On motion by Mr. Durack, debate adjourned.

ANNUAL ESTIMATES, 1922-23.

In Committee of Supply.

Debate resumed from 19th September, on the Treasurer's Financial Statement and on the Annual Estimates; Hon. G. Taylor in the Chair: Votes and Items were discussed as follows:

Vote—Legislative Council, £985—agreed to.

Vote—Legislative Assembly, £1,819.

[Mr. Munsie took the Chair.]

Hon. G. TAYLOR: Hon. members will see from item No. 5 that there is one messenger put down at £150. Since the Estimates were framed representations have been made to me and I have discussed the item with the Treasurer, and suggested that it should be excessed this year by £25. The Treasurer has agreed to this. The preceding item, that dealing with the Chief Messenger and office clerk, will receive consideration on the next Estimates.

Vote put and passed.

Votes—Joint House Committee, £4,618; Joint Printing Committee, £3,575; Joint Library Committee, £475; Premier's Department, £13,553; Governor's establishment, £2,159; Executive Council, £5; London Agency, £11,271; agreed to.

Vote—Public Service Commissioner, £2,718:

Mr. A. THOMSON: The whole of the time of the Assistant Public Service Commissioner would seem to be occupied in appearing before the Appeal Court in an endeavour to adjust the salaries of civil servants.

Mr. Mann: That is not so. He deals with all industrial matters.

Mr. A. THOMSON: It seems to me the whole of his time is taken up in work of that nature.

The Minister for Mines: We must administer the Act.

Mr. A. THOMSON: The present Administration some time ago caused two officers to go through all the State departments and make recommendations as to where economies might be effected. Unless these recommendations have been put into effect the money spent upon that work must, to a large extent, be wasted. Instead of the Assistant Public Service Commissioner spending his time in the way I have stated, it would be better that he should act in the capacity of an inspector to find out how the departments are working in co-ordination one with the other. Many of the departments are not working together. There should be an officer who would have the right to give the order of the sack to members where this was deemed necessary.

Mr. Mann: Right or wrong?

Mr. A. THOMSON: There is an Appeal Court to decide a question of that sort. With efficient inspection of departments we should have a better service. No doubt many of our officers are capable men, but there are many from whom we do not get full value for the salaries they receive.

Hon. W. C. Angwin: Is that your own personal knowledge?

Mr. A. THOMSON: The hon. member knows I am making a correct statement.

Hon. W. C. Angwin: I do not know it.

Mr. A. THOMSON: I move—

That the vote be reduced by 10s.

The CHAIRMAN: The custom is to move for a substantial reduction of any vote. Nothing less than £1 is regarded as a substantial reduction.

Mr. A. THOMSON: In the Federal Parliament last year a motion was accepted to reduce a vote by 10s.

The CHAIRMAN: The Standing Orders of the Federal Parliament have nothing to do with us. I have no recollection of any amendment to a vote for a lesser sum than £1.

Mr. MacCallum Smith: Make it sixpence.

Mr. A. THOMSON: I am not treating this matter as a joke.

Mr. Mann: You have picked on the wrong item.

Mr. A. THOMSON: Not at all. This is a serious matter. There should be a proper system of inspection of the Service. This would be better for the State and the Service as well. I will withdraw the amendment and move for a reduction by a larger amount.

Amendment by leave withdrawn.

Mr. A. THOMSON: I move—

That the vote be reduced by £1.

The PREMIER: The hon. member can have very little to object to on this vote. The Public Service Commissioner and his assistants are doing more in the way of controlling departments than has ever been done before. They have charge of the Civil Service. It was necessary that there should be a representative attending the Appeal Court. This court has just finished its labours after about two years.

Hon. W. C. Angwin: Is it not time to make another start?

The PREMIER: I hope not. The member for Katanning should remember that there are a hundred and one awards and agreements under which the wages men are working, and they have to be reviewed by the Commissioner

and his officers. Before the appointment of Mr. Munt, Ministers had to deal with the question of wages and wages staffs, and the position then was very unsatisfactory.

Mr. A. Thomson: I am not objecting to Mr. Munt's appointment, but I am objecting to the way he has been occupying his time.

The PREMIER: We passed the Act and said that he had to do that work.

Mr. A. Thomson: I am not objecting to that.

The PREMIER: Then what does the hon. member object to? The appointment of Mr. Munt has been fully justified. The Public Service Commissioner does control the service and, with his assistant Commissioner, inspections of the departments are being made continually. When we had only one man it was a difficult matter to deal with the service as a whole and attend to all the matters that required consideration. We are particularly fortunate in our Public Service Commissioner and I hope the Committee will not agree to any reduction of the vote.

Mr. McCALLUM: There has been an increase in the duties of the Assistant Public Service Commissioner and, although Ministers have been relieved of a good deal of work—

The Premier: It has brought about uniformity.

Mr. McCALLUM: But it has added to the difficulties of the trade unions and it has allowed Ministers to dodge a good deal of the responsibilities that they should carry.

The Premier: That is not so.

