'ence is, notwithstanding that the framers of the existing Act had that knowledge.

Amendment put and negatived.

[*Mr. Panton took the Chair.*]

Mr. ANGELO: I suggest that after "section" in line 1 of Subclause (3) the Minister inserts "together with a contribution from Consolidated Revenue of 15s. in the pound to the amount of such rates."

Mr. Teesdale: It would be too much of a strain to put on the Minister.

Mr. ANGELO: I am only afraid the Bill may be lost in another place unless it contains some indication of what the Government intend to do.

The Minister for Lands: Then let them throw it out and keep the dingoes.

Mr. ANGELO: But cannot the Minister give us some idea of what the Government intend to do?

The Minister for Agriculture: I cannot speak to a question not before the House.

Mr. Griffiths: Then bring it before the House.

Mr. ANGELO: I move an amendment—

That after "Minister," in line four of Subclause (3), the words "and an advisory board" be inserted.

The Minister for Agriculture: The board cannot have the administration of the Act.

Mr. ANGELO: Well, suppose I make the words "on the advice of the board"?

The MINISTER FOR AGRICULTURE: No, those to whom I have promised the board do not want that amendment. They are quite satisfied with my proposed amendment.

Mr. Angelo: Surely the board should have some say in the distribution of the money.

The MINISTER FOR AGRICULTURE: At a later stage I propose to move a subclause providing that the Minister shall appoint an advisory board to assist in the administration of this section, and that the board shall consist of one representative of the pastoral industry, one representative of the agricultural industry, and a third, who shall be chairman, shall be an officer of the Department of Agriculture.

Mr. ANGELO: Unless the amendment be agreed to the advisory board would have no say whatever. The Minister could ignore the board and spend the money as he thought fit

Amendment put and negatived.

The MINISTER FOR AGRICULTURE: I move an amendment—

That after "payment of" in line five of Subclause (3), the words "such uniform" be inserted.

Progress reported.

House adjourned at 10.35 p.m.

Legislative Council,

Wednesday, 4th November, 1925.

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

PAPERS—RAILWAY AND TRAMWAY DEPARTMENT UNIFORMS.

On motion by Hon. J. Cornell, ordered: That all papers, and tenders received, relating to tenders for Railway and Tramway Department uniforms, which closed at the Government Tender Board on the 1st October last, be laid upon the Table of the House.

PAPERS—FEDERAL ROAD GRANT.

On motion by Hon. H. Stewart, ordered: That all files dealing with the allocation of the Federal Road Grant of £48,000, for Main Roads, be laid on the Table of the House.

ASSENT TO BILLS.

Message received from the Governor notifying assent to the undermentioned Bills:

1, Workers' Compensation Act Amendment.

2, Goldfields Water Supply Act Amendment.

3, Water Boards Act Amendment.

4, Permanent Reserve A4566.

5, Forests Act Amendment.

6, Municipality of Fremantle.

7, Narrogin Soldiers' Memorial Institute.

BILLS (2)—THIRD READING.

1, Land Act Amendment.

2, Newcastle Suburban Lot S8.

Returned to the Assembly with an amendment.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMMENT.

In Committee.

Hon. J. W. Kirwan in the Chair; Hon. H. J. Yelland in charge of the Bill.

Clause 1—agreed to.

Clause 2—Power temporarily to close roads not in use:

The CHIEF SECRETARY: The clause requires amendment in the public interests and another clause should be added to the Bill. I would like to point out that I am speaking in my private capacity, and not as a Minister. As the clause stands, any municipality will be empowered to close a road or street for any time the council may deem expedient. All that is necessary is for the council to advertise the intention in the "Government Gazette" and once a week for four weeks in an ordinary newspaper. Under the existing law a street cannot be closed except with the approval of Parliament. That is a cumbersome method, but at the same time Parliament should have control of such matters. A municipal council could find scores of plausible excuses for closing a street and might influence a Minister, despite the protests of owners. Adjoining properties on the street to be closed would be prejudiced and the interests of owners and mortgagees would be adversely affected, while those who used the streets would be inconvenienced. While it is true that the clause provides for the temporar closing of streets, it may be for a perio of 21 years. Further, a street may be veste in the council and may be leased unde Part IX. of the principal Act. This mean that under Section 210 of the Act, the cour cil, without reference to anyone interested could lease the street for three years or fo a longer period with the approval of th Governor. I propose to move amendment that will have the effect of enabling road to be closed only by an Order in Counci and that before any such Order in Counc is published in the "Gazette," it shall be lai before both Houses of Parliament and t subject to disallowance, the same as ordinar regulations. I move an amendment—

That in line 4 of Subclause 1 after "cou cil," the following words be inserted: "(the municipality by an Order in Council pu lished in the 'Gazette.'"

Hon. J. J. HOLMES: I oppose th amendment because I believe we should n pass the Bill at all. Statesmen of the pa rightly decided that no roads should l closed except by means of an Act of Pa liament. The Bill departs from that pr cedure and will empower a municipality close a road. The whole necessity for th Bill arises from the fact that there is son land in York that some municipality wan to lease. If that be so, let them bring fo ward a special Bill and not rob Parliamen of its powers. We should not agree to ar road being closed unless provision made for it by Act of Parliamen Here is another aspect: In the metropolita area a large business is being conducted. Po tion of the premises is on one side of th street and portion on the other, the thoroug fare running between being at present mo or less blocked to traffic. I understand th manager of the concern is one of the mun cipal councillors. If that street were close the public would have to pass right aroun Could we imagine the company objecting to road separating their premises being close The object of making roads is that mon shall be spent on them for their mainte ance. This Bill sets up a directly opposi principle in that it will permit a council derive revenue from the public thoroug fares and preclude people from using the If the municipality of York wish to close certain road, let a special Bill be introduce Parliament should not give away its pow to deal on its merits with each applicati for road closure. No municipal council shou

have a wholesale authority to close streets. At a later stage I shall attempt to dispose of the Bill by other means.

Hon. H. J. YELLAND: The case cited by Mr. Holmes does not apply. Subclause 1 stipulates that the closing of the streets shall cause no inconvenience to the public.

Hon. E. H. Harris: Who will decide that?

Hon. H. J. YELLAND: The public will decide it. When it is proved that no inconvenience will be caused to the public, the Governor may, on the application of the council, temporarily close the street. It would not be a matter of closing a street for all time, and the road would not cease to be a road. A road closed under Act of Parliament ceases to be a road for all time.

Hon. A. Burvill: Would the municipal council take a ballot on the question.

Hon. H. J. YELLAND: They could do as they liked so long as they agreed that the closure was necessary. The Bill will give the right to close a road temporarily and lease it if they wish.

Hon. A. LOVEKIN: I agree with Mr. Holmes. Who is going to decide that a road is not required as a public thoroughfare? If one individual owned property on both sides of the street, he might be the one person acquiescing in the closing of the road. Mr. Yelland has argued that the closure would be only temporary, but Mr. Nicholson can tell us that there are other laws in force relating to easements and rights of use, and that the word "temporary" would have no effect. Suppose a council closed a road temporarily for 20 years, the rights of the public would disappear entirely, because the road would then be permanently closed and no one could demand that it be reopened. The measure should not be passed.

Hon. J. CORNELL: The amendment provides for an Order-in-Council published in the "Government Gazette." If the amendments on the notice paper are not to be accepted, we might as well throw out the Bill.

Hon. A. LOVEKIN: Section 36 of the Interpretation Act provides that Orders-in-Council and regulations shall be laid upon the Table and must be objected to within 14 days; but they become valid and have the force of law until they are disallowed.

Hon. J. Cornell: This is not a regulation.

Hon. A. LOVEKIN: This is an Order-in-Council and the provision applies equally. Subsection 2 of Section 36 reads—

> Notwithstanding any provision in any Act to the contrary, if either House of Parliament passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within 14 sitting days of such House after such regulation has been laid before it, such regulation shall thereupon cease to have effect, but without affecting the validity or curing the invalidity of anything done or of the omission of anything in the meantime.

While Parliament was out of session a council might close a road, and the mischief would be done. If they closed a road and leased it, and the House then disallowed the Order-in-Council, what would be the position of the council and of the lessee? If there is a specific instance of a road not being required, would it not be better to introduce a separate Bill instead of our passing a general measure that will apply all over the State and perhaps with most disastrous effects?

Hon. J. NICHOLSON: The Minister was right in bringing forward his amendment in the public interest. This measure would confer the power upon all municipalities. Whenever it was required to close a road, it has always been the practice to introduce a special measure. The City of Perth, like every other municipality, is naturally anxious to secure the widest possible powers, and I do not suppose it would object to receiving this power, but we must look at the question from the public standpoint and must safeguard the public interest. I appreciate the danger referred to by other members. Mr. Yelland has presented the Bill in good faith, but I think he misunderstood the provisions of the Road Districts Act to which he referred on the second reading. Section 150 of the Road Districts Act, 1919, prescribes a totally different method for closing a road. First of all it is required to have a majority present at a meeting of the ratepayers convened in the prescribed manner to pass a resolution in favour of the closure. Thus publicity would be given to the proposal. Where would be the publicity under this Bill?

Hon. H. J. Yelland: Is there a parallel section in the Municipal Corporations Act?

Hon. J. NICHOLSON: No. Under this Bill a road might be closed simply on the statement that it was not required as a public thoroughfare and that its closing would cause no inconvenience to the public. The amendment would provide some safeguard, but not the requisite safeguard. The wiser course would be to introduce a special Bill for this particular municipality. Section 150 of the Road Districts Act provides that

the owner of any abutting land may make application to the board in writing to close the road, giving full particulars of the road and the owners and occupiers on each side. Then the board must assent to the application and, after having given public notice of it, must request the Minister to obtain the Governor's confirmation. The Governor may confirm or overrule such assent. There is no provision in this Bill for any overruling. On confirmation by the Governor of such assent the land on which the road existed forms part again of the location from which it was originally taken, and if the lands on opposite sides are owned by different owners, the contiguous half shall vest in each owner.

