THE RESOLUTION OF SYMPATHY.

THE MINISTER FOR LANDS (Hon. C. Sommers) moved that an address be presented to His Excellency the Governor by the Hon. the President, with a request that he will forward the resolution of sympathy with the American people passed by this House, to the Secretary of State for the Colonies, for transmission to the Government of the United States.

Question put and passed.

ADJOURNMENT.

The House adjourned at ten minutes to 10 o'clock, until the next day.

Legislative Assembly,

Tuesday, 17th September, 1901.

Papers Presented—Question: Midland Railway, Rolling-stock—Question: Midland Railway, Immigration Conditions—Question: Coolgardie-Kalgoorlie Railway, cost of Duplication—Obituary: President McKinley, Address of Sympathy—Leave of Absence—Mining on Private Property Act (1898) Amendment Bill, first reading—Mines Development Bill, first reading—Health Act (1898) Amendment Bill, first reading—Public Works Acts Consolidation and Amendment Bill, first reading—Conciliation and Arbitration Act Amendment Bill, second reading (adjourned)—Police Act Amendment Bill (Lotteries), second reading (negatived)—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: Railway freight books of Eastern States and other colonies (moved for by Hon. F. H. Piesse).

By the MINISTER FOR MINES: 1, Return (moved for by Mr. Johnson), particulars of gold-mining leases surrendered in East Coolgardie district; 2, Return (moved for by Mr. Hutchinson), particulars of bonus granted to Countess Gold-mining Company for deep sinking.

Ordered to lie on the table.

QUESTION—MIDLAND RAILWAY, ROLLING-STOCK.

DR. O'CONNOR asked the Premier: Whether the report which the Government stated was being prepared, giving information as to the state of the rolling-stock, permanent way, etc., of the Midland railway, was yet prepared.

THE PREMIER replied: Yes.

QUESTION—MIDLAND RAILWAY, IMMIGRATION CONDITIONS.

DR. O'CONNOR asked the Premier: 1, Whether the Government could, under Clause 15 of the Midland Railway contract, 1886, compel the company to fence the unfenced portion of the railway line at the company's cost. 2, Whether the company had applied to the Government since 2nd September, 1888, for further permission not to fulfil the immigration conditions contained in Clauses 45 and 46 of the original contract. 3, If no further application had been made, whether the Government could compel the company to carry out its obligations *re* immigrants. 4, Whether the company had taken up any blocks of land less than 12,000 acres in extent.

THE PREMIER replied: 1, Subject to the conditions contained in that clause, the Commissioner of Railways may require the company to fence such portions of the railway as he may think fit, at the company's cost. 2, There is no record of such application. 3, The term for the fulfilment of Clause 45 has expired, and cannot now be specifically enforced. 4, No.

QUESTION—COOLGARDIE-KALGOORLIE RAILWAY, COST OF DUPLICATION.

MR. G. TAYLOR, for Mr. F. Reid, asked the Commissioner of Railways: What was the cost of the duplication of the Coolgardie-Kalgoorlie Railway, and to what extent, if any, had the traffic increased since the completion of the work.

THE PREMIER, for the Commissioner of Railways, replied: 1, £56,921 13s. 6d.; 2, Double line working was introduced on 4th ultimo, which may be taken as the date of completion. There has been no opportunity of arriving at the increase of traffic since that date.

OBITUARY—PRESIDENT McKINLEY, ADDRESS OF SYMPATHY.

THE PREMIER (Hon. G. Leake): Without notice, I desire to submit to this House a motion which I am sure will be considered with pain by every member of the House. It refers, unhappily, to the chief event of last week, namely the death of Mr. McKinley, the President of the United States, who lost his life at the hands of an assassin. The motion is in these words:—

This House deplores the untimely death of President McKinley, of the United States of America, and desires to express its heartfelt sympathy with the American people and the family of the late President in the great loss they have sustained.

This event must have been regarded with horror by all law-abiding people, and I am sure it is with pain we received the intelligence in this State. The late gentleman was an honoured statesman, and a noble character, whom not only the British people, but all British subjects in Australasia and elsewhere had learned to regard as the embodiment of a high political ideal, and one who was entitled to the profoundest respect. It is difficult to speak on subjects such as this, which stir the hearts and feelings of every man possessed of the slightest degree of humanity or honest sentiment; but our tribute of respect, small though it be, to the memory of so great a man is not to be found merely in the words of this motion. What little I can do, to ask the House to emphasise their feelings in this respect, I shall do, and to-morrow I shall ask them to adjourn over Thursday, which has been appointed as the day for the funeral of the late President, in order that we may thus by our actions as well as by our words mark that tribute of respect which is due in these circumstances. We cannot restore the dead to life, and perhaps at this distance we can do but little to assuage the suffering of those who are deep in grief. But what little we do, we do from our heart, and we do it as men prompted by the best feelings of humanity, and with the sincerest and most profound regret. We sympathise with a great nation in its sorrow, and we sympathise with the family in affliction. I submit this motion to the consideration of members, and I can only say I regret that circumstances have arisen which necessitate my moving it. I move the motion.