Mr. McCALLUM: I will cite an instance during the last six months and, in that connection, I am not prepared to believe that the Assistant Public Service Commissioner took upon his own shoulders the responsibility for his action. I want to know whether the Government approved of the action taken on that occasion and whether that is the policy for which they stand now. We had the spectacle of the Assistant Public Service Commissioner issuing an ultimatum on a Wednesday that on the next day, the whole of the unionists working in the Public Works Department, in connection with water supply and all other works, were to have their wages reduced and were to work four hours extra per week. In some cases there was an award current and that fact was overlooked. Where no agreement was operating, it was proposed to bring in the new conditions on the following day. It required a deputation to the Public Service Commissioner from the unions to point out the illegal action that had been taken, and ultimately we had to approach the Acting Premier, Mr. Colebatch, before something could be done in the matter. The Government decision in that case was that the alteration was to take place on the following day. What would be the attitude of the Government if the unions followed such a course?

The Minister for Mines: They did so.

Mr. McCALLUM: I know of no instance in my experience of trade unionism where the unions insisted upon an alteration that should take place the next day.

The Minister for Mines: Yes.

Mr. McCALLUM: I defy the Minister to give an instance of where that was done.

Mr. Mann: What about the engineering trouble to-day?

Mr. McCALLUM: That has nothing to do with the point I raised. In this case the alteration was from one day to another.

Mr. Mann. The engineers did not give any notice at all.

Mr. McCALLUM: In the engineers' case the doors were shut against the men and they were not allowed to work. Will any hon. member deny that?

Capt. Carter: I will deny it.

Mr. McCALLUM: Then you will deny the truth. The gates were shut against the men when they turned up to work.

Mr. Mann: But there were no engineers.

Mr. McCALLUM: There were. They turned up to work.

Capt. Carter: Yes, to work 44 hours.

Mr. McCALLUM: That is so.

Mr. Mann: And the award was for 48 hours.

Mr. McCALLUM: The men were not permitted to work.

Capt. Carter: Not on their own terms.

Mr. McCALLUM: The employers want to work on their own terms.

Capt. Carter. They want to work under the award.

Mr. McCALLUM: I am not discussing that point.

Capt. Carter: No, you would not.

The CHAIRMAN: Order! Private engineers are not under discussion.

Mr. McCALLUM: I want to know from the Government whether it is their policy to assume the right to issue notices to-day that working conditions are to be altered to-morrow, and that an intimation of their intention need not be given to individual employees but that service on officers of unions concerned is sufficient? If the Government intend to assume that right, will they say that the unions have the same power, and need only notify the Government as to what they say shall operate from the next day? We had to go to the Acting Premier and get the notices extended for a month. It took all the persuasion and influence we could bring to bear to get the Government to refer the question to the Arbitration Court.

The Minister for Mines: You did not do that on a previous occasion when you got a rise.

Mr. McCALLUM: What, these men?

The Minister for Mines: Yes. When the railway award was given, raising the basic wage, it was to be retrospective for nine months. You did not ask us to go to court then.

Mr. McCALLUM: We did.

The Minister for Mines: You did not.

Mr. McCALLUM: I handled the case and I know that we did.

The Minister for Mines: I know you did not.

Mr. McCALLUM. The railway union had a case before the court. The award or the agreement with the Government in the instance to which the Minister refers had expired. We approached the Minister for Works and asked what were to be the conditions under which the employees of his department were to work. We asked whether there was to be a new agreement, or whether we would have to cite a general case in the Arbitration Court, or whether each individual union would have to adopt that course too. An agreement was arrived at that the decision in one case should operate over all. It was decided that there should be a test case as to the minimum rate, and that should there be an increase awarded, the proportionate increase should be given to all the employees. It was agreed that that should be paid all through the service. Such an arrangement saved the department time and expense, and enabled work to continue smoothly. The Minister for Works can bear out what I say.

The Minister for Mines: That was only for one section of the Government employees.

Mr. McCALLUM: It was for all under the direction of the Minister for Works.

The Minister for Mines: Yes, but it was made to apply to all other departments.

Mr. McCALLUM: It was ultimately endorsed by Cabinet and applied to all Government employees. Where is the comparison between the instance where we discussed the matter with the Minister concerned, where we got his signature and bound each party, and the instance where the Government served notices on their employees that the next day, without their consent being obtained, or without the matter even being discussed with them their conditions were to be altered. Without any such preliminary, the change in working conditions and wages were to take place on the following day.

Mr. Mann: To what do you object; was it that the notice should have been for seven days?

Mr. McCALLUM: No. The Government should have done what their employees do; they should have gone to the court. The Crown Solicitor advised the Acting Premier—it was proved to be incorrect by the declaration of the President of the Arbitration Court during the newspaper dispute—that once an award had expired, or a party had retired from an agreement, either party was at liberty to pay what it liked and work what hours it liked, and that the employer could force working conditions on the employees without approaching the court. Nothing could be further from the truth than the Crown Solicitor's advice, and that was proved when the President of the Arbitration Court laid it down in connection with the newspaper trouble that such conditions could not be enforced by employers. There was only one way to do it, either by way of a strike on the one hand or a lockout on the other. There is only one other course other than a strike if the employers adopt such an attitude, and that is to go to the Arbitration Court.

Mr. A. Thomson: What has this to do with the Assistant Public Service Commissioner?