Hon. H. J. Yelland: But that is to meet cases where roads are closed permanently and the fee simple of the land is disposed of.

Hon. J. NICHOLSON: The Bill proposes to give a right to lease the land under Part 9 of the Municipal Corporations Act. Section 210 provides that any municipality may from time to time let on lease any land purchased or acquired as aforesaid for any term, at such rent and under and subject to such conditions as the council may deem expedient. It also adds that no such lease shall be granted for a term exceeding three years without the consent, in writing, of the Governor. Suppose the consent of the Governor were obtained to a lease for 21 years, the rights of people might be affected. A man might happen to be absent and not see the notice and he would have no opportunity of voicing his objection to the closure of the road. There is grave danger in passing such a proposal.

Hon. H. J. YELLAND: I recognise that Section 150 of the Road Districts Act applies to the disposal of roads in fee simple. If Mr. Nicholson turns to Section 151, he will find there what I referred to when I moved the second reading of the Bill which is parallel to what is contained in the Bill. It reads—

> The Minister for Lands on the recommendation of the board may close a road temporarily from traffic, and grant permission to the owner of the land adjoining to fence across such road without erecting gates, at the board's pleasure, when in the opinion of the board the road should not be permanently closed, but is not required for immediate traffic.

The two sections are not identical. The section I have quoted is a distinct contra to the section quoted by Mr. Nicholson. Section 151 is a proviso that does not find a place in the Municipal Corporations Act, and the object of the Bill is to endeavour to bring that Act somewhat into line with the Road Districts Act. Mr. Nicholson quoted Section 210 of the Municipal Corporations Act under which a lease can be cut down to three years and which, by permission, can be extended. I have no objection to an amendment that may be proposed, reducing the period to three years, or even a year. Under Section 151 of the Road Districts Act the very thing I am asking for can be done, and if it can be proved that in any municipality a similar state of affairs exists, I see no reason why the same power should not be given under the Municipal Corporations Act. The more I look at the matter, the more I see the necessity for giving a municipality the same right as is given under the Road Districts Act. The proposal contained in the Bill is not likely to affect a municipality in the metropolitan area. The Bill is never likely to be applied to the metropolitan area; it will be applied only to roads in outlying districts that are not necessary.

Hon. A. BURVILL: I am of the opinion that an alteration to the Municipal Corporations Act to correspond with the Road Districts Act is all that is required. If a road board wants to temporarily close a road, there is a certain procedure to follow. When permission is given to close a road, a fence is put across each end and a certain amount has to be paid for the erection of gates. It still remains a road, but the only thing is that it is closed. This is often done to save fencing. Should anyone want to use the road, they can go through the gates and close them again.

Hon. J. NICHOLSON: Section 151 of the Road Districts Act is not identical with the provisions of the Bill before us.

Hon. H. J. Yelland: It is practically the same.

Hon. J. NICHOLSON: There is a good deal of difference. Section 151 provides that the Minister for Lands, on the recommendation of the board, may close a road temporarily from traffic and grant permission to the owner of the land adjoining, to fence across such road without erecting gates, when, in the opinion of the board the road should not be permanently closed though not required for immediate traffic. The Bill before us gives the municipality

the right to close a road, and it may be closed for a long period, even for 21 years. One does not correspond with the other as the hon. member suggested.

The CHIEF SECRETARY: When I read the Bill I considered it rather dangerous. Mr. Holmes spoke strongly against it, but members generally seemed to be satisfied with it and it passed the second reading without any opposition. Then I considered it my duty to frame an amendment to safeguard the public. I have heard of complaints about the great number of roads and the need for reducing the number. Road boards have had power all along to close roads, but I would remind the Committee that a road is a different proposition from a street. A road may be serving no purpose. If there is a concensus of opinion that a road should be closed, it is closed, but if an attempt is made to close a street in which there may be property or business premises, then it becomes another matter. I considered it was due to me to frame an amendment that would in a measure safeguard the public. A street cannot be closed until an Order-in-Council is gazetted, and the Order-in-Council cannot be gazetted if it is disallowed by Parliament. That is a very good safeguard.

Hon. J. J. HOLMES: The trouble is that, instead of having a Bill to deal with one municipality, we have a Bill attempting to deal with all the municipalities in the State. Nor are its provisions consistent. For instance, municipal councils are given power to temporarily close streets; and, again, are given power to lease them for an indefinite period. Those two provisions are in conflict one with the other. Under the Municipal Corporations Act the power to lease is limited to three years, but it may be longer with the consent of the Governor-in-Council. To close a road in the bush is one matter, but to close a road that people use daily, as proposed in the Bill, is quite a different proposition. Subclause 3 of Clause 2 is supposed to safeguard the position for the public. But the public do not come into it. It is the owner of both sides of the road that can object, and if the closing suits his purpose there is no objection, and so the public have to go round.

Hon. E. H. Gray: But what would the members of the council be doing?

Hon. J. J. HOLMES: The hon. member from his experience of the position at Jandakot knows that members of local authorities have even excluded their own property from rating for years on end. Also he knows of an instance in the West Province where a company owns both sides of a road and nobody but the company can object; the travelling public have no say in the matter. The more I look into the Bill, the more dangerous do I see it to be. We have now discussed it pretty thoroughly and the only sensible way of dealing with it, Sir, is to move, as I do—

That you do now leave the Chair.

Question put and a division called for.

Hon. J. J. HOLMES: It appears to be the wish of the Committee that I should withdraw my call for a division.

Leave given; call for division withdrawn.

Question put and negatived.

Progress reported.

BILL—DAY BAKING.

Second Reading.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central) [5.25] in moving the second reading said: This is a short but important measure. It has been widely debated in other circles. Legislation of a similar nature has been recommended by the International Labour Conference held under the jurisdiction of the League of Nations. Without labouring that aspect of the question, I must say that legislation emanating from that source is not to be lightly passed over. In these matters the powers of the Commonwealth are rather restricted, but an opportunity is afforded the State to do something in the desired direction by ratifying the recommendations made. It has been said that the chart presented to the Chamber in relation to another Bill constitutes a reflection upon Australia. I agree with that. It is unfair to Australia as a whole, for it must be remembered that in respect of certain legislation we are in advance of certain other countries. Be that as it may, the Commonwealth are responsible to a great extent, although in fairness we have to recognise that their powers are restricted in respect of such legislation as that now before the House. The Internatnonal Labour Conference dealt specifically with the question of day baking. In that connection I wish to quote several articles issued by the conference, as follows:

Article 1: Subject to the exception hereinafter provided, the making of bread, pastry

or other flour confectionery during the night is forbidden. This prohibition applies to the work of all persons, including proprietors as well as workers, engaged in the making of such products; but it does not apply to work which is done by members of the same family for their own consumption. This convention has no application to the wholesale manufacture of biscuits.

Article 2: For the purpose of this convention, the term "night" signifies a period of at least seven consecutive hours. The beginning and end of this period shall be fixed by the competent authority in each country after consultation with the organisations of employers and workers concerned, and the period shall include the interval between 11 o'clock in the evening and 5 o'clock in the morning; when it is required by the climate or season, the interval between 10 o'clock in the evening and 4 o'clock in the morning may be substituted for the interval between 11 o'clock in the evening and 5 o'clock in the morning.

Article 3: After consultation with the employers' and the workers' organisations concerned, the competent authority in each country may make regulations to determine (a) the permanent exceptions necessary for the execution of preparatory or complementary work as far as it must necessarily be carried on outside the normal hours of work, provided that no more than the strictly necessary number of workers and no young persons under the age of 18 shall be employed in such work; (b) the permanent exceptions necessary for requirements arising from the particular circumstances of the baking industry in tropical countries; (c) the permanent exceptions necessary for the arrangement of the weekly rest; (d) the temporary exceptions necessary to enable an undertaking to deal with unusual pressure of work or national necessities.

Article 4: Exceptions may be made to the provision of Article 1 in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in some case of force majeure, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

I have no intention of dealing extensively with the deductions to be made from the articles of the Geneva Conference, but I am of opinion that legislation of the nature proposed is absolutely essential in this State. I admit that the proceedings at Geneva have no particular jurisdiction over us, but that conference has power to bring before the International Court of Justice any country that refrains from dealing with the matters put forward by that conference. Apart from any other aspects of the question, we do not want anything like that to happen. We might, therefore, deal with this proposition as we find it. The Bill is the direct result of years of agitation throughout Australia. Those who have been connected with matters of this kind know that for 20 years there has been an agitation in this State, from the industrial side as well as from other sources the object of which was to have an Act similar to the Bill now before us. There are many fair employers in the State who are keen on giving a fair deal all round. In order to bring about a set of circumstances that might be of benefit to the employer and employee alike, a mutual agreement was made that was designed to give satisfaction to all sections concerned. It was ultimately found that it was not in the direct interests of all concerned. In an industrial agreement which has the effect of a common rule, the following hours were laid down: Sunday starting time 12.30 p.m., finishing time not later than 7 p.m.; Monday to Friday, inclusive: starting time not earlier than 5.30 a.m., and finishing time not later than 8 p.m. The union is unable to force this provision insofar as bakers not employing labour are concerned. Several persons in the trade such as working partners, can evade the restrictions that are placed upon other people in the trade. There are many employers in the city and the country towns who are most anxious to do what is right, but they are unable to do so because of the unfair competition that creeps in.

Hon. V. Hamersley: Why unfair?

The HONORARY MINISTER: It is unfair because one man is subject to certain obligations and restrictions, while another is able to take advantage of his freedom to affect the trade of the first man.

Hon. J. M. Macfarlane: Only to a limited extent.