HON. F. H. PIESSE (Williams): I rise for the purpose of seconding this motion, and I am sure I only indorse the feelings of all in this House and of all in Western Australia when I say that the information which was conveyed to us by wire of this most dastardly act, must have sent a thrill of horror throughout the whole of Australasia. I am sure, too, that the words which have been uttered by the Premier in moving this motion are approved by the House, as they are indorsed by me. I feel that I cannot add any words to those which have been already uttered, except to say that I most sincerely sympathise with the nation which has suffered a great loss, and also with the relatives of the deceased statesman. I think it is my duty, and I am sure I am indorsing the opinion of the House in expressing my desire, to support the motion moved by the Premier.

Question put and passed.

THE PREMIER farther moved that the resolution be handed by the Hon. the Speaker to His Excellency the Governor, with a request that it be forwarded to the proper quarter.

Question put and passed.

LEAVE OF ABSENCE.

On motions by the COLONIAL TREASURER, leave of absence for one fortnight was granted to the member for East Fremantle (Hon. J. J. Holmes) and to the member for North Perth (Mr. R. Speight), on the ground of illness.

On motions by HON. F. H. PIESSE, leave of absence for one fortnight was granted to the member for Coolgardie (Mr. A. E. Morgans), on the ground of urgent private business, and to the member for Wellington (Mr. Teesdale Smith), on the ground of illness.

MINING ON PRIVATE PROPERTY ACT (1898) AMENDMENT BILL.

Introduced by the MINISTER FOR MINES, and read a first time.

MINES DEVELOPMENT BILL.

Introduced by the MINISTER for MINES and read a first time.

HEALTH ACT (1898) AMENDMENT BILL.

Introduced by the HON. W. H. JAMES (Minister), and read a first time.

PUBLIC WORKS ACTS CONSOLIDATION AND AMENDMENT BILL.

Introduced by the MINISTER FOR WORKS, and read a first time.

CONCILIATION AND ARBITRATION ACT AMENDMENT BILL.

SECOND READING.

HON. W. H. JAMES (Minister): In moving the second reading of this Bill, I realise, as we all must, that it is a Bill of the utmost importance. But luckily for me and luckily for any other member who is called upon to move the second reading of a Bill of this nature, the principle is already placed on our statute book, and therefore it becomes unnecessary to adduce, in the course of discussion, reasons to justify the principle on which the Bill is founded. Our Act of 1900 recognises this broad need, that as industrial disputes do arise, and as they cause an enormous amount of injury not only to those concerned but also to the country generally, it is desirable that there should be some tribunal by which those disputes can be settled. The present Bill is an amending one, and it has been stated in the Press that as we have the Act of 1900, it is undesirable to introduce an entirely fresh Act; that it is better to have amendments embodied in an amending Act, leaving the existing Act untouched. I venture to think that would be an entirely wrong method to have adopted. We have to bear in mind that this is a Bill which will be read by a great body of laymen; I suppose more laymen will read this Bill than any other measure placed on our statute book; and it is therefore desirable that we should have all the legislation dealing with this important matter inside the four corners of one Bill, instead of having it spread over two or more measures. That is the first reason. Even to a trained lawyer, I know of nothing more irritating and confusing than to get the principal Act on a particular subject, and have to read into it the amendments contained in amending Acts passed from time to time. It is perfectly simple once you realise what the amendments are and what they involve; but the process of arriving at this stage is often most irritating and annoying, even to those of us who are called upon day after day to construe statutes. We must also bear in mind that this new Bill contains a great number of amendments, not of very great principle perhaps, but none the less matters which do have an important effect on the machinery and working of the Bill, and if we were to leave the principal Act standing unaltered and to introduce an amending Act, we would have an amending Act almost as long as the principal Act. The great bulk of the amendments would be of comparatively small importance, but though small and numerous they require to be made for the purpose of securing the smooth working of the machinery which the principal Act creates. That is the second reason. Now there is a third reason, and I venture to think it is a decisive one. In the Act of 1900 we are not dealing with a measure around which any tradition has grown, upon which any legal decisions have been passed, or any sections of which have been interpreted either by the board or by the court. For all practical purposes we are dealing with an Act almost as new to this State as the Bill now before the House. Under any circumstances it is difficult to imagine how any Act could, in the course of twelve months, accumulate around it such an amount of tradition and create so many precedents, and give rise to so many implied rules and regulations, that it would be undesirable, on account of its age, to disturb it. There is a rule which applies when Courts are called on to consider cases of old standing, that though such cases may not be good law, they are nevertheless allowed to stand because they have been recognised for so long a period that the Courts assume that a practice has grown up, and that obligations may have been incurred on the strength of those cases, which it would therefore be wrong to alter. If there were circumstances such as these in connection with the principal Act, it well might be thought that in the amending Bill we should preserve the old structure which had become familiar to the people called on to administer or to live under it. We should, under such conditions, preserve the principal Act as far as possible, and