Mr. McCALLUM: It has everything to do with the Assistant Public Service Commissioner. He is the man who served the notices on the employees and he is the man with whom we were told we had to conduct our business. After we had spent some days with him, we were told he could not do anything except with the consent of the Government. Evidently, he was acting under instructions from the Government.

Mr. Mann: He was carrying out his duty.

Mr. McCALLUM: I am not complaining about that, but we are entitled to a statement from the Government as to whether it is their policy to alter conditions and wages in the manner I have indicated.

The Premier: You know we always treat them properly.

Mr. Mann: The employees have not followed the award in the engineering industry.

Mr. McCALLUM: What does that matter regarding the point I have raised?

The Minister for Mines: It mattered previously.

Mr. McCALLUM: When there was a signed agreement?

The Minister for Mines: There was no signed agreement.

Mr. McCALLUM: I say there was. It was over my signature.

The Minister for Mines: It only applied to a section of the employees.

Mr. McCALLUM: It applied to all employees.

The Minister for Mines: It did not.

Mr. McCALLUM: What is the good of talking like that. It did.

The Minister for Mines: You do not know what you are talking about.

Mr. McCALLUM: Certainly I do.

The Minister for Mines: It applied to only a section of the employees.

Mr. McCALLUM: It applied to all.

The Minister for Mines: I know as much as you do about it.

Mr. McCALLUM: I know all about it.

The Minister for Mines: You imagine you do.

The CHAIRMAN: I ask the Minister for Mines to keep order. He will have an opportunity to refute the argument later on.

The Minister for Mines: I have refuted it before.

The CHAIRMAN: You will have another opportunity.

The Minister for Mines: I will take advantage of it.

The CHAIRMAN: I will give you the opportunity.

Mr. McCALLUM: If the Government are to take up such a position, it will be absolutely intolerable. The proper course, in the

event of dispute, would be to go to the Government and discuss the matter.

Capt. Carter: The employers do not disobey an award of the court.

Mr. McCALLUM: What is the use of talking like that? Members can go to the Arbitration Court and see what breaches of awards have been made by the employers.

Mr. Mann: They were very minor offences.

Capt. Carter: And they were fined for them.

Mr. O'Loghlen: You are a good apologist.

The CHAIRMAN: Order! We are not discussing private employers, but the Assistant Public Service Commissioner.

Capt. Carter: Well, let the member for South Fremantle stick to facts!

Mr. McCALLUM: My object in bringing forward this point was to get a declaration from the Government as to whether the action of the Assistant Public Service Commissioner in adopting such a course is in accordance with the policy of the Government, and is to be continued, or whether the Government are to obey the laws of the land.

The Premier: We will obey the law.

Mr. McCALLUM: But the Government attempted to get outside the law this time. Further, we want to know what is going to be the effect of the Government's action in this matter.

Mr. Mann: Are you taking exception to what the Government are doing now?

Mr. O'Loghlen: Yes, to everything they do. They are the greatest apologists for boodlers that were ever in office.

Mr. McCALLUM: The Government, upon trying to approach the court, found that they could not get there. They are not likely to get there for another 12 months.

The Premier: Oh, yes!

Mr. McCALLUM: I have had a case pending for 12 months, and cannot get to the court yet. The Government wanted to get a decision for reduction in 24 hours. It was not so easy for the employees to get increases; they often had to wait 12 and 18 months. I hope the Government will not sanction the issue of such an order again either by this or any other officer.

The MINISTER FOR MINES: This matter should be discussed without so much warmth being displayed. I have already explained what happened in connection with this subject. On a previous occasion when the court was approached for the purpose of fixing the basic rate to be paid in Western Australia, the Government included in that basic rate, not only the men under the agreements negotiated by the hon. member with the Minister for Works, but also the salaried staff of the Railway Department, and the officers of the Forests Department and other departments. That basic rate, which meant increases in salaries and wages, was granted to all those employees, and even as from a date prior to the commencement of the award.

Mr. McCallum: That has nothing to do with me.

The MINISTER FOR MINES: The hon. member states the case unfairly. The agreements to which he refers did not apply to all the Government services. In the case of the salaried staff of the Railway Department exactly the same ratio of increase was granted as the court awarded to the wages men. When the members of the Railway Union heard that the basic rate was to apply to men working in the Public Works Department and to apply from a date prior to the delivery of the award, because of the arrangement made by the hon. member as general secretary of the Australian Labour Federation, they demanded that retrospective payment should similarly be granted in their case. That was granted by the Government, and I, as Minister for Railways, was criticised in this Chamber because of the departmental deficit, a deficit due partly to the fact of £90,000 back wages being paid. There has been a total of approximately £360,000 granted by way of retrospective pay to Government servants, and this as the result of awards which in the main did not affect the men to whom the back wages were paid. Most of the awards made during recent years have been for six or 12 months, or two years, with a provision that they should continue until either party to the award gave notice of withdrawal from it. Consequently many awards, and agreements also, have been running on without either party taking action. When a union applied to the court for an increase in the basic wage, which would apply to all sections of Government servants, including even the salaried staffs, the Government did what, at all events in my opinion, was calculated to secure something approaching uniformity of action, calculated to carry to its logical conclusion the line of action previously adopted by the Government. The Government notified the unions whose awards were expiring that the rates fixed by the court under the new award would apply to them as well.