The HONORARY MINISTER: That may be so. One may better emphasise the position by explaining that in a recent case that came before the Arbitration Court when the Bakers' Union cited an employer for carrying on baking on Sunday, it was ruled that the provision in the agreement was invalid, as it conflicted with Section 10 of the Bread Act, 1903, which states that no person exercising or employed in the trade or calling of a baker shall make or bake any bread before the hour of 5 p.m. on Sunday unless the special permission of the health inspector is obtained. This section of the Act, read in conjunction with Clause 4 of the award, would only permit Sunday baking to be carried on between the hours of 5 p.m. and 7 p.m. It appears that most unfair competition has occurred

through the award of the court. Agreements have been made in certain directions. Certain people have subscribed to the agreement and honourably abided by it. Others have sidestepped it. The opportunity is now afforded to bring these people to book in connection with the provisions of the award. There are others who do not come under the award, but reap all the advantages of it. I understand there is no complaint with regard to subscribing to the provisions of the award, provided all things are equal and everyone is competing on the same footing. A great deal could be said in support of a Bill of this nature. I do not, however, think it is essential to cover the whole ground. This Bill is submitted under rather peculiar circumstances. For the first time some understanding has been reached between the parties concerned. If it be essential to quote statistics and data, I have them here, but probably I should only weary hon. members if I did quote them now. It appears that after a very exhaustive diagnosis of the case the operative bakers and all concerned in the trade have arrived at something in the nature of a mutual agreement which, if ratified by Parliament, will become law and be of benefit to all concerned.

Hon. J. M. Macfarlane: Does that include the bakers of fancy bread and pastrycooks?

The HONORARY MINISTER: No.

Hon. J. M. Macfarlane: Why not?

The HONORARY MINISTER: I had an opportunity of managing an institution of this nature for 12 months, at a time when I was assisting a friend of mine. I therefore, know a little about the business. There are very good reasons for excluding these people.

Hon. J. J. Holmes: What are they?

Hon. J. M. Macfarlane: Are they excluded?

The HONORARY MINISTER: Most members will have read a circular giving a digest of the arguments that have been put forward for and against this proposition. One of the points is that night work is unhealthy and unnatural. We all know that to be so, and avoid it as far as we can. A miner who has to work at night is exhausted at the end of the week. He lives an unnatural life, and is obliged to get what sleep he can during the day. This applies also to men who drive engines, whether stationary or locomotive. It applies to every walk of life where men are engaged in working night shifts. Dr. Saw will agree that members of the medical profession do not like night work, and are very glad at the end of the week if they can get a little relaxation from that exacting duty. Night work is irksome at all times and very distressing. It exacts a toll upon every person who engages in it. Most members of the medical and nursing profession are not called upon to work night after night over very long periods, and generally do not work at night for more than one or two weeks in succession. A baker, however, has to work at night all the year round. It is, therefore, natural that he should seek some way out of this. Another argument is that night work completely disorganises the home life. Most people know that this is so. Another point is that night work makes the baker's wife a veritable drudge. Probably no lady in the land becomes so great a drudge as the baker's wife.

Hon. E. H. Harris: Why?

The HONORARY MINISTER: Her husband is working under unhealthy conditions and at unusual hours. He probably has to attend to his work at all times of the night, and becomes a bundle of nerves. He has to grab a little sleep when he can. His wife in many instances has to watch over him, see that he wakes up to attend to the baking. Thus she becomes a drudge. This does not apply to bakers in a big way, for they have others to carry out those duties, but it does apply to the general baker's wife. Night work is ruinous to the physical well-being of the apprentice in his growing years. This is especially so in connection with the baking trade.

Hon. J. J. Holmes: We have all had some experience of late nights.

Hon. V. Hamersley: Why do they bake at night?

The HONORARY MINISTER: Probably those experiences would be more pleasant than in the case of bakers. Night work does not mean fresher bread for the public. We must all agree with that. It is not in the best interests of the public that they should have fresh bread.

Hon. E. H. Harris: I would sooner die of fresh bread than live on stale.

The HONORARY MINISTER: Another reason is—

> Night work is unnecessary, and benefits neither workers nor the public, nor even employers as a whole.

Viewing the matter from that aspect, we get to the kernel of the question. Without quoting authorities which would be wearisome to hon. members, since they have them in pamphlet form, I may say that I am guided largely by the fact that both sections have agreed in a certain direction.

Hon. E. H. Harris: Did they consider the bread carters?

The HONORARY MINISTER: Yes. The bread carters have acquiesced in the proposed arrangement. The Bill as it stood originally did not give complete satisfaction, and a deputation from the Master Bakers' Association waited upon the Minister in charge of the measure, Mr. McCallum. Although there was not then an opportunity for arriving at a decision, the deputation put up arguments which were highly conclusive. The Bill being in progress through another place, the Minister could not consent immediately to the alterations desired; but eventually he agreed to embody the views of the master bakers in the measure. The master bakers largely agree with the operators that the man who works at night is a nuisance to himself and his family. Legislation is necessary to control men of that kind as well as the employers of labour. I understand that all sections of the baking industry, the operators, the bread carters, and the whole of the master bakers in the metropolitan area and in the country, are unanimous regarding this matter.

Hon. J. J. Holmes: Where do the public come in?

Hon. A. Burvill: The country bakers do not want the Bill.

The HONORARY MINISTER: The country bakers have agreed to it. The people who opposed it most strenuously were the members of the union, but they have now agreed to stand by this arrangement.

Hon. H. Stewart: Do you mean the employers' union?

The HONORARY MINISTER: There have been deputations from the Master Bakers' Association and the trade generally, and the consensus of opinion is in favour of the spread of hours from 5 a.m. to 8 p.m., which it is considered will suit every section. I shall be astonished if there is opposition to the Bill.

Hon. J. J. Holmes: There are four parties. Two have agreed, and two have not.

The HONORARY MINISTER: I daresay all the parties will be heard here before the debate closes. From two or three interjections I am inclined to think there may be opposition to the measure. However, we have the assurance that the subject has been studied from all standpoints by those most vitally concerned. The Bill is one essentially in the interests of the consumer and of the employee and of the employer. I do not know what fourth party remains to be considered.

Hon. V. Hamersley: There is the baker who does not employ any labour.

The HONORARY MINISTER: His interests have been well considered. The Labour Party should be the party to study the interests of such a man. It is in order to give him a chance that the spread of hours from 5 a.m. to 8 p.m. has been arranged, instead of the original spread from 8 a.m. to 5 p.m. I shall not refer at length to the aspect of bakers employing their families in bakehouses. Certainly the conditions in a bakehouse are not conducive to health. However, no injustice will result from this Bill to the small man, who is perhaps endeavouring to establish a business in a country town. We have the assurance of those concerned that the spread of hours now proposed will meet the needs of such bakers. Therefore it is not necessary to flog the issue. From the health aspect many authorities could be quoted, if necessary. Dr. Saw, who is the only medical man in this Chamber, last year expressed himself very definitely as to the effects of night baking. However, he had certain objections to last session's Bill, while saying that he was ready to support a measure dealing with this particular aspect. Such a measure is now before the House, and I hope members will take advantage of the opportunity.

Hon. E. H. Harris: Is there any similar legislation in Queensland or New South Wales?

The HONORARY MINISTER: Various States have adopted legislation on lines somewhat similar to those of this Bill.

Hon. E. H. Harris: Did not New South Wales repeal its legislation?

The HONORARY MINISTER: In South Australia the Arbitration Court has dealt with the problem. Apart altogether from arguments that might be deduced from the legislation of other countries, we ought to be able to kick off on our own account.

Hon. J. J. Holmes: We had a kick-off at Fremantle the other day!

The HONORARY MINISTER: Formerly we had the reputation of leading Australia in point of legislation. Whether we were entitled to that reputation or not I shall not say, but certainly of late years we have been slipping. Whenever laws of an advanced character are introduced here, we are asked whether such legislation obtains in New South Wales or Queensland. Though on occasion I have quoted the legislation of other countries, I do not hold them up as the acme of perfection, as the object lesson always to be followed. We should have a little enterprise and backbone, and decide for ourselves what suits Western Australian conditions.

Hon. J. J. Holmes: I think we are entitled to know the hours worked in the Eastern States.

The HONORARY MINISTER: It is not a question of hours, but of the spread of hours. It has nothing to do with eight hours or 44 hours, but refers to the spread of hours from 5 a.m. to 8 p.m. The Bill will not operate harshly upon those most concerned, for their opinions are expressed in the measure as it is before us, which provisions were not in the Bill when it was originally dealt with in the Assembly. I move—

That the Bill be now read a second time.

HON. E. H. GRAY (West) [6.2]: I support the second reading of the Bill which I hope will be agreed to unanimously and without amendment. I am particularly interested in the Bill, because about 16 years ago the experiment of day baking was tried out in New South Wales. At that time I was a member of the Master Bakers' Association and I know that the experiment was successful there. It has always been a matter of surprise to me that the trade went back to night baking in that State, because the day baking reform was one of the biggest in the history of the trade in Australia.

Hon. H. Stewart: Then they did go back to night baking?

Hon. E. H. GRAY: Yes, for reasons I will outline. The conditions obtaining in Australia are different from those of the Old Country. Night baking was adopted in Australia largely because outsiders, who had no knowledge of the trade, secured possession of it in many parts of the Commonwealth. It was also adopted because of our climatic conditions and the inexperience of the bakers in those days in the making of yeast. It was that inexperience that gave rise to serious difficulties that have disappeared in later days with improvements in yeast production and so forth. Day baking was in vogue in the Old Country in practically all the small towns until the introduction of bread-making machinery. The question of night baking was an unknown quantity when I was a boy. Bread was delivered every other day.

Hon. H. Stewart: Was the bread new when it was delivered?