deal only with amendments in the amending Bill. None of these features exist in connection with the Arbitration and Conciliation Act of 1900. On the contrary, that Act can hardly be said to have been operative on the statute book, the ink which printed it was hardly dry before we heard complaints from various parts of the State and from all sides that amendments were necessary. I do not think any person who has studied the matter can fail to realise that amendments, and important amendments, are essential. That is the third reason. The fourth reason why I think it is desirable that the Act should be placed in one statute in itself, instead of being contained in a principal Act and an amending Act, is that when the Act of 1900 was passed, it was the desire of the draftsman and the desire of those who were responsible for the passage of the Act, to make it an up-to-date Act, to bring it as far as we possibly could in touch with the legislation of other States where similar enactments existed. We wanted the Act brought up to date, because we all realised that in legislation of this nature we are influenced, and very largely influenced, by public opinion dealing with such questions wherever it voices itself and makes itself felt in the first instance. In connection with labour questions, if among the laws of a sister State you find an Act analagous to any Act we have here, but conferring greater liberties or greater rights than our own Act, you cannot prevent the early creation of local agitation, for the purpose of having our own legislation brought into line with the legislation of that other more advanced State. That is a fact we must always keep before us in dealing with this class or indeed any class of caustic legislation. For these reasons it has seemed to me most undesirable that we should leave our principal Act standing and deal with amendments in a separate Act, thus having two Acts on our statute book. Now it may be that there is one reason, at all events, will be put forward in favour of keeping our principal Act intact. If you do that, then so far as the principal Act contains, deals with, or disposes of, controversial matters, you settle those controversies and leave the way free for other matters. None of us can anticipate such a thing under the present constitution of the House. If an amending Bill were introduced into this House, keeping itself quite free of controversial matters involved in the Act of 1900, all of us must realise that such controversial matters would have to be determined, that they would have to be fought out on the floor of the House, and that there would have to be divisions on them. The whole question has to be discussed, and discussed not only because all of us know more about the subject now than we did when the previous Act was passed, but also because we have now for the first time in this House a distinct party representing Labour. The member for Kanowna (Mr. R. Hastie), for instance, in dealing with a question like this certainly intends to make his voice heard, even though he may not succeed in influencing the House. Coming back to the Bill itself, we shall all agree that industrial disputes are injurious to the State; that, if possible, means should be provided for the purpose of settling disputes; and naturally the mind at once says that as in connection with our private disputes the law intervenes for the purpose of preventing people from taking matters into their own hands, so should the law intervene in connection with industrial disputes for the purpose of settling them. Now a law which establishes the Supreme Court, or any other court of justice, does not establish those courts for the purpose of guarding particular rights or limiting particular wrongs of individuals: the court is established in the interests of justice to secure that these private disputes shall not be settled by might, but that there shall be some tribunal to which reference can be made to settle disputes according to law and legal method. We realise the greater urgency for establishing a tribunal for the settlement of labour disputes because of the wide area these disputes extend over, and the amount of suffering they inflict on innocent persons. We also realise that strikes become more disastrous to the State, and inflict greater injury on the community, the more thorough the organisation either on one side or the other becomes. Before we had trade unions, there were practically no trade disputes. There could be none, because it was the employer then who held the control, and necessarily held the control; and the only way to secure a

power which could to a certain extent counterbalance the employer's power was to obtain it by means of organisations of the men. In dealing with this question, it is idle for us to beat the air and say even if we think that these organisations are noxious, or that they sometimes commit great mischief or great wrongs. We find them growing everywhere. They are not confined to any particular State or to any particular nationality. On the contrary, you find the greater and more extensive the civilisation of any particular country, and the higher its standard of education, so much more vigorous and extensive are these organisations. They exist, in fact, wherever you find civilised men. Of course, I am not using the expression "civilised men" in its broadest sense, as opposed to mere barbarians: I mean that these organisations exist wherever you find highly civilised and educated men. In the first instance these organisations experienced great trouble in impressing their value on the men themselves. They had to overcome the difficulty which is encountered elsewhere, and on almost every question, of impressing on individuals that union gives strength, and that by combination they secure a power which individual effort can never obtain for them. It took years and years of effort and sacrifice to impress that elementary principle, that elementary fact, on the workmen themselves. The men having acquired their organisations, however, two objects were placed before these organised bodies to attain: one was the right to be heard, and the other to obtain a legal status. It is this right to be heard which is called "collective bargain." I do not know why economists in dealing with this question should revel in expressions like "collective bargain." The expression does not of itself suggest exactly what it is; but, after all, it is a simple and natural sort of thing when one looks back and sees what these good people really mean by the use of the expression "collective bargain." The organisations having been established, their first difficulty in securing the right to be heard was that employers for years and years fought against the right of the organisation to represent the men who were its members. They thought, and very properly, that in the right to control and to deal with the individual man whom they knew, they had a much simpler way, and one involving difficulties which were much less acute. The men, on the other hand, realised that unless they secured that right to be heard collectively, unless the organisations which existed had the right by means of the executive to speak and be spoken to on behalf of their members, they individually would not secure the full power which their organisations would give them. It took years to get that right, but we know it is now generally recognised in the old country. Indeed, throughout the British dominions, wherever organised bodies of labour exist, employers as a whole recognise that it is on the whole better, under existing conditions, to deal with the organised bodies through their executives than to attempt to deal with the men individually. Then, there was the struggle for legal recognition. I referred to that when dealing with the Trade Unions Bill. I pointed out that legal recognition was given to unions by the Act of 1871, and that this recognition was made still more valuable by the Act of 1876, dealing with conspiracy and protection of property. What was the position when these two objects were attained? There you found organised labour with the right to be heard and possessing a legal status and that from that time onward trade unionism made enormous progress, not only in the accession of new members, but in the success of its operations. For, after years and years of struggling to perfect these organisations and acquire these objects the men had become trained and attached to them. It took some years, however, for the employers to realise that they also needed such organisations as the men had worked so successfully. After some years—no doubt of suffering—the employers realised that fact; and now we find organised labour on the one side and organised capital on the other.

MR. GEORGE: You have had a pretty good exemplification of that in America lately.