Mr. McCallum: They were entirely different rates; the difference was as much as 2s. 8d. per day in some cases.

The MINISTER FOR MINES: Then the decision arrived at was merely that the terms of the award should apply to others. If a misunderstanding arose, I do not know how it arose. There never was any intention on the part of the Government to make a deliberate breach of an award or an agreement. The Government would not stand for that sort of thing. But we were entitled to give notice that on the termination of what I may call the primary period of the awards, the new basic rate should apply to the rest of the men in the Government service.

Mr. McCallum: One month's notice should have been given.

The MINISTER FOR MINES: I agree with that. When attention was drawn to it action was immediately taken to adjust the matter.

Mr. McCallum: It required a good deal of argument and discussion.

The MINISTER FOR MINES: That may be so. If one man in one department was doing the same work as another man in another department, but under different condi-

tions, dissatisfaction was bound to result. In one of the rooms of Parliament House there is now a chart showing the varied conditions under which the employees of the Government were working during the time of the Labour Government. That chart was got out by the Labour Government with a view to bringing about uniformity, and so preventing continual chopping and changing and discontent in the various departments. The Government instructed Mr. Munt if there was any trouble at all, to attend to the matter immediately, so as to prevent the discontent from spreading. As regards the salaried men we found differences in the scale of allowances. The Education Department had a certain goldfields allowance, whereas a police constable got a different allowance, and a man in the public service got yet another. There were gross anomalies which were apparent to everybody, but no one seemed able to put them right. Therefore the Government decided that the better course would be to let the unions come along and discuss the matter, the responsibility for action eventually resting with the Government. When we discussed the question in the absence of the Premier, we had in view only the maintaining of uniformity, as had been done previously. If an agreement or award existed, the Government did not intend to interfere with it except to give notice that after the expiration of a certain period the new award would apply.

Mr. McCallum: But what about the declaration that everybody had a free hand the moment the award expired?

The MINISTER FOR MINES: I do not agree with that. The only method by which we can get arbitration accepted is to give reasonable notice if either party desires a change in the conditions. Reasonable notice must be given in order that the other party may have an opportunity to agree or disagree to the proposed changes, and in case of disagreement to approach the court.

Mr. McCallum: The Acting Premier made a declaration right to the contrary.

The MINISTER FOR MINES: I do not remember what he said about it, but I do not think he meant what the hon. member suggests, that because an agreement expired the Government could force any conditions they liked.

Mr. McCallum: He said that.

The MINISTER FOR MINES: If the union came along to the Minister saying, "After a certain date we are not prepared to work for less than such and such a rate," the Minister could say, "I will not accept that rate," and then the union should go to the court.

Mr. McCallum: So should the Government, in the same circumstances.

The MINISTER FOR MINES: I do not know that. There were a number of men in the public service who knew exactly what was going to happen. If the union presented a case to the Minister, and the Minister said he was prepared to accept their proposal, then of course there would be no need to go to the court. One goes to the court only if there is a difference to be adjusted. When the union said that they could not agree, the matter was adjusted.

Mr. McCallum: It is not adjusted yet.

The MINISTER FOR MINES: We have not taken any action contrary to the law. The attitude we adopted in making the awards retrospective, so as to be fair to the different sections and have uniformity and prevent discontent, involved the Government in an expenditure of £350,000. Now, when the tide has turned and an award is granted reducing the basic wage, and we propose to apply it, though not retrospectively, merely giving notice, we are told that we are leading the way in reduction of wages.

Mr. McCallum: So you were.

The MINISTER FOR MINES: We were not. If the hon. member maintains that, he should be fair and also say that the Government led the way in making increases.

Mr. McCallum: You did not.

The MINISTER FOR MINES: We were imbued with the desire that there should be equality of conditions and rates affecting the men working in the various departments. We could only get that by having the attention concentrated in one officer.

Mr. UNDERWOOD: For many years we pulled through with a Public Service Commissioner. I do not think there has been sufficient extra work to warrant the appointment of an assistant at £850 per annum. As for dealing with the wages question, it seems to me the heads of departments, and those employed to look after the wages men, are the right officers to handle the question. It is not for an assistant Public Service Commissioner. The case we have been discussing did not come under the Public Service Act at all. The assistant Public Service Commissioner is not required. I have always held that the dismissal of an unsatisfactory public servant should lie with the Governor-in-Council. My experience is that the Public Service Commissioner devotes almost the whole of his time, not to looking after the work of the departments, but to seeing to it that public servants are comfortably placed.

Mr. PICKERING: I will support the amendment on the grounds enumerated by the member for Pilbara. The office of assistant Public Service Commissioner is unnecessary. As stated by the Minister, the Public Service Commissioner has nothing to do, all his work being done by the assistant. It is time some real economy was practised.