Hon. E. H. GRAY: It was certainly not hot bread. Under the Bill it is not proposed that hot bread shall be delivered. Anyone knowing anything about bread is aware that it is at its best when it is 12 hours old. The man who likes hot bread has tastes such as the man who likes new wine. Certain chemical changes take place in bread that is kept for a little while and those changes make it more palatable and more easily digested. Night baking was abolished in Norway as far back as the 17th June, 1885, the exempted hours there being from 6 p.m. to 3 a.m. In July, 1919, the hours were reduced to 8 and the prohibited hours were made from 9 p.m. to 6 a.m. Day baking has been the law in Italy and Finland since 1908 and night baking has been abolished in Germany since the 23rd November, 1918. Between 1919 and 1921, Acts of Parliament were passed prohibiting night baking in Czecho-Slovakia, France, Austria, Spain, Sweden, Holland, Denmark, Belgium, Poland and Russia. In my experience the best bread makers in the world are the Dutch and German people.

The Honorary Minister: What about the Australians?

Hon. E. H. GRAY: I will come to them later. The bread-making industry is about the only one where handicraft has been able to successfully compete with machine-made bread, despite the inventions and the use of all kinds of wonderful machinery for the production of bread. The big economic leakage to-day is in the excessive cost of delivery, which applies practically equally to the big machinery firms and to the handicraft branches of the trade. As the Honorary Minister mentioned, the Draft Convention was adopted at the International Labour Conference at Geneva in May, 1925.

Hon. H. Stewart: What was the recommendation?

Hon. E. H. GRAY: I am sorry to admit that the recommendation embodied in the Draft Convention included every branch in

the trade, but the Government here have not gone so far as that and have merely embodied the bread-making portion of the trade.

Hon. J. M. Macfarlane: What hours are specified in the Convention?

Hon. E. H. GRAY: Accompanying the recommendation regarding the hours, was the proposal that they should be spread to suit the climatic conditions of each country where they were applied. First of all, day baking was brought into force under conditions that exempted the small bakers, but in every country where that was tried, the arrangement proved a complete failure. We have endeavoured to deal with the question in Australia, but under conditions that have existed there has been unfair competition which has caused constant friction in the trade. There is always a desire on the part of the big master bakers when they know of hot bread deliveries being made, to stress the undesirable competition that this involves, and to seek to revert to night baking. It is the same wherever the system of exemptions has been tried, and for that reason there is now unanimity between the master bakers and the employees, for all concerned realise that it is time some understanding was reached in the interests of the trade and the public. Night baking, where the employers of labour are concerned, has been abolished for some years. The experience in this State is identical with that of other countries and it is that where the master baker who is working for himself bakes by night, the resultant competition with the employers of labour increases the delivery costs and causes continued friction in the trade. With the exception of big industrial centres and cities in Great Britain, night baking is of comparatively modern origin in the other parts of the world. It developed strongly with the installation and use of modern ovens and bread-making machinery during the last 40 years. It has always been a question hard to determine as to why bread production with the aid of machinery has not made more headway in this country. The reason, I think, is not far to seek. In the Old Country they have all sorts of continuous ovens and that is why the handicraft baker is able to compete with the product of his competitor who turns out machine-made bread. In the continuous ovens the actual heat is not in the oven itself. The handicraft bakers employ the old-fashioned ovens, with the result that the heat comes into direct contact with the bread. This has the effect of making it sweeter than bread baked in a modern continuous oven. The methods of bread making in the Old Country vary in different parts. In Yorkshire, despite the invention of machinery for bread making, the master bakers there have been turning out bread which carries a large proportion of moisture, and their bread is different from that procurable in the south of England. In the south it was possible to make bread under other methods, special tins being utilised. The moisture was also contained in the bread which was a much more attractive looking loaf. The people took it with pleasure, with the result that throughout many parts of England, tinned bread was usually made. What were known as the cottage and cake loaves were not turned out to any extent. Thus the manufacture of tinned loaves proved profitable. In addition, in the south of England, the bakers made what was known as the sponge loaf, which has never been adopted in Australia. The dough was set every night, and would be made up at about 6 a.m. It would be ready for the baker when he came and it could be used an hour and a-quarter after it was made. The explanation of why the conditions are not the same in Western Australia as in Europe is that a different type of yeast is used. Prior to the adoption of what is known as German compressed yeast, which was a German patent for many years and was distributed from that country to other parts, our bakers had to depend upon yeast obtained from the breweries or else make their own. I can remember the stories of the great difficulties the bakers experienced in the Old Country prior to supplies of compressed yeast becoming available. When the German patent expired, compressed yeast was made all over England. It was practically a by-product turned out by the breweries. It is very pure yeast and can be brought to maturity after an interval of anything from two hours or more. That made it possible in the Old Country to set a batch of bread at 7 a.m. and have it in the oven by 10 a.m. That is impossible in Australia. The yeast is much stronger and in every way different, while in addition, the conditions in England cannot compare with those in Australia.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. E. H. GRAY: I was explaining the difference in the conditions obtaining in Australia, in England, and on the Continent, because it vitally affects the question of the spread of hours. I understand the Convention decided that there should be a total cessation of work between certain hours. I pointed out that it would be impossible to apply those conditions here, because of the difference in the methods of manufacturing bread. The reasons for night baking in the Old Country and in the Commonwealth are not the same. With the development of improved bread-making machinery and large factories, the small baker, in order successfully to compete, was forced into night baking. The big factories, notably the co-operative societies in Great Britain and on the Continent, to save costs and keep their patent ovens in operation, made theirs a continuous process day and night. Many bakeries worked two and three shifts. Notwithstanding that, the manufacture of bread by machinery did not cheapen the price of the commodity to the consumer, except in an indirect way. Co-operation resulted in the starting of co-operative bread making ventures that developed into huge concerns, notably in Belgium, France and Great Britain, and the workers who were members of a co-operative society gained from the introduction of bread-making machinery benefits through dividends, but only in an indirect way. The difference between the manufacture of bread on the Continent and in Australia is solely due to the yeast. The yeast used in the Old Country is compressed yeast, quick in action. This led to the Convention resolving upon a total cessation of bread-making by night. The study of yeast is a big one, and much credit is due to the Australian bakers for the way in which they have completely mastered the difficulties. The Continental bakers are in a much more advantageous position simply because they have the article there ready for use. The compressed yeast used in the Old Country is very much like a cheese. It is distributed all over the Continent from special factories and distilleries, and is ready for instant use. It acts very quickly, but is susceptible to the effects of hot weather and weakens in the process. All things considered, however, the bakers there are in a specially advantageous position as compared with Australian bakers. Ferments and yeast have formed the subject of special study by chemists for many years. Pasteur, the renowned scientist and chemist, made many notable discoveries regarding yeasts of all kinds that enabled practical men, brewers and bakers, to take full advantage of them. In Australia the bakers have completely eliminated the difficulties that formerly made night baking almost imperative. Yeast is a living organism and is a very absorbing study. The yeast used by bakers and brewers is known as saccharomyces. In the course of fermentation it acts by converting sugar into alcohol, carbon-dioxide and oxygen. Other ferments were discovered by chemists, but some of these proved a source of much worry to brewers and bakers. I have known of breweries that had to be burnt down and abandoned, and of bakers who had to build new premises owing the unknown ferments that used to get into the yeast and make the beer and the bread unpalatable. The special ferments were discovered by Pasteur, who, in a series of remarkable articles, pointed out the cause and cure of the disabilities. In Australia, even during my time, considerable difficulty was experienced owing to these troubles. To-day, happily, bakers have conquered all the difficulties and, through having absolute control of their bread-making process, they are able to make their own yeast and control it and to produce bread that compares more than favourably with the bread of any other country in the world. The yeast used in Australia is of spontaneous fermentation. It is made of a mixture of hops, sugar and flour. By strengthening it and adding new brews and other yeast in the shape of English stout, it is possible to produce first-class bread.

The PRESIDENT: Has yeast any application to the spread of hours?

Hon. E. H. GRAY: Yes. I wish to show the difference between the two methods of manufacture in order to disprove the arguments advanced by some of the bakers. Yeast converts sugar into alcohol and carbon-dioxide, and the latter has a special property of interest to breadmakers. The bread is ripened by carbon-dioxide; yeast is placed in the ferment and mixed in the dough, and it feeds upon the sugar, breaks down the sugar and the carbon-dioxide and forms bubbles that take hold of the gluten in the flour and thus aerates the whole mass of dough. The quality of

bread is determined by the strength and purity of the yeast and the strength of the flour. In Australia day baking has been in operation for a number of years and has proved successful. Under such conditions bread can be manufactured more cheaply, and there is less waste. If day baking be applied to the trade generally, it should result in a reduction of costs, not only to the manufacturer but to the general public. To-day metropolitan master bakers employing labour are working under the day baking system. There is no possible chance of that being altered because of the strength of the union, whose members, from experience, know the advantages of day as against night baking.

Hon. J. J. Holmes: Then where is the necessity for this Bill?

Hon. E. H. GRAY: I shall come to that. The master bakers, however, are worried on account of the breaking away of small bakers, who, in order to capture the trade of the bigger bakers, have reverted to baking at night.

Hon. J. J. Holmes: The little fellows are all non-unionists, too.

Hon E. H. Harris: Are they to be slaughtered?

Hon. E. H. GRAY: I maintain that the taste for new bread is not natural.

Hon. A. J. H. Saw: You ask a young boy whether it is natural or not.

Hon E. H. Harris: You are very unnatural.

Hon. H. Stewart: What about hot cakes?

Hon. E. H. GRAY: When a person prefers new bread to matured bread, it shows a lack of taste.

Hon. H. Stewart: Many people are prepared to eat the immatured bread, even if it does shorten their lives.