HON. W. H. JAMES: That is the position we find the two parties in to-day. In the first instance the employer, having at his disposal the power that capital gives, was able to control the worker. Then the worker found that the power of

organisation was equivalent to that of capital; so this power was acquired, and it protected him. Thereupon it was the employer who suffered, because he had not realised the value of organisation. The employer, in fact, looked on trade unionism in very much the same way as the employers of New Zealand looked upon the Industrial Conciliation and Arbitration Act passed in that colony—as a matter they need pay no regard to, as a matter of indifference. But when they awoke to the greatness of the issues at stake, when they realised that if they did not organise, the employees' organisations would master them, then the employers' organisations were formed and are now most powerful. Consequently the strikes of recent years, being contests of an organisation on one side against an organisation on the other have led to enormous evils. It is the fact that the employers are now organised and present their organisations against organisations of the men, which has forced on public opinion the necessity of inquiring whether there be not some method by which these disputes can be settled by other than the barbarous methods of strikes or lock-outs. People all realise that there should be some method and they ask, "Why should we not avail ourselves of arbitration? Why should not this system of arbitration which is so good when applied to private disputes, apply to industrial disputes also?" But the difficulty of applying the principle of arbitration which has not behind it the sanction of law, the force of law—that is, arbitration as to which there is no power to enforce an award—proved very great. Moreover when you are dealing with industrial disputes, it is extremely difficult to find a basis on which to work. In some cases the workmen and the masters agree that capital shall be entitled to a certain percentage of profit. Once you have such a basis, you can by arbitration very easily decide what is the amount of wages to be paid, or what are the conditions to be imposed. Again, if the workmen are prepared to say that wages shall depend on the selling price of the product, there you have a basis available to work on. So the most lasting of these arbitration bodies, the joint body existing in the old country which deals with the iron trade in the Midlands and the North of England—it was formed some time in the sixties—has been a standing board between the men and the employers, working on the principle that wages are, to a certain extent, to be regulated by the selling price of iron. That system of arbitration has been successfully carried out. The difficulty is that in very few cases have you got that basis. If men are fighting on the question whether they shall or shall not be employed side by side with non-unionists, no basis you can frame will settle that dispute. In 99 cases out of 100 disputes which arise it is impossible to get any basis you can seize hold of as a test to settle the dispute by. It is more or less a matter of chance, depending really on the personal element. That being the case, arbitration has not been adopted so widely as it should be, because both men and employers realise that in submitting themselves to arbitration they are embarking on an inquiry without either side knowing how it will end. But whatever may be the experience as to the practical working of arbitration in regard to laying down a rule by which every dispute can be settled, it appears to be unanimously felt that the very first step is to bring the parties together, and we apply to international disputes what we apply to ordinary disputes. We know how constantly disputes arise because neither party understands the other. Neither party appreciates the other, and neither is able to look over the hill and see what the other is doing. Experience shows it is desirable to bring the parties together as much as possible, to state their differences, and from this statement of their differences to bring about the removal of them. The most successful arbitrators have succeeded in bringing to settlement disputes in which there has been strong feelings on one side and the other; questions in dispute have been taken into consideration one by one, and it has been found in many cases that the parties have agreed on most of the items, and the dispute has been really over a small matter. That principle of conciliation which commends itself, I am certain, to every member of this House, not only as being the first step to settling industrial disputes, but also as the first step in settling every dispute, has been recognised not only by

individuals, but by Parliament. The existing Act dealing with this question in the old country is the Act of 1896, but legislation existed long before that date. The Board of Trade there has the power, on the appplication of either side, to refer a matter to a conciliation board, and on the application of both sides, arbitrators may be appointed by the Board of Trade; but it goes no farther than that. If the parties desire to settle their dispute by arbitration, this Act gives the machinery by which that wish can be carried into effect. In New South Wales they have an Act which was passed in 1899, and was based on the English Act of 1896, and in that case they provide that if a dispute arises the Minister may direct an inquiry into the cause and subjects of differences, and he may, if the parties fail to agree, direct a public inquiry. First of all it would be a private or departmental inquiry, and if that leads to no settlement, he can appoint a public inquiry. Either on the application of the employer or the employee, or both, he may appoint a person or persons to act as conciliator or a board of conciliation, or, on the application of both parties, he may appoint an arbitrator. That Act is based upon the English Act of 1896, and is in force in New South Wales. I refer to this for the purpose of showing that attempts have been made to settle these trade disputes. Many Parliaments have recognised that there is need for introducing some legislative machinery by which these differences can be settled, but all these efforts to do so by voluntary boards have failed. The parties will not come together, and they will not come together to a large extent because there is the difficulty of ascertaining what subjects are to be settled, and by what principle the decision is to be guided, and farther that if the award be made it cannot be legally enforced, there being no machinery provided for it to be enforced. While these Acts have not been a success, the existence of them does show that the first step is to bring the parties together, and experience also shows that when parties are brought together, and one party meets the other and the differences are stated, in many cases the differences are removed and the difficulties settled. I venture to think that in regard to any Bill we introduce we should recognise that historic fact, and not only historic in relation to trade disputes, but a fact of common experience to everyone of us in daily life; and in the machinery of the present Bill we provide there should be a recognition of the probability of settling disputes by bringing the parties together before boards of conciliation before you force them into an arbitration court. Conciliation Acts exist in various parts of the world; not only in English-speaking communities, but in continental countries, but it was in New Zealand that the effort was first made to introduce legislation and give to these boards' decisions the sanction of law. The new element is the element of legal compulsion, and we must not forget this most important fact that the most far-reaching consequences will result from the passing of such legislation, and the introduction of this element. Directly you introduce the element of compulsion, directly a tribunal has power to enforce its awards, the awards are indirectly fixed by the State. That is the root principle of this Bill. If a court be appointed to deal with wages and power be given to enforce its award, the State interferes and creates a tribunal to settle wages. You regulate wages by Parliamentary enactment by means of this tribunal created by Parliament. That is an important deviation from the usual principle, and it is flying in the face of the teachings of the Manchester school. I can understand that there must be a great number of people who believe that this interference by a State-created tribunal on the question of wages is an unwise and dangerous innovation. We must recognise that we are taking the first step towards regulating wages by the State, and that is a most important step, full of the gravest possible consequences. The New Zealand Act of 1894 was based on that principle, which is more openly expressed in the Factories and Shops Act passed in Victoria in 1896. Under section 15 of that Act they provide for a wages board, half the members of which are elected by occupiers of factories and half by those employed in factories. These have power of fixing the wages in respect to making, either inside or outside a factory, any article of clothing or wearing apparel, or furniture, or for breadmaking or baking. As applied to these particular industries,