Hon. W. C. ANGWIN: The hon. member, when moving the amendment, suggested that this officer should be given power to sack subordinates. The hon. member knows that the Public Service Act would not permit it. Further, we have in each department an officer responsible for the work of

those under him. For several years past it has been found necessary to keep one officer in each department almost continually employed looking after the wages men. So there has been no increased cost in the appointment of an assistant Public Service Commissioner to do the whole of the work. Moreover, previously we had in the Public Service Commissioner's office Mr. Alcock, who looked after the Arbitration Court awards, appeared in the court, and spent a lot of time in adjusting wages. No doubt during the past year the assistant Public Service Commissioner has had to give up a lot of time to the appeal court. The Commissioner himself could not be at the court and attending to his other duties at the same time.

Mr. A. Thomson: What are his duties?

Hon. W. C. ANGWIN: They are laid down in the Act. When in the Public Works Department, Mr. Munt, in conjunction with other officers, spent a great deal of his time in adjusting wages.

Mr. A. Thomson: I am not complaining of the officer.

Hon. W. C. ANGWIN: I understand that. It is the position we are discussing. To-day Mr. Munt takes, not only the Public Works Department, but every other department as well, and so saves the time of departmental officers who previously did the work. There is a distinct advantage in having the one officer to look after all the wages men. When I was at the Public Works Department the greatest trouble lay in the variety of conditions, each department entering into its own separate agreements. Having one man to deal with the whole of the departments is a conspicuous improvement.

Capt. CARTER: There has been imported into the discussion a quite unnecessary element of heat. If the Government have avoided any of their obligations in respect of the award, it has not been with a desire to favour one side more than another. In proof of what I say, illustrations could be drawn from the departments which Mr. Munt has administered since his appointment. As the question has been mentioned by the member for South Fremantle, I am entitled to refer to the present strike, in which this officer in his public capacity is interested.

Mr. McCallum: He has nothing to do with it.

Capt. CARTER: I am not quite prepared to accept the hon. member's word for that. It is the duty of this officer in his official capacity to be interested in the dispute; if he is not interested in it, he is not doing his job.

Mr. McCallum: It shows how much you know about it.

Capt. CARTER: If the Government were standing up to their obligations, we should have the application of that common rule recently delivered in respect of all State trading concerns.

Mr. McCallum: There is no common rule under the Federal Arbitration Act.

Capt. CARTER: I say again that if the application of that common rule were made—

Mr. McCallum: There is no common rule.

Capt. CARTER: Am I to be allowed to proceed, Mr. Chairman, or is that parrot-like interjection to continue?

Mr. McCallum: Why don't you talk of what you know something about?

Capt. CARTER: The hon. member indulged in 10 minutes of raucous-toned speech which got on the nerves of most of us, and so he ought not to complain if now I get on his nerves a bit. If the Government have avoided their obligations in any way, it has been in this instance to the benefit of the unions concerned. Although denied by the hon. member, it is a fact that if the unions were obeying the award of the court, there would not be the stoppage of work.

The CHAIRMAN: I stopped the discussion previously when this was mentioned. There is no stoppage of work on the part of employees in the Government service.

Capt. CARTER: There have been joined in the recent award of the Federal court employees of the Government.

The CHAIRMAN: No.

Capt. CARTER: Very well, if the Chairman is to contradict me, I will sit down. I am making a statement——

Mr. McCallum: Which is not true.

Capt. CARTER: The industrial safety of those particular men is wrapped up in the item we are discussing. The Government are interested in this dispute, and therefore this officer in his official capacity is also interested. Despite the denial of the hon. member, if the unions were obeying the instructions of the court, there would not be the stoppage to-day.

Mr. McCallum: There is no stoppage in Government work.

Capt. CARTER: There has been a series of rises in wages and betterments of conditions. Those conditions have been laid down by the court from time to time, and in every case the court has seen to it that the employer obeyed, or paid the penalty. Because to-day there is an award not in accordance with union ideas, the court is being flouted. The hon. member has no warrant for saying that the Government have avoided their obligations, to the prejudice of the unions. If the Government were to stand up to their obligations and apply that common rule to the State trading concerns, we should have very different conditions. Everybody knows that to-night we have the electric light only by good luck. If these lights broke down we would be without light to-morrow.

Hon. W. C. Angwin: Who would attend to them?

Capt. CARTER: The engineer in charge.

Hon. W. C. Angwin: No, the City Council.

Capt. CARTER: That is only drawing a red herring across the trail. The power house comes under Government influence. Take the State Implement Works, the superphosphate works, engineering, electric supply, all of which are functions in which the Government are interested and which are existing only by virtue of good luck. They are in that precarious position because certain parties to

the award are refusing to stand up to the award. I believe the hon. member has misled the Committee; wilfully or otherwise, I know not. It is only right that both sides should be given. I believe Western Australia is being made the battle ground for Australia in the fight against the 48 hours week.

Mr. McCALLUM: I have been accused of deceiving the House. Yet the member for Leederville talks about the Commonwealth court making a common rule. The Commonwealth court has not the power to make a common rule.

Mr. A. Thomson: On a point of order, are we discussing the common rule?

The CHAIRMAN: I cannot allow any further discussion on the strike of engineers. They are not affected by these Estimates.

Mr. McCALLUM: Surely I am entitled to explain the position after having been accused of trying to deceive the House.

Capt. Carter: I did not say "wilfully."

Mr. McCALLUM: I do not care.

Capt. Carter: Then I withdraw the remark.

Mr. McCALLUM: The hon. member does not know——

Mr. A. Thomson: Is the hon. member in order in continuing this discussion?