Hon. E. H. GRAY: This is the first occasion on which I have spoken in this House in favour of the Master Bakers' Association. This House should endeavour to remove the irritation and the unfair competition that now prevail. The tendency on the part of the small bakers is to employ child labour. To permit night baking is not good for the small baker or for his wife or family, especially as all the authorities contend that it is good for neither the manufacturer nor the public.

Hon. A. Lovekin: What is the difference between the chemistry of new bread and stale bread?

Hon. E. H. GRAY: The same as the difference between new wine and old wine. Bread when kept undergoes chemical changes, matures, and improves in digestive qualities as well as taste, and is better in every way. I hope the House will agree to this Bill. A conference was held of metropolitan and country bakers who mutually agreed upon the spread of hours embodied in the Bill. There are master bakers in the country who are working on the day system. The spread of hours from 5 a.m. to 8 p.m. will enable country bakers to fulfil all their orders, and will in no way impede them in their business. I have known country bakers to start operating at 10 a.m. I made it my business to inquire whether any inconvenience was experienced and the individual I interviewed, a Narrogin baker, said there was no trouble whatever, and he would not think of reverting to night baking. From the point of view of the trade, it is obvious that, with no regulation in operation, it is a serious drawback to country bakers who employ labour, chiefly because the journeyman baker, having been accustomed to day work, is reluctant to take on country work. Thus the country master bakers have their choice of bakers restricted. Naturally, as with every other industry, the best man has the choice of work and there is the tendency for the good baker to remain in the metropolitan area. It is unfair to the master baker, who has agreed to a better standard of manufacture and has tried to carry out a day-baking scheme, to be opposed by another baker in a country town who works himself, and produces hot bread and perhaps takes away business from the man who is carrying on his trade under better conditions. The apprentices to the baking trade are compelled to spend the whole of their youth working in a close atmosphere. It is worse than working in mines because when the bread ferments the atmosphere is anything from 80 to 120 degrees. The danger of that in hot weather can well be imagined.

Hon. E. H. Harris: That is not reflected in the statistics of insurance companies.

Hon. E. H. GRAY: Bakers are not a good insurance proposition.

Hon. E. H. Harris: They say bakers are.

Hon. E. H. GRAY: Bakers who work by night are practically old men at 45. I could show members a man of about my own age who has been working in the trade

and who now looks 20 years older than I am. I am a young man compared to him. I never worked at night except on very few occasions.

Hon. J. Nicholson: Except in Parliament.

Hon. E. H. GRAY: I recognise that night work is bad for the health.

Hon. J. W. Kirwan: Are you opposed to all night work?

Hon. E. H. GRAY: I prefer day work.

Hon. J. W. Kirwan: What about the morning newspapers?

Hon. E. H. GRAY: I would stop the morning delivery of newspapers.

Hon. J. Cornell: What about printing?

Hon. E. H. GRAY: I am afraid we cannot get over that very well. The printing industry is compelled to work at night time.

The PRESIDENT: If the hon. member will address the Chair it will not be necessary for him to undergo a catechism.

Hon. E. H. GRAY: There are industries that are compelled to work at night. Bread making, however, will be better conducted by day, and that is the reason for the Bill. I hope it will receive the support of every member.

HON. A. J. H. SAW (Metropolitan-Suburban) [7.50]: I intend to support the second reading of the Bill. During the debate on the Arbitration Bill which was before us last session, a clause came under notice designed, so we gathered, to prohibit night baking, although that was not the specific object, apparently, of the clause. Speaking from memory, that clause practically brought any man who was working for himself, under the Arbitration Court. When we challenged the clause the reply given was that it was designed to catch the small master bakers who worked at night and thus got an unfair advantage over the larger bakers. I was opposed to that clause because I thought it was ridiculous, and I said that if the Government thought night baking was harmful, an attitude with which I agreed, then if they brought down a Bill to prohibit night baking I would support it. It is because of the statement I made a year ago that I rise now to support the Bill. I do not think it is necessary to invoke the aid of the League of Nations. As I have indicated on several other measures that have come before this House, I think that legislation in Australia is in advance, on the whole, of measures that are being advocated by the Labour organisations in connection with the League of Nations, and I think that we, in a democratic country like Australia, can be relied upon to do what is necessary towards favouring better hours and better conditions of labour, even without any direction from the League of Nations. I support the view that night work on the whole is unhealthy, and I maintain that it should be pursued only in those avocations in which night work is strictly necessary. Unfortunately, both for doctors and nurses, night work is necessary, but I am sure that none of us undertakes it willingly. I am convinced from my own personal experience, and from my observation of others, that continued night work is undoubtedly very harmful from the point of view of health. One has only to notice the effect it has on nurses. As members know, it is necessary for nurses to take their turn at night work. They usually go on for perhaps a month at a time, and then they have a period of perhaps two or three months off, according to the number of nurses available in the institution in which they are working. Of course I am speaking now of hospitals and such institutions where a number of nurses are employed. One is always struck by the fact that a nurse who has been on night duty, even for a month, comes off very jaded and tired, and if she is kept at that work, as sometimes happens, for more than a month, she suffers severely in health. That I saw repeatedly whilst I was in Egypt during the war. There it was sometimes necessary to keep nurses on night work for longer than one month. Their health suffered, and it suffered at times to such an extent that they had to be invalided out of the service. So I maintain that wherever night work can be abolished, it should be abolished, and I maintain that night work is not necessary in the baking trade. The only argument so far that I know has been advanced in favour of it is the fact that the public like to have new bread. There are some people, and even members of Parliament amongst them, who have the digestive powers of an ostrich, and they are able to assimilate food like the ostrich. They like new bread. But even those ostriches, like my friends, would be much healthier if they did not partake of new bread. In any case, their taste, which is a somewhat perverted one, even though it be perhaps natural, can be catered for by the baker if he will put his bread into air-tight envelopes. In that way the moisture

of the bread can be preserved, and those who regard new bread as a delicacy can have the opportunity of taking the envelope off the bread and imagine that they are partaking of bread that has been freshly baked. I cannot understand why it is that the baking trade do not adopt that method of putting up the bread into air-tight paper envelopes. It would not be an expensive matter, and it would have another great advantage, namely, that it would protect the bread from flies. As everyone knows—at least I hope everyone knows, although I am afraid everyone does not act on it—there is nothing more harmful than the presence of the common domestic fly.

Hon. V. Hamersley: A good argument in favour of new bread.

Hon. A. J. H. SAW: A good argument in favour of sealed envelopes and protecting the bread from the flies, and not only bread, but also sugar and milk, on which flies have a very harmful effect. It is well known that a large proportion of infantile diseases is brought about through the medium of flies. I should like to have a large photograph stuck up in every household depicting the fly, first alighting on some unsavory object—I need not specify the exact nature of the object. From that object the fly partakes of a meal and shortly afterwards it flies away and then alights on some article of food. When a fly alights on the food, the first thing it does before it prepares itself for another meal, is to vomit, and it vomits the contents it has absorbed from the unsavoury article on which it first alighted. The result is that where typhoid or dysentery is prevalent, flies are the greatest channels of the dissemination of these two diseases. If the baker and the public would only learn that, they would insist on seeing, even though the bread be not delivered in air-tight envelopes, and protected from flies, that as soon as it got into the house it was kept secure from the ravages and onslaught of flies. Personally I would have gone further with reference to the restriction of hours than the Bill proposes, but as the hours have been agreed upon at a conference between the master bakers and the employees, I intend to support the hours set out, particularly as it will be within the province of the Arbitration Court to say what particular hours should be worked. I would also draw attention to the fact that hours that may be desirable in the summer are not necessarily the best hours to work in the winter. If the court does regulate the spread of hours, I trust it will bear that fact in mind. For there is no harm whatever in starting work at 5 a.m. in summer, in fact it is conducive to health, especially if the work ceases during the hottest hours of the day. I do not understand why we have not in Australia the custom of taking a midday siesta. It obtains in every other hot climate. It would be conducive to health in Australia if work was suspended from 1 p.m. to 3 p.m. during the period from December to April.

Hon. J. Cornell: What is wrong with doing away with work altogether?

Hon. A. J. H. SAW: Perhaps some members of Parliament may be in that happy position, but I am not one of them. I hope the House will take seriously into consideration the injurious effect on the health of employees of having to work through the night. I can readily understand the effect it will have on the night baker who goes back to his home and has to try to sleep during the hot hours of a summer's day, and through all the noises attendant upon the activities of the day, noises not only outside, but even inside the worker's own house. It may be that there are holidays or, if not that, when the children come back from school they are running about the house and making noises, as healthy children should do, although they disturb the rest of the bread-winner. Then there has been the bad influence, as pointed out by Mr. Gray, on the apprentices. Undoubtedly night work will have a more injurious effect on apprentices than on seasoned men, just as it is generally more injurious to the delicate constitution of a woman than to that of a man. I know from experience that night work is not desirable. I would support not only the abolition of night work in baking, but also its abolition in any other avocation in which it could be shown that night work could be reasonably abolished.

HON. E. H. HARRIS (North-East) [8.3]: The Bill appears to be one to compel bakers who are working for themselves to work the same hours as are prescribed for those employing labour. The Minister, in moving the second reading, said that both the employers and employees had been consulted and had agreed to the hours that those in the industry should work. I should like an assurance that the whole of the master bakers had been consulted, for I have reason

to believe that the consultation was restricted to those in the metropolitan area. I do not know that the innovation will be of any advantage to those in the country districts.

Hon. E. H. Gray: The spread of hours was designed specially to cater for them.

Hon. E. H. HARRIS: It may be just as necessary to those working for themselves in the metropolitan area. It may be that only for the sake of peace and harmony in the industry were the hours agreed to. The Minister made reference to the International Labour Conference. I have here a report of that conference, from which he quoted. I also want to quote two or three extracts to which the Minister did not refer. On the 12th January, 1925, the Minister for Labour in the British Parliament submitted certain amendments, some of which had been carried by the Conference. Here is what the British Minister said:—

> In regard to the proposed draft Convention respecting night work in bakeries, this Convention as it stands at present is not in a form in which it could be accepted by His Majesty's Government, and before they could accept amendments the following lines would be necessary.