this Act of Victoria is the first that deals directly with this matter, and contains in express language the principle which is underlying the legislation now before the House. It contains in so many words there what by existing legislation is secured in an indirect manner. I desire to point this out to the House, and I hope I am not wearying members, because it is an important principle, and you cannot avoid it. If you realise the impotence of voluntary boards; that it is utterly impossible to secure a settlement while they have no power behind them; and if you also realise that to give them that power you must have a board whose decisions can be enforced, you realise at once that in giving the necessary power to the board you give that power to a tribunal which, when questions of wages are being settled, will directly or indirectly — and to a large extent directly—control wages paid in industries. That may not be the case for a day or two, or for a year or two, but sooner or later that will come to pass: and that is the tendency in New Zealand where such boards exist. All of us must realise that this legislation is experimental. It must necessarily be experimental, but if experience shows us that voluntary boards are not successful, and that they are growing more and more unsatisfactory, so far as the settlement of disputes is concerned, and if the only element whereby we can settle these disputes is by means of a board with compulsory powers, we are called upon to either hold our hands and let things go on as they are, or else make this experiment. We have this experiment in New Zealand, where they passed their Act in 1894. Their first dispute arose in 1896, and last year, when they consolidated their Acts, they retained the boards of conciliation and also extended the operation of the Act. Apparently, therefore, the experience they had in New Zealand for four years cannot have proved the Act to be so disastrous. Every member has had placed before him a report by Judge Backhouse, and I think those members who have read the report will agree that I was quite justified in adjourning this motion until that report —so able, so impartial, and so interesting—was before them. I do not want to refer at length to this report, but I would like to point out words on page 44. He is referring there to a statement made by Mr. Ewington, reported in the *Hansard* of New South Wales. Mr. Ewington said:—

> It does not conciliate, but it exasperates, sets class against class, trade against trade, and it becomes an engine for assaults of big traders on little traders and on vested interests; also on the freedom of employers and of non-unionist workmen.

That is a criticism made by a man who has had no practical experience of the Act. Judge Backhouse goes on:—

> To read that, one would think that New Zealand was in a state of industrial strife which would not only paralyse all advancement, but would bring about retrogression. I saw none of the ill-feeling which has been painted in so strong colours. On the contrary, one of the things which struck me was the excellent relations which existed between employers and employees.

In a general summary on page 25, he says:—

> Although I have gone fully into matters in which the Act appears to be defective, I wish it to be clearly and unmistakably known that the result of my observations is that the Act has so far, notwithstanding its faults, been productive of good.

In 1899 the Government of Victoria sent over the Hon. R. W. Best (now Senator) and Mr. W. A. Trenwith to report on the Conciliation and Arbitration Act then in force in New Zealand. In their report they say, in reference to the Conciliation and Arbitration Act:—

> The matters brought before the boards and court are familiar industrial problems, and relate to the rate of wages, hours of employment, holidays, qualifications of workmen, piece-work, proportion of apprentices to master tradesmen, customs or usage of any trade, etcetera. Up to the present time, some 42 disputes have been brought before the boards by the employees, of which 10 to 14 have been settled by the boards, while the balance have been carried to the court for final decision. That so many cases reach the court for settlement is due to the fact that the boards have no power of enforcing their recommendations, even if mutually agreed upon, but very frequently the awards of the court corresponds with the recommendations of the boards.

I desire to emphasise that, because complaints have been made that in New Zealand the boards of conciliation have not been so successful as they should have been, and that too many cases have gone on to the arbitration court. The

explanation of that is pointed out in this report, and also by other testimony, namely that the boards have had no power behind them for carrying out their recommendations unless the recommendation of the boards are mutually agreed upon. Very often the case has to be carried to the arbitration court to give legal sanction to what is practically the boards' recommendation. They say, farther:—