The CHAIRMAN: The member for South Fremantle so far is in order. When he is out of order I will stop him.

Mr. McCALLUM: The argument of the member for Leederville was that the Assistant Public Service Commissioner has not been doing his duty.

Capt. Carter: I did not say that. I said the Government were not standing up to their obligations.

Mr. McCALLUM: The Federal court has no power to give a common rule. The award given was to private employers who were cited.

Capt. Carter: You know there is an appeal on the question and that the Government have been cited in the name of the Minister.

Mr. McCALLUM: The case I pointed out to the Premier was that now pending before the State court which covers all the Government employees in the engineering trade. How can any decision of the Commonwealth court affect the Government? The member for Perth referred by interjection to the State Implement Works. Does he not know that they are not involved in the trouble at all?

Mr. Mann: Is it not a fact that the Government are appealing to the Privy Council against the order of the Federal court?

Mr. Lutey: On a different question altogether.

The Minister for Mines: On the ground that the Federal court have no right to make an award affecting a Government activity.

Capt. Carter: The unions applied to have the State conjoined.

Mr. McCALLUM: The employees here have a case pending before the State court.

Mr. Mann: This occurred in June last.

The CHAIRMAN: Order! We are not discussing the Federal court.

Mr. McCALLUM: The hon. member knows nothing about it. Members should recognise that I have had a little experience in these matters.

Capt. Carter: You are not the only one.

Mr. McCALLUM: When the hon. member talks about the Federal court giving a common rule, it is absolutely untrue. The whole of the State Government employees in the iron trade have a case pending before the State court, and while that is pending neither the Government nor anyone else can enforce alterations on them. Their conditions cannot be interfered with until the court gives a decision.

Capt. Carter: That applies to all the Government service, does it?

Mr. McCALLUM: All in the iron trade. It also includes public works, harbour, water supply and goldfields water scheme employees.

Capt. Carter: And sawmills?

Mr. McCALLUM: No.

Mr. Mann: Did the engineers take advantage of the Federal award?

Mr. O'Loghlen: Still pigeons to the bosses.

Capt. Carter: On a point of order, I demand an absolute withdrawal by the member for Forrest. He said "they are both still pigeons to the employers."

Mr. O'Loghlen: I withdraw.

Capt. Carter: I should think you would.

Mr. McCALLUM: This all goes to show that members sit in conference with employers and get ideas of their side of the case pumped into their heads, and then come here with half baked ideas and make statements for which no grounds at all exist. The member for Perth thought the Implement Works were involved. The member for Leederville thinks the Commonwealth court can make a common rule.

Capt. Carter: Will you deny that employees of the Implement Works are supplying funds to those on strike?

Mr. McCALLUM: No; good luck to them if they are. They are not men and not worth their salt if they are not handing over a day's pay per week.

The CHAIRMAN: This has nothing to do with the Public Service Commissioner.

Mr. McCALLUM: They are poor individuals if they are not putting in their contributions. The member for Perth thought they were on strike. I want to tell the members for Perth and for Leederville that their ideas are absolutely erroneous. There is no question of the State employees being involved and there is no conflict at present. The State employees' case is pending and all the decisions of the Federal court cannot interfere with them until the case is determined. The Commonwealth court has no power to make a common rule.

Mr. Mann: What is Mr. Gibson doing in the Federal court now?

Mr. Latham: On a point of order, this does not come within the Estimates of the Public Service Commissioner.

The CHAIRMAN: The question is that the vote be reduced by £1.

Mr. A. THOMSON: The Premier has borne out my argument. He states that the whole time of the Assistant Public Service Commissioner has been devoted to appeal court work, and awards.

The Premier: I did not.

Mr. A. THOMSON: I am moving for the reduction with the object of inducing the Government to bring about a better service and securing better value for the money we spend. I have suggested that the assistant Commissioner should act in the capacity of an inspector. With the object of getting independent reports, the Railway Commissioner appointed Mr. Backshall as his inspector.

Mr. Mann: Not in this man's class.

Hon. P. Collier: We are not discussing individuals. I do not know that the Assistant Commissioner is such a genius after all. What are his special qualifications?

Mr. A. THOMSON: I am not casting reflections upon anyone. Prior to this arrangement the Commissioner of Railways used to receive reports from his officers.

The CHAIRMAN: We are not discussing the Railway Department.

Mr. A. THOMSON: The same principle should be applied to the Public Service Commissioner's office.

The Premier: You want more expense, not less.

Mr. A. THOMSON: I want the Assistant Commissioner to be detailed to carry out different work. Have his and Mr. Miller's recommendations regarding economy in the service been carried into effect? Have the department fallen back into their old slipshod methods?

Mr. Lutey: According to you, anything that a man earns is wages, and you go for him every time.

Mr. A. THOMSON: I resent that interjection. All I desire is to secure more efficient service for the money involved. I am not voicing any new principle, because the practice is already in vogue in Victoria. The Public Service Commissioner should be able to get independent reports.

Mr. Mann: Do you mean independent or secret reports?

Mr. A. THOMSON: Independent reports. I believe there have been cases where men have been kept back in the service because they have shown too much ability. Instances of that sort would be revealed by the independent reports of a special inspector. I am sure the suggestion would be better for all concerned.