He went on to indicate the lines of the amendments.

Hon. H. Stewart: Was that the Ramsay McDonald Government?

Hon. E. H. HARRIS: Yes, it would be. The report continues:—

> This prohibition applies to work of all persons employed in and making such products, but it does not apply to the work of an employer himself or any person working on his own account, or to work done by the members of the same family for their own consumption.

What was submitted by the British Minister for Labour was what I have quoted, where it was desired by them that a man working for himself should not come within the scope of the measure. That was not agreed to. Then the Minister quoted the final decision. The other proposed amendment that I wish to read was this:—

> For the purpose of this Convention the term "night" signifies such period as may be decided upon by the competent authorities in each country after consultation with the organisations of the employers and workers concerned; but such period shall in no case include either the interval between 11 o'clock in the evening and 5 o'clock in the morning, or the interval between 10 o'clock in the evening and 4 o'clock in the morning.

This was what was put up by the Imperial Parliament as suitable hours, and we have here lengthened them from 8 o'clock till 5 o'clock in the morning. The other important matter that the Honorary Minister did not quote to the House was Artiele 6, which reads as follows:—

> The provisions of this Convention shall not take effect until the 1st January, 1927.

So whilst this was agreed upon at the conference, it was also agreed that it should not come into effect until 1927. However, as suggested by some members, perhaps in that direction we are leading the way. I will support the second reading, because the parties chiefly concerned have agreed to the proposal, but I should like an assurance from the Minister that the majority of master bakers in country districts have been consulted.

HON. H. STEWART (South-East) [8.10]: Where the circumstances warrant the Bill, I do not think I can take any exception to the measure; but I feel that although we have had an intimation that the spread of hours will suit the master bakers in the country, it is by no means certain that all those country master bakers have given their support to the Bill. They are quite differently circumstanced from those in the metropolitan area.

Hon. E. H. Gray: They have been duly considered.

Hon. H. STEWART: Yet they tell me that they take certain exceptions to the Bill. One firm from Albany has written to me as follows:—

> I am enclosing a protest signed by all the bakers of Albany to let you see that we are unanimous in the matter concerning the Day Baking Bill about to be presented to the Upper House. Reading Wednesday's "West" I notice the discussion on the Committee stage of the Bill, and also the remarks of Mr. W. D. Johnson. His outburst concerning the conditions obtaining in Albany is easily accounted for. The secretary of the bakers' union, one Neilson, was down here recently and approached the three journeymen bakers in Albany with a view to getting their sympathy in the matter. He got short shrift from them all. Hence the spleen displayed by Mr. Johnson. I have two bakers in my employ; one has been with me for 16 years and the other for 11 years. Surely that gives the lie to Mr. Johnson's remarks.

I do not know what Mr. Johnson said. However, seeing that the secretary of the bakers' union, on going to Albany, got short shrift from the three journeymen bakers—

Hon. T. Moore: Are there only three there?

Hon. H. STEWART: I do not know anything beyond what is contained in the letter. Where there are three journeymen bakers and four master bakers, and two of the journeymen bakers have been in the one employment for 11 years and 16 years respectively, I think it will be recognised that there is mutual satisfaction between the two sections. The letter continues:—

I might point out that Albany as a port and summer resort is differently situated from the majority of towns in this State. We could never get through the work in the time mentioned in the Bill.

Hon. E. H. Gray: That is rubbish. Moreover, it is not true.

Hon. H. STEWART: I know the writer of this letter in his private life. He has occupied many honourable positions in Albany, and when he writes a letter like this, he is to be believed.

Hon. E. H. Gray: I say he is wrong.

Hon. H. STEWART: To say that a thing is wrong is not to prove it to be wrong. If the statements in the letter are wrong, the hon. member will have opportunity for refuting them.

The PRESIDENT: The hon. member should be allowed to read his letter without interruption.

Hon. H. STEWART: The letter continues:

We could never get through the work in the time mentioned in the Bill. When the men finish their shift I and the son do the rest. We are unable to pick up stray help in cases of urgency like they do in the city, and when I tell you that the trade almost doubles just for about four weeks in the summer, you will then realise the position. It would be no use to bring men from the city just for the short time mentioned as we have not the equipment and space for them all to work at the same time However, we must now leave the matter in the hands of the Legislative Council.

Hon. E. H. Gray: According to that they must be working three shifts.

Hon. H. STEWART: I have not made any calculation to find out whether that is the case. This shows that it would be well for us to consider the conditions appertaining to other places. When the Factories and Shops Act was before this House I endeavoured to point out the danger of unduly restricting those people who were in circumstances when it was not necessary to apply the law to them. It would be well for us to consider whether the present position would not be adequately met if the operation of the Bill were restricted to certain congested areas where necessity exists for an amendment of the law. One of the reasons why some people take exception to the Bill is that put forward at the Geneva Conference by the British representatives, namely that it will interfere with the rights of the individual. The general movement to regulate the hours of work and the conditions of employment as between employer and employee, shows a tendency to make the conditions harder for the individual of small resources, but possessing ability, and to prevent him from building up his own business. The tendency is to protect those who are in a larger way of business, and to make it exceedingly hard for new competition to arise. The tendency is in the direction of forming monopolies and combines, the very things that the industrial movement, by its platform, its constitution and its principles, sets out to oppose. This Bill would really permit what in theory the movement is strongly opposed to. It seems that there are two difficulties that we must consider. In the Bill itself there is nothing to which I can take exception, for I am not at variance with the sentiments expressed in it. I think, however, it is likely to cause hardship for those who desire to establish themselves with limited resources, and to build up a business. I also think it is liable to set up conditions that will create difficulties in some isolated parts of the State, which it would be better to exempt until the populations grow to such an extent that journeymen can be employed. Surely in outside places people can be trusted to work in the direction of their own convenience. The protests I have had come in two instances from country towns—not Albany— where the bakers safeguarded themselves to such an extent that many years ago they declined to provide hot cross buns for the community. These people are looking after their own interests pretty well. There would have been quite a good market for them, but they would not go to the bother of making the buns and turning them out on Good Friday morning. I have had telegrams and letters from four other portions of my province. I shall be looking for replies to the letters I have sent asking for further information from these people as to whether the additional spread of hours has removed all opposition. My actions concerning the Bill will depend upon

the nature of the information I shall receive in the replies to the letters I have sent.

On motion by Hon. V. Hamersley, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

In Committee.

Resumed from the previous day; Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 8—Amendment of Section 42; members of the court:

Clause put and a division called for.

The CHAIRMAN: I see that Mr. Lovekin has moved across the Chamber. He cannot do that after the tellers have been appointed. I rule that he must vote with the ayes.

Hon. A. LOVEKIN: I would draw your attention, Sir, to the fact that I had moved across the floor before you had finished appointing the tellers. You did not look up.

The CHAIRMAN: If the hon. member gives me his assurance that he had moved across the floor before the tellers were appointed I must accept that assurance.

Hon. A. LOVEKIN: I rose from my seat as you were appointing the tellers. You had called the name of Mr. Burvill, but had not added the word "teller" when I moved. Before you had said the last word I had moved from my seat.

The CHAIRMAN: As there seems to be some doubt on the point, under Standing Order 167 I will divide the Committee again, and will put the question once more from the Chair. I will accept the hon. member's assurance.

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

Ayes	.. .. ..	8
Noes	.. .. ..	10
Majority against	..	2

Ayes		Noes	
Hon. J. E. Dodd	Hon. J. W. Hickey	Hon. C. F. Baxter	Hon. E. Rose
Hon. J. M. Drew	Hon W H Kitson	Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. E. H. Gray	Hon. T. Moore	Hon. A. Lovekin	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. J. R. Brown	Hon. J. M. Macfarlane	Hon. H. Stewart
	(*Teller.*)	Hon. J. Nicholson	Hon. A. Burvill
			(*Teller.*)

Pair.	
Aye.	No.
Hon. J. Cornell	Hon. H. J. Yelland

Clause thus negatived.

Clause 9—Amendment of Section 43:

Hon. J. CORNELL: This clause is consequential on the previous clause, and so are Clauses 10, 11, 12, 13, and 14.

Clause put and negatived.

Clauses 10 to 14—negatived.

Clause 15—Amendment of Section 58, jurisdiction:

Hon. E. H. HARRIS: I move an amendment—

That subparagraph (i) of paragraph (b) be struck out

The subparagraph reads—

The court shall have jurisdiction to settle and determine (i) all industrial matters and disputes referred to it by the Minister, as being proper in the public interest to be dealt with by the court, and irrespective of whether the parties to any dispute are registered industrial unions or not, if the dispute has caused a cessation of work:

Now comes the part I take the strongest exception to—

Provided that where there is a registered industrial union of workers connected with the calling to which the industrial matter or dispute relates, such industrial union shall be a party to the proceedings, and the award shall be made an issue with reference to such union.

Thus an organisation which does not come within the provisions of the Act can be admitted to the court at the instance of the Minister, and the award brought about by the unregistered body can be made binding on a registered body, which is utterly unfair. If organisations refuse to become registered, they do not deserve to be considered by the court.

The CHIEF SECRETARY: The object of the subparagraph is to widen the jurisdiction of the court. The subparagraph enables the Minister to refer matters to the court and he should have this right whether or not the parties to a dispute are registered unions. The action of a small unregistered body of men may affect thousands of men. A case

in point occurred in connection with the wood lines and the goldmining industry.

Hon. E. H. Harris: I am glad you mentioned that case.