We made careful inquiries as to how the operations of the Act were viewed from both the employers' and workmen's standpoint, and met leading representatives of each side. We were much indebted to the Right Hon. the Premier for arranging a conference for us with the members of the Court, Messrs. Thomson and Slater, representing employers and workmen respectively, together with several of the members of the Board of Conciliation for Wellington, with whom we fully discussed the working of the Act. We were assured that the more reasonable class of employers regarded the Act as fairly satisfactory, but there were other employers, however, who complained they had not the same exclusive privileges of managing their business as formerly. The Act is certainly popular with the workmen. Speaking at a special meeting of the Dunedin Chamber of Commerce on the 19th October, 1897, to consider certain Bills then before Parliament, Mr. Jas. Mills, the managing director of the Union Steamship Company, one of the largest employers of labour in New Zealand, is reported by the *Otago Daily Times* to have said that: "Personally, he thought the Conciliation and Arbitration Act was a very beneficent one, and one of the most important that had been passed, and he felt they were under a debt of gratitude to the present Government and Mr. Reeves for maturing the Bill and passing it in its present shape. Probably, the measure was capable of improvement, and it would be improved from time to time, but he was sure that compulsory arbitration was the true solution of all labour difficulties."

Hon. members who have read the speeches which Mr. Wise delivered in New South Wales last year on this question—and no member can fail to find those speeches full of interest and instruction quite apart from their charm of form—will remember that he quoted rather extensively from observations made by Mr. James Mills, of New Zealand, who is very strongly in favour of this legislation. I read there from a statement made by Mr. Mills in October, 1897, being three years after the Act had passed, and about a year after the first case arose under it. I may say, here, that Mr. James Mills is the managing director of the Union Steamship Co., in New Zealand, and in that position he is a large employer of labour. In an interview given to a newspaper reporter in July, 1899, Mr. Mills is reported to have said:—

As to my opinion about the Act, I think this method of settling disputes is on the whole satisfactory. Under the operation of this Act the parties can meet together, and after a little discussion the strength of each case can be pretty well judged.

He is asked, then, this question:—

Are employers generally in favour of the principle of the Bill?

Hon. members will notice that this question is put to a man who represents one of the largest firms employing labour in New Zealand, and his reply is:—

Yes; I think, generally speaking, they are. Of course it does happen that some employers fancy the Bill gives the greater chance to the men. Where many employers have lost, it has I think been owing to their having gone to the board or court unprepared. But any feeling of one-sidedness against the Bill will, I think, die out in time, and the machinery of the Act will be generally accepted as a fair and expeditious means of arriving at a settlement in industrial disputes.

Hon. members will see that we have the testimony from Judge Backhouse, who went there as an impartial observer, of judicial mind, unbiased in the matter; that we have the testimony of Mr. James Mills, representing a company which largely employs labour; that we have the report of Messrs. Best and Trenwith; that we have the actual experience of the working of this legislation in New Zealand; and that we have the fact that when an amending Bill came before the Parliament of New Zealand last year—and here I may say I have referred to the *Hansard* report of debates as to what was said—I can find hardly a word said against the principle of the Bill. While some of the members in that Parliament did object to some of the provisions, I cannot remember any instance where members objected to the principle as being bad in theory or practice. That is the testimony of men speaking after six years' experience. This also is to be borne in mind, that no measure like this can be in existence for six years, even in good times—and this measure has been in operation, so far, during a prosperous period in New Zealand—without its radical defects, if any, being made evident, though these

defects are no doubt more likely to arise in a period of depression. When in New Zealand such change from prosperity to depression occurs radical defects in the measure may become apparent which are now undiscovered. In the meantime, this measure has been in successful existence for six years, and I venture to believe that every year such a measure exists, each year adds 365 additional reasons for hoping that the measure will bear the strain of bad times. If the existence of this tribunal becomes a part of public opinion, then I am satisfied it will be a success. In any case, none of us can expect that in five or even in ten years a tribunal of such a novel character, exercising such extensive powers, and interfering with some of the most cherished opinions of so many English economists can come into popular and unanimous approval, become an accepted an inevitable part of our industrial life, even in ten or fifteen or perhaps twenty years. It will be experimental for a great number of years; then we shall have constant need to improve it and amend it as time goes on and to watch its working and maintain our faith in it. On the other hand we shall never be able to place on our statute book any tribunal capable of dealing with these disputes, unless we make a beginning: test and experiment and take some risk. It is a comfort to know that we are making a beginning on lines that commend themselves to one of the greatest colonies in the southern hemisphere, and to whom the working of this legislation in that colony has not so far been disastrous.

MR. GEORGE: They had the biggest disputes with the Government.

HON. W. H. JAMES: The New Zealand Act was amended several times after 1894, and in 1900 an amending and consolidating Act was passed and that measure is practically the Bill now before this House. If hon. members who have read Judge Backhouse's report will turn to a synopsis of the New Zealand Act, they will see, shortly, how that and also this measure is constructed. By the present Bill we propose one or two important alterations. Members will find that we copy the main features of the existing Act of 1900, and also the New Zealand Act as consolidated. We propose to continue boards of conciliation; and although there are many persons who think that the parties having a dispute should go directly to the court of arbitration, yet in this country of magnificent distances there are many reasons why that should not be the case. We should preserve the existing provisions for the formation of conciliation boards, and should extend their powers. We should give opportunity to bring the parties together before a conciliation board, because where discretion and tact are used in trying to arrange a dispute, the probability is that nine out of ten such cases can be settled by conciliation. It may be said, that the Bill now before Parliament in New South Wales provides for a court of arbitration only; but it is to be borne in mind that in New South Wales they have the Conciliation Act of 1899, and that Act exists side by side with the Bill. I notice that Mr. Wise, in speaking on this question last year, referred to the conciliation boards as having been an absolute failure, according to the report of the Labour Department. With due respect to Mr. Wise, I can find no part of the report by the Bureau of Labour which refers to the conciliation board as an absolute failure. Before the Bill of 1900 was introduced in the Parliament of New Zealand, the Department of Labour, in one of its reports, dealt with the question as to whether the parties should have the right to go directly to the court of arbitration without being compelled to go before the conciliation board. The Labour Report does not by any means suggest the removal or abolition of conciliation boards. On the contrary, the Labour Department were hesitating very much as to whether they should recommend to the Government that even when both parties agree, they should be allowed to jump over the board and go directly to the court. Not only can I find no evidence that the Labour Department has recommended the abolishing of conciliation boards, as Mr. Wise has stated, but I do find that in New Zealand, about the time this statement was made by Mr. Wise, a Bill was introduced by which the conciliation boards were retained and their powers increased. No doubt we shall have discussion on this point, but I approve of the boards as being obviously and historically proper,