The PREMIER: I believe that every recommendation made by the gentleman mentioned by the hon. member has been carried into effect, but it is impossible for me to say what has happened in every department of the State. The hon. member can obtain that information by asking each Minister who has charge of the particular department. It is easy enough to say that everything is wrong, but when members have complaints to make they should state what the complaints are. I know that good work is being done in the departments.

Hon. P. COLLIER: I do not know that the officers who are administering this branch of the service always have their energies engaged in the most desirable direction.

The Premier: They do their duty.

Hon. P. COLLIER: Immediately any award of a court is given, resulting in a reduction in wages or an increase in the hours worked the officers of this department rush in to effect a general reduction in wages and increase in hours for the section of the community that is on the bottom rung of the ladder. Is it intended to have a reclassification or a reconsideration of the salaries received by the higher paid officials, because if the times are such as to warrant a reduction in the wages of the men on the lower rungs, what is to be done by the Government regarding those officials who during recent years have received increases of from £50 to £100, and in one or two cases, of £200, in their salaries? The Public Service Commissioner's salary was increased from £800 to £1,000 a year and yet we find that an Assistant Public Service Commissioner is necessary at £850 a year! Such a classification is absolutely ridiculous. In saying that, I do so without reflecting in any way upon Mr. Munt. The position he holds, however, is purely a clerical one.

Mr. Mann: He has to do the work of a solicitor.

Hon. P. COLLIER: The salary paid to the Assistant Public Service Commissioner is a ridiculous one compared to that paid to some professional men in the service, such as engineers who are in charge of public works on which the State has spent millions of money, but who receive from only £300 to £700 per annum. Those engineers have to shoulder great responsibilities and yet the mere clerical position held by the Assistant Public Service Commissioner is made worth £850. For many years the Public Service Commissioner was considered to be adequately paid at £800. Yet to-day it is necessary to have an additional man and we have to pay £1,850 for what formerly cost us £800.

Mr. Willcock: And the responsibility still rests with the £1,000 a year man.

Hon. P. COLLIER: To say that the Assistant Public Service Commissioner is worth £50 more than the Public Service Commissioner who did the work alone up to two years ago, is absurd. If it is necessary for the Government to engage in what is referred to as wage adjustment, where men in receipt of £3 17s. 6d. or £4 a week are concerned, so that they may be brought into line with any award that may reduce the basic wage, do the Government intend to effect a proportionate adjustment in the salaries of men receiving from £600 to £900

a year, who, during the past few years, have received increases of anything up to £100 a year?

Mr. Lutey: Mr. Walsh at the Arbitration Court gets only £380.

Hon. P. COLLIER: Yes; there is no comparison. Who classified this position of Assistant Public Service Commissioner?

The Premier: The Public Service Commissioner.

Hon. P. COLLIER: Is that an equitable classification? During the past few years something like £1,000 has been paid to outside advocates.

Mr. Mann: That is the point! Mr. Munt is doing all that work for £850.

Hon. P. COLLIER: He is not! We have had King's Counsel employed at £10 10s. a day, and it is a scandal that the funds of the State should be wasted in that way. At a time when the Public Service Commissioner's office has been duplicated and two men are doing the work that one man did two years ago, what kind of reflection is it upon the Government service as a whole, that there is no man there capable of taking an arbitration case before a court or board? In addition to the King's Counsel I have referred to, there was the manager of the Midland Railway Company, who was also employed and who received fees of upwards of £600, and yet we have had to pay so much extra on account of this department! I will not support the vote for a department which devotes the whole of its time through one of its officers to effecting reductions in the wages of men on the minimum mark whilst the salaries of the higher paid officers are left untouched. The member for Perth is keen to see the men in the public service brought down to the wage level of those outside the service and to see hours increased from 44 to 48 per week, but is he equally keen to see the salaries decreased and the hours increased proportionately for the higher paid officers?

Mr. O'Loghlen: Of course he is not.

Hon. P. COLLIER: The hon. member will take deputations to the Government to try and force their hands to increase the hours of labour. I have no doubt he will shortly take a deputation to the Government to endeavour to force their hands to effect reductions in wages wherever there are any wage earning employees in the Government receiving rates in excess of those awarded to private employees. He will do those things quickly enough. But what is he going to do about the men who do not work 44 hours a week, and some who work only 30 hours per week, and are to be seen swinging their canes in St. George's-terrace, men who can get to the office at 9 in the morning and leave at 4? Is he going to attack those? For my part, I shall resist, so far as lies in my power, any attempt on the part of the Government to increase the hours of the poor devil who is doing the hard labour on the minimum wage, whilst all the silvertails, able to work with their coats and collars on, have much shorter hours. I hope hon. members will not direct their attention solely to the men on the lowest rungs of the ladder. I hope Mr. Munt will not ferret around all the time to reduce men on £3 17s. 6d., to reduce the wages of the poor old women cleaning offices and to cut them down by half-a-crown or five shillings per week, whilst he remains entirely unconscious of the existence of men on fine fat salaries. I hope his argument will not be, "Do not touch the man on £700 or £800 a year, because if that is done, it is an argument for the reduction of men on high salaries like myself." We can do without an official who is going to devote his attention entirely to the men and women on the very lowest rates of pay. I hope the member for Perth will be just as keen in pursuing the silvertail roosters who are on fine fat salaries. There is no logic in reducing the man on £4 a week while not reducing the man on £600, £700, or £800 a year. The man on £4 a week is, according to the most exhaustive inquiry ever made in Australia, trying to keep a family, if he is married, on an income that is below the level of a living wage. The man on £4 a week with a family who is paying house rent is not getting enough to live on. I do not know that we want an assistant Public Service Commissioner at all at £850 a year. I shall be glad to learn from the member for Perth what work Mr. Munt does, and what are his special qualifications. Is any professional training required for the position? Was any special study required to fit Mr. Munt for it? Any clerical man of average common sense could fulfil the duties of the position, and yet it carries a salary of £350 a year, whereas throughout our Public Service there are to be found professional men in receipt of hundreds a year less, although they devoted many years of their lives to the study of their professions. I think we ought to report progress. I am not prepared to let this department go. I think we ought to have an understanding as to what the functions of the department exactly are.