The CHIEF SECRETARY: Trouble on the wood lines lasting any length of time would undoubtedly mean the closing of the mines, and the throwing out of work of thousands of men. Similarly the hodcarriers, who are unregistered, could, by striking, stop the entire building industry. No Minister would intervene in a matter of this kind, unless there was absolute necessity for his doing so. Ministers have quite enough to do without taking up a trouble of that nature unnecessarily. The court would decide the dispute referred to it. Under the existing law there is no power to compel any unregistered body to go to the Arbtiration Court, no matter how great the dimensions of the dispute.

Hon. J. CORNELL: Last session I opposed this provision because I could see no necessity for it, and did not think it desirable that the Minister should have such a power. The salient point governing the whole position is that to-day the Arbitration Court has no power until approached by a fairly rough road. The Arbitration Court ought years ago to have been given power to deal with all industrial disputes of its own motion, without reference to the parties. I support the amendment.

Hon. J. E. DODD: For several reasons I support the amendment. The intention of the Bill as drafted is good, but I do not like the idea of placing more power in the hands of the political head. Under the Bill the court, if it wishes, can bring the parties before it whenever a dispute occurs. This paragraph goes much further, practically making the Minister an autocrat in industrial disputes. A cessation of work at any time is an offence against the Act: no one is allowed to strike. Yet we are to give the Minister power to submit a case to the court when a strike has occurred. That power would be rather a dangerous one to give to the Minister, especially as paragraph (a) enlarges the powers of the court.

Hon. W. H. KITSON: I oppose the amendment. Paragraph (a) certainly widens the powers of the court, but only as regards registered organisations. In the case of unregistered organisations the court has no power to deal with any industrial dispute in the absence of a provision such as we are discussing. Some hon. members say that it is their desire to bring about industrial peace, but I am coming to the conclusion that their desire is to prolong industrial disputes. We have an example of that in the refusal of the Committtee to allow the A.W.U. to register under the State Act. In view of that decision it is advisable we should retain in the Bill the provision enabling the Minister to refer disputes to the court. There are other organisations that have not availed themselves of the opportunity to register under our Act.

Hon. E. H. Harris: They have refused to do so.

Hon. W. H. KITSON: If the provision under discussion be retained in the Bill, it will enable the Minister to deal with those organisations as well and, in the event of a dispute that may affect the members of registered organisations, or others, he will have the power to step in and refer the matter to the court, thus preventing disputes or, at any rate, preventing the prolongation of disputes.

Hon. A. Lovekin: But there is already power under Section 120 of the parent Act enabling the president of the court to take action.

Hon. W. H. KITSON: That position is entirely different.

Hon. J. CORNELL: Mr. Kitson has not stated the position fairly.

Hon. E. H. Harris: He side-stepped it.

Hon. J. CORNELL: His remarks would indicate that the power is vested in the Minister with regard to unregistered unions only. It will apply equally to registered unions. I do not think any Minister should be placed in the position of being able to decide whether the matter to be referred to the court was in the public interest or not, because such a Minister may be prejudiced. To-day trade unionism is practically 80 per cent. political and 20 per cent. industrial, with the result that very often the industrial sphere is subordinated by the political side. I do not say that the present Minister for Labour, Hon. A. McCallum, would be biassed any more than another Minister. If the Leader of the House will bring forward an amendment vesting the court with the powers now sought for the Minister, I believe hon. members would agree to it.

Hon. H. STEWART: If we arranged the Bill after the style of a genealogical tree, we would place at the head of it the one in control from whom all other powers descend. Last year the Minister told us

that he wanted the president of the court to be at the top and for everything to come through the president. Thus, in developing the genealogical tree I refer to, we would place the president at the top and taking the various parts of the Bill we would find eight distinct branches descending from the president of the court, embodying the various powers of the court and the steps that can be taken to deal with industrial matters. As the Bill stands, however, we find that the president has a partner in the Minister. Thus he must be also put at the head of a genealogical tree, and we find that from the Minister are three offshoots embodying the powers vested in him. It might be advisable to leave some such power as that set out in the subclause if there is any doubt about the position arising from the non-registration of the A.W.U. That object would be gained if the words "referred to it by the Minister" were struck out of sub-paragraph (i) of paragraph (b).

Hon. A. Lovekin: That would get back to Section 120 in the parent Act.

Hon. H. STEWART: It would be better to leave this power in the hands of an independent person such as the president of the Arbitration Court.

Hon. A. LOVEKIN: Mr. Stewart has hit the nail on the head. If we left out the few words relating to the Minister we would get back to Section 120 in the principal Act of 1912. That sets out the powers vested in the president to convene a compulsory conference. The amending Act of 1920 contained a further extension of the powers of the president enabling him to appoint commissioners to deal with industrial matters with a view to securing an agreement between the parties, failing which, power was given to refer the matter to the court.

Hon. E. H. Harris: Many conferences have been held under that provision.

Hon. A. LOVEKIN: In view of the existing legislation the provision in the Bill is unnecessary. I do not see why it is necessary for the Minister to come into it at all.

The CHIEF SECRETARY: There is and always will be a Minister charged with the administration of the Act, and he is responsible to Parliament. The clause in the Bill gives power to the Minister not to settle a dispute, but to refer it to the court in his capacity as the administrator of the Act. He would have no power to settle a dispute.

Hon. J. J. Holmes: What is the President for?

The CHIEF SECRETARY: Remove the paragraph and there will not be in the existing Act or in this measure any power to intervene to settle a dispute in which an unregistered union is concerned.

Hon. A. Lovekin: It says any person.

The CHIEF SECRETARY: Mr. Lovekin referred to Section 120 of the Act. That has no application; it gives the President power to convene a compulsory conference to prevent or settle an industrial dispute. An industrial dispute is a dispute between a registered union of workers and a registered association of employers. Where there is an unregistered body there is no power for the court or the Minister to intervene with a view to settling a dispute. The clause would give the Minister power to send a case to the court. No sane Minister would refer a case to the court unless there was grave reason for so doing. If he acted otherwise, he would make himself foolish in the eyes of the public. A Minister is charged with great responsibility and has to live up to it.

Hon. E. H. HARRIS: We have some unregistered organisations, and when it suits the registered people they will say that the unregistered ones are bogus organisations. The men who cut firewood for the mines are an unregistered body, but they are affiliated with a registered union. They have refused to be registered, because they say they can get better terms otherwise. They go to the employers and threaten to hold up the industry. If one section of the railway employees, for instance, were not registered they could hold the others in the palm of their hands. Such a body, with the aid of the Minister, could take the registered bodies to court and bind them. That would not be fair to the registered organisations. A number of workers engaged in the industry could thus defy the whole community, and when a stage was reached that the public feared a complete hold-up, an appeal could be made for a conference.

Hon. W. H. KITSON: Section 120 of the Act gives the President power to summon a conference, but the Act confers no power after he has done that.

Hon. J. Cornell: The previous section provides that power.

Hon. E. H. Harris: That is pure camouflage and nothing else.

Hon. W. H. KITSON: We know what has happened. Many compulsory conferences have been called and the disputes have not been settled, but have been referred to the court. Some of them have not been settled for months afterwards. My organisation had to wait for close on three years after a compulsory conference, and then the case was not heard. The members had to resort to direct action to get consideration of the claims originally submitted to the court.

Hon. E. H. Harris: Does that justify this provision?

Hon. W. H. KITSON: Mr. Harris has referred to a section of the A.W.U., an organisation that members here last night refused to give an opportunity to register. The firewood cutters are a section of the A.W.U., and they could throw the whole industry at Kalgoorlie idle.

Hon. J. Cornell: This Chamber has not decided that the A.W.U. cannot register. It has only decided that they cannot register as they desire.

Hon. W. H. KITSON: We have decided that the A.W.U. cannot register under the Act in accordance with their present constitution.

Hon. E. H. Harris: And they refuse to alter their constitution to meet the situation.

Hon. W. H. KITSON: The time will probably come when this Chamber will have to take the responsibility for an industrial dispute.

Hon. J. Cornell: Threatened men live long.

Hon. W. H. KITSON: When a dispute occurs members of this Chamber are generally the first to say, "Why don't you go to arbitration?" Yet they refuse to give facilities for arbitration because they do not like the form of a particular organisation.

Hon. J. Duffell: Why don't you take advantage of arbitration?

Hon. W. H. KITSON: We do every time.

Hon. A. Lovekin: Why, you cannot get a meeting of members or take a ballot, and half a dozen executive officers conduct the business.

Hon. W. H. KITSON: I ask that that statement be withdrawn. The hon. member knows it is not correct.

The CHAIRMAN: If the hon. member regards it as personally offensive, Mr. Lovekin must withdraw it.

Hon. A. LOVEKIN: I see nothing objectionable in it. I merely pointed out that we had refused to agree to the registration of a union which could not hold a meeting of members or take a ballot because the members were scattered from Wyndham to Eucla. Surely there is nothing offensive in that! If there is, I shall withdraw it.

Hon. W. H. KITSON: The hon. member said the organisation was under the jurisdiction of half a dozen executive officers. There is no industrial organisation in the Commonwealth that has greater local autonomy than has the A.W.U. There is not a section of the union that cannot deal with its own business, wherever its members may be. Yet the hon. member says they are dominated by half a dozen members of the executive.

Hon. A. LOVEKIN: I had no desire to be offensive. If members of a union are scattered from Wyndham to Eucla on the one side and from Port Augusta to Perth on the other side, it is very difficult for them to hold a meeting, and it must be equally difficult for them to take a ballot. In view of the difficulty to hold a meeting or take a ballot the business must be conducted by someone, and obviously the executive committee must be the persons who conduct the business. Therefore the union must be in the hands of the executive. I see nothing offensive in drawing that deduction from those facts.

Hon. W. H. KITSON: The A.W.U.'s rules provide that wherever there are 10 or more members they may appoint their own representatives and conduct their own business.