and I can find no testimony or reasons to the contrary. When we pass away from that point we come to the next matter for controversy, which arises under the definition of "worker." In the existing Act the definition of "worker" is limited. Here it is not limited. Under this Bill:—

"Worker" means any person of any age or either sex employed or usually employed by any employer to do any skilled or unskilled manual or clerical work for hire or reward in any industry.

Members will no doubt recollect that when the Act came up last session, some heated discussion arose on the question as to what should be the definition of "worker." The definition then arrived at was a very narrow one indeed. I venture to say that the definition was so narrow that if it were strictly applied it would practically nullify the whole value of the Act. It was a definition—I think I am speaking rightly—which was limited by the Legislative Council. In the Act of 1900 the definition of "worker" is:—

Any person, of the age of eighteen years or more, engaged in any employment other than clerical, in the service of an employer, but shall not include—(*a.*) Persons engaged under a contract of service for a period of one month or over; (*b.*) Persons under the age of eighteen years, or, being over that age, if and whilst acting in the capacity of apprentices.

Thus by cutting out all persons who were employed under a contract of service for a period of one month or over, a means was provided by which the whole value of the Act could be destroyed; and I very much question whether in the existing unions now registered there are not a great number of members who do not come within the definition of "worker" in the Act of 1900. It does seem to me that if we once realise that this Bill is introduced, and can alone be justified, not for the purpose of satisfying the worker, and not for the purpose of satisfying the employer, but for the purpose of protecting and conserving the best interests of the State, we must see that our duty is not to limit the Act, but to extend it as far as possible, and to see that those parties between whom industrial disputes can arise will come within the definition, and therefore will be compelled to settle their disputes in the manner provided by the Act. Certainly I consider the definition of "worker" given by the old Act far too narrow. I greatly prefer the definition given here, to that given in the New Zealand Act, and the definition which the Bill introduced in New South Wales proposes.

MR. W. J. GEORGE: You will have all men "workers" then?

HON. W. H. JAMES: Certainly.

MR. GEORGE: All men are to be "workers" under this Bill?

HON. W. H. JAMES: I thought the hon. member has often said we were all doing work in this country.

MR. GEORGE: I certainly do say that.

HON. W. H. JAMES: Then we must pass an Act to include all. I think I am right in saying that the first great controversial matter we shall have to deal with will be the definition of "worker." We may have a discussion on the question as to whether conciliation boards should be created or not. That is a matter on which difference of opinion may exist; but this question of the definition of "worker" is a matter of so much importance that you can, by limiting the definition, absolutely destroy the Bill. The whole value of the Bill depends on the definition of "worker," and the discussion on that definition will be a discussion on one of the most vital parts of the Bill. My own opinion is strongly in favour of giving as wide a construction as possible to the word. Then we come to Clause 3, which deals with the question of unions. Now the clause provides:—

Any society consisting of not less than two persons in the case of employers, or seven in the case of workers . . . . . may be registered as an industrial union under this Act.

I notice that in the New South Wales Bill, in dealing with the definition of "employer," or rather in dealing with the number of employers who may form a union, rather a good method is adopted; and I desire to draw the attention of the House to that method. The New South Wales Bill does not allow any two employers to form a union: it only allows employers—

being not less than five . . . . . who . . . . . have in the aggregate throughout the six months next preceding the date of the application for registration employed on an average, taken per month, not less than 100 employees—

to form a union. So if that provision of

the New South Wales Bill were to apply here, no union of employers could be registered unless that union of employers amongst its members employed on an average 100 employees. But such a provision would be unduly restrictive in a State like this, where we have a small body of employers. On the other hand, however, I am inclined to think that to allow two employers to form a union is not advisable. The Bill desires to secure a better organisation of employers and men, and such a provision would, I think, be injurious to the best interests of employers: it would tend to cause friction rather than uniformity of action amongst the employers themselves. The question of the number of workers required to form a union is a very important one. Seven is the number in New Zealand. The number required under our present Act is 15.

MR. GEORGE: In the old Act it is 15?

HON. W. H. JAMES: Yes. Seven as provided by the Bill is, in my opinion, obviously too few. A great complaint made, and a complaint which seems to be well founded, is that where you have small unions, this Act which was made, brought forward, and passed for the purpose of settling industrial disputes, is prayed in aid for the purpose of settling trade squabbles: you find the machinery created by the Act used for the purpose of settling comparatively small matters, which ought to be settled by mutual concession and mutual forbearance. The inclination when some little matter crops up, to form a union and dash off to the conciliation board or arbitration court, should be checked. I think you could hardly have a really *bona fide* union of seven members. The number seems to be too few altogether.