Mr. Mann: It is an unpopular position.

Mr. O'Loghlen: But a well paid one.

The PREMIER: I know that Mr. Munt was engaged for months and months in putting up rates of pay. We followed the railway award to the great advantage of other Government employees, and is it not a fair thing now to follow the award again?

Hon. P. Collier: Have you followed it in regard to the salaried staff?

The PREMIER: When the railway award granted increased wages, the Government did the fair thing.

Hon. P. Collier: And now you propose to come down too; but do you mean that that shall apply to the salaried staff also?

The PREMIER: Let me finish. It was an easy thing for the Government to stand in with the other awards in the matter of the railway employees. I do not think anyone wants to see wages reduced unnecessarily. We want to do what is right and proper,

However, it was easy to come to that decision just then. I hope the House will agree to pass the vote. The position in question is necessary.

Progress reported.

House adjourned at 11.8 p.m.

Legislative Council,

Thursday, 19th October, 1922.

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

RESIGNATION—HON. A. SANDERSON.

The PRESIDENT: I am sorry to have to announce that I have received from one of our most esteemed members a letter of resignation, as follows:—

> To the Hon. Sir Edward Wittenoom, President of the Legislative Council, Sir, I beg to resign my seat in the Legislative Council as a member for the Metropolitan-Suburban Province. Your obedient servant, A. Sanderson.

I should like to add to this my regret that we are losing from our midst one of our most esteemed members, one who, I think, has made himself popular with all in the House, and has on every possible occasion tried to uphold the best traditions of the State and of this Chamber. In these circumstances I receive his resignation with the very greatest regret.

The MINISTER FOR EDUCATION: I give notice that at the next sitting of the House I will move that the Hon. A. Sanderson's seat be declared vacant.

QUESTION—FEDERATION AND THE STATE.

Hon. A. LOVEKIN asked the Minister for Education: 1, Is it a fact that the members of the Royal Commission on Federation were first appointed as a joint select committee of both Houses of Parliament? 2, If so, upon what dates were the Legislative Council and Legislative Assembly members respectively of such committee appointed? 3, How many witnesses have the Commission, as a Commission and as a joint select committee, examined?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, The Legislative Council members were appointed on the 27th September, 1921, and the Legislative Assembly members on the 5th October, 1921. 3, One witness as a Royal Commission; none as a select committee.

QUESTION—PARLIAMENTARY HAND-BOOK.

Hon. J. W. KIRWAN asked the Minister for Education: 1, Who is responsible for the compilation of a book called the "W.A. Parliamentary Hand-book"? 2, What was the cost of compiling and printing the book, and by whom has the cost been defrayed? 3, Seeing that it deals mainly with one branch of the Legislature only, is not the title misleading?

The MINISTER FOR EDUCATION replied: 1, 2, and 3, Useful information was collected by the Clerk-Assistant of the Assembly, which the Hon. the Speaker considered should be made available to members. In order to do this, the printing of 200 copies at an approximate cost of £33 (the only cost) was authorised by him. No doubt if information of a biographical nature dealing with members and ex-members of the Council, which is the only matter not dealing with both Houses, is supplied by the officers of the Council, the information can be embodied in any future edition which is considered necessary.

BILL—MARRIED WOMEN'S PROTECTION.

Second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.38] in moving the second reading said: It will be noticed that Clause 30 of the Bill repeals the old Act of 1896, and the 1902 amendment. The Bill was intended to effect one or two simple purposes, but when the matter was under consideration by the Crown Law authorities, it was deemed desirable, instead of making those one or two amendments, to put the whole matter in a concise form. With that purpose, as mentioned in the memorandum covering the Bill, the Act of South Australia, introduced by the then Attorney General, the late Hon. C. C. Kingston, was adopted as the basis for this small Bill. It retains the bulk of the old provisions which afforded summary protection for married women against cruelty, desertion, or failure to provide maintenance for wife and children. But those protections under the existing Act are subject always to the conviction of the husband for assault, or to the wife having left her home through persistent cruelty and neglect to provide for the children. That is really the main object of the Bill, to alter the existing conditions of affairs, under which the