Hon. E. H. Harris: Exclusively?

Hon. W. H. KITSON: Under the rules. That is a provision that no other organisation in the Commonwealth has in its constitution.

Hon. A. Lovekin: Could they draw cheques and so on?

Hon. W. H. KITSON: No.

Hon. J. J. Holmes: Could they take ballots?

Hon. W. H. KITSON: Yes, and they hold secret ballots, too.

The HONORARY MINISTER: Mr. Harris referred to the firewood workers. His principal objection was that they were not a registered section of the organisation and consequently could hold up the whole of the Golden Mile at any time they liked. If Mr. Harris's argument will stand, the whole Golden Mile will have a better chance of being held up to-morrow morning. The position is that the organisation to which

the men referred to belong, is part and parcel of the bigger concern in the State whose keen anxiety is to see that every industry is kept going. It is wrong for the hon. member to make statements that he knows are not correct. If the issue were brought about in the direction that the hon. member suggests, it would not make for industrial peace.

Hon. E. H. HARRIS: The mining section of the A.W.U. is a registered entity. The wood-cutting section is also registered. The mining industry branch can cite the employer to settle the conditions of work for those on the Golden Mile, but the men supplying firewood who are part and parcel of the same organisation deliberately refuse to be registered. History has proved that when they have had a strike, the mining industry branch has been appealed to to use their influence with those men not to hang up their comrades, and they refused.

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

Ayes	..	..	14
Noes	..	..	6
Majority for		..	8

AYES.

Hon. A. Burvill	Hon. A. Lovekin
Hon. J. Cornell	Hon. J. M. Macfarlane
Hon. J. E. Dodd	Hon. J. Nicholson
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. H. Stewart
Hon. J. J. Holmes	Hon. E. Rose
	(Teller.)

NOES.

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

Amendment thus passed.

Hon. A. LOVEKIN: In view of the amendment just carried, I move—

That in line 5 of sub-paragraph (iv) "the Minister" be struck out and "a Commissioner" inserted in lieu.

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

Clause 16—Conciliation:

Hon. A. LOVEKIN: I move an amendment—

That in lines 3 and 4 of proposed Section 61a, the words "or the president as the case may be" be struck out

The CHIEF SECRETARY: It is necessary that these words should appear. Members will find them in Section 120. It is the president who handles the compulsory conferences and not the court.

Hon. J. Nicholson: Yes, you are right.

Hon. A. Lovekin: I will withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 17—agreed to.

Clause 18—Amendment of Section 63:

Hon. J. NICHOLSON: I move an amendment—

That in lines 5 and 6 the following words be struck out: "And the proviso to Subsection 4 of Section 63 of the principal Act is hereby repealed."

The effect of the proviso is to prevent legal practitioners from appearing before the court. The clause prescribes that that proviso should be repealed. I say that is wrong.

The CHIEF SECRETARY: I am opposed to the amendment, for it would enable solicitors, as at present, to appear in court in respect of prosecutions under the Act. We wish lawyers to be kept out of the Arbitration Court in all circumstances. The workers are prepared to send along laymen to the court, and what is good enough for the workers ought to be good enough for the employers. A decision on the facts is what is required, not a decision on technicalities, as invariably happens when lawyers appear. I am told that the Boot-makers' Union filed a plaint before the Federal Court in Melbourne, and that it cost them over £10,000 before they got through the technicalities prior to the opening of the case.

Hon. A. J. H. Saw: Was that where somebody was charged with an offence?

The CHIEF SECRETARY: Yes, and so many points were raised that the lawyers' bills amounted in the aggregate to £10,000.

Hon. A. J. H. Saw: Can you tell us how much it cost the people for whom the lawyers appeared?

The CHIEF SECRETARY: No; goodness knows! The existing Act prescribes that the court should consider equity, good conscience, and the merits of the case. That principle applies only partially in the administration of the Act. It should be unrestricted in its application, so that we may

have commonsense decisions involving as little cost as possible.

Hon. J. NICHOLSON: The argument used by the Minister will scarcely hold water, for the reason that the bootmakers' case was not a case in which one of the parties was charged with an offence, but was a case where one of the parties was seeking to get to the court, and was disappointed because of the various hurdles raised. One cannot take exception to that. But this clause is going to preclude both the worker who may be charged with an offence, and the employer who may be charged with an offence, from getting legal assistance. In the administration of justice it is a well recognised principle that no man should be without some competent person to assist him. Yet here we are setting up a new principle on the hypothesis that it will do away with a certain amount of expense. Is that going to secure justice? It is only going to increase expense. If legal points be raised, how can a layman on either side secure justice? It would result in a grave miscarriage of justice. I hope the proviso will be retained.

Hon. E. H. HARRIS: The Committee should aim at equal opportunity for both parties before the court to have their cases properly put.

Hon. J. R. Brown: The worker has not the necessary money for that.

Hon. E. H. HARRIS: The Act provides that each side may be represented by counsel in certain cases. What will happen if we take that out? Assuming that some unfortunate widow whose husband has been killed buys a little business with her compensation money. She knows nothing whatever about industrial legislation. We provide that union secretaries shall have the powers of factory inspectors to inspect that unfortunate woman's business. What hope would she have against someone, such as Mr. Kitson, appearing before the Arbitration Court? None at all! That woman, I say, should be privileged to be represented by counsel. Numerous union secretaries are well acquainted with the Act and can put up a case against which the ordinary shopkeeper would have no chance. It would be more equitable to leave the proviso as it stands.

Hon. A. J. H. SAW: I am surprised at the moderation of those who framed this clause. They propose only that anybody charged with an offence shall not have skilled assistance in the court. I expect that should another arbitration Bill be brought to the House next session it will provide that in the event of any employer being charged with an offence, no defence shall be heard from him, and he shall be summarily convicted. Surely he should be entitled to retain a competent person to appear for him!

Hon. W. H. KITSON: I am sorry if I have created the impression that I would be a party to oppressing a poor widow woman keeping a small shop.

Hon. E. H. Harris: Not oppressing her; merely putting up a good case against her.

Hon. W. H. KITSON: Very few employers are not members of the Employers' Federation, or some other association formed to protect their interests. Those organisations are just as capable of looking after the interests of their members as is any trade union secretary. Wherever we can obviate the legal technicalities always introduced when solicitors are engaged, we shall get on so much the better.

Hon. J. Nicholson: My experience is that it intensifies the difficulties.

Hon. W. H. KITSON: That is not the experience of those intimately connected with industrial matters. The further we can get away from the atmosphere of the law court, the more successful will be the efforts to bring about a satisfactory settlement. The moment counsel is engaged on either side, the hearing becomes a battle of law points. These technicalities take time and prove costly. Moreover they afford opportunity for further disputes. An impartial tribunal such as the Arbitration Court should be, is quite capable of judging on the facts presented by both sides as to which side is in the right. If the President of the court is not satisfied with the evidence, he may elicit such evidence as he requires. I have no personal objection to the legal fraternity, but I know they make the best of a good thing when they get the opportunity.

Hon. J. CORNELL: If any credence can be attached to the remarks of Mr. Kitson, the legal fraternity has well earned the name of the devil's brigade. No undue hardship has been inflicted in the past by reason of the appearance of counsel in the Arbitration Court. No one is obliged to engage a legal advocate.

Hon. W. H. Kitson: We have to compete against them.

Hon. J. CORNELL: Trade union advocates can hold their own pretty well. I cannot admit that any reputable firm of solicitors will drag out a case merely for the sake of getting their fees. There are some lawyers, of course, who have battened on the Labour movement for all they were worth and who, when their costs were taxed, have had their bills cut down by half. If there are harpies in the legal profession on the employers' side they are also to be found on the Labour side. Mr. Dwyer, who represents Labour cases in the Arbitration Court, does not string out a case because of the fees, and the same thing may be said of Mr. H. B. Jackson. People should be enabled to employ a solicitor if they so desire.

The HONORARY MINISTER: It is not a question of harpies on one side or the other. The Arbitration Court was designed as a simple tribunal where industrialists could have their difficulties settled. I see no reason for legal gentlemen being employed there. Wherever counsel has been employed in these matters costs have gone up without any advantage accruing to either party. The cases may also be prolonged because of the legal argument that is constantly brought forward.

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

Ayes	14
Noes	6
Majority for	8

AYES.

Hon. A. Burvill	Hon. A. Lovekin
Hon. J. Cornell	Hon. J. Nicholson
Hon. J. E. Dodd	Hon. E. Rose
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. H. Stewart
Hon. J. J. Holmes	Hon. J. M. Macfarlane (*Teller.*)

NOES.

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

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

Progress reported.

House adjourned at 10 p.m.

Legislative Assembly,

Wednesday, 4th November, 1925.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

1, Workers' Compensation Act Amendment.

2, Goldfields Water Supply Act Amendment.

3, Water Boards Act Amendment.

4, Permanent Reserve A4566.

5, Forests Act Amendment.

6, Municipality of Fremantle.

7, Narrogin Soldiers' Memorial Institute

QUESTION—VERMIN DESTRUCTION.

Mr. GRIFFITHS (without notice) asked the Minister for Agriculture: Seeing that the Walgoolan-Westonia settlers desire to form a vermin board to fence 120 holdings against dingoes, will he insert an amendment to Clause 59 of the Vermin Act, No. 2 of 1919, to permit this district and others similarly placed to rate themselves at a higher rate than the Act provides, to enable them to pay off any advances for fencing in 20 yearly instalments?

The MINISTER FOR AGRICULTURE replied: I cannot say here and now whether I shall be able to make the amendment desired. However, I will see what can be done.

LEAVE OF ABSENCE.

On motion by Mr. Richardson, leave of absence for one week granted to Mr. Maley (Irwin) on the ground of urgent private business.