MR. GEORGE: You would not have enough left for the officers.

HON. W. H. JAMES: They might all be officers.

MR. GEORGE: They would be, under this clause.

HON. W. H. JAMES: On the other hand, I understand there are in this State some bodies of workers which could not form a union of more than 12 or 15 members. An instance was given to me of the brass-founders in Kalgoorlie.

MR. GEORGE: Oh, nonsense!

HON. W. H. JAMES: I was told recently that there was a small number of brass-founders in Kalgoorlie. At any rate, this is the instance given to me. It was pointed out to me that in Kalgoorlie, where although a great number of people are employed you could not find a sufficient number of men in a particular trade such as brass-founders to form a union, or to form a branch of a union to which they might have belonged in the old country or elsewhere. Still, although they could not form a separate union at Kalgoorlie, perhaps they could join a union at Coolgardie or elsewhere—some other union which would meet their wants. In Clause 9 you have a clause which to a certain extent prevents the needless multiplication of industrial unions. For the purpose of argument let us take it that there is a small number of brass-founders at Kalgoorlie and a small number at Coolgardie: the power given under the clause could be exercised in this case to check the forming of two separate unions; that is, the forming of too many unions, unnecessarily many unions.

MR. MCDONALD: You are correct as regards the question at Kalgoorlie.

HON. W. H. JAMES: An instance was given to me where the point cropped up in the way I have stated. I express the opinion now, and I expressed the opinion then, that I think 15 too small a number. Personally I consider that the number ought to be 25. I do not see how you can have an efficient union of 15 members.

MR. GEORGE: Why have you got seven in the Bill, then?

HON. W. H. JAMES: Because I desired in introducing this Bill to follow as nearly as possible the New Zealand Act, so that members might see what the law was there, and that they might discuss proposed departures from it and decide whether we should or should not depart as proposed. I think that is far better. Twenty-five members would not be too few, I consider. Of course it is a matter for argument. We do not want to have any part of the Bill working an injustice. On the other hand, we have to bear in mind that one of the greatest difficulties in connection with the New Zealand Act has been that a great deal of friction arises when the great majority of a union wish to settle a dispute, do not desire to

work it up, and a minority then break off and form a separate union to fight out the dispute which a great majority of the old union desire to settle. In other words, the New Zealand Act gives too great a power to minorities, and we want above all things in connection with these industrial disputes to secure that the wishes of the majority shall prevail and be acted on. The same thing applies as regards the wishes of the majority of employers. If we can secure that the majority shall rule, we should do so.

MR. GEORGE: Has a minority no rights?

HON. W. H. JAMES: Of course a minority has rights; and we provide here in subsequent clauses that before a reference can be made to the court or the board certain meetings have to be held, and certain resolutions, which will secure fair representation of the minority, have to be passed by the majority. I think the member for the Murray (Mr. George) will agree with me that someone must rule, and that it cannot be the minority.

MR. GEORGE: I am only endeavouring to elicit whether the minority have any rights. I did not think they had any.

HON. W. H. JAMES: We cannot provide a Bill to give the minority the control: we are bound to give it to the majority. Under Clause 3 it will be a question for the consideration of the House—and I propose to discuss that question—as to whether we should not insist that an employer, under this Bill, should have some better qualification than that of employing one man, and whether a union of employers under this Bill should not be a combination of employers employing a certain number of men. It cannot be right that two employers each employing one man should form a union, and then have the same power, so far as the recommendations of a board of conciliation or so far as the recommendations of a court of arbitration are concerned, as a body of employers employing hundreds of hands.

MR. GEORGE: Under this Bill two partners in business can form a union.

HON. W. H. JAMES: That is provided for later. The partners could become members of a union, but they would not be a separate union. The partnership would be the employer. The clause says:—

> Any society consisting of not less than two persons in the case of employers. . . .

That clause requires to be carefully looked into. A great deal of discussion will probably arise on it. I hope it will be fully discussed, because the question involved is one of the utmost importance—the question of what should be the limitation of number in relation to membership of unions, either of employers or workers. I have already drawn attention to Clause 9, and I wish to bring to the notice of hon. members a suggestion made in connection with that clause. Clause 9, it will be seen, is introduced for the purpose of preventing the needless multiplication of unions, which is undesirable in the interests of existing unions of workers, and also in the interests of unions of employers, and is farther undesirable in the interests of the whole Bill. Clause 9 provides that if the Registrar, in order to avoid a multiplicity of names, refuses to register a society, the body concerned has a right of appeal. Sub-clause 2 provides:—

> Such society, if dissatisfied with the Registrar's refusal, may, in the prescribed manner, appeal therefrom to the court . . . .

In relation to the sub-clause, a suggestion which I consider a very fair one, has been made. It comes from the employers, and is that not only should there be a right of appeal in the society which has been refused registration, but also a right of appeal in any industrial union. If the workers think there is a needless multiplication of employers' unions, or the employers think there is a needless multiplication of workers' unions, they should have the right to oppose the registration of additional unions. I think that is fair. That is an important clause, because it deals with the number of unions. You come, then, to the question of industrial associations. Clause 20 is an important alteration in the provisions of the existing Act. You will see by this clause:—

> Any council or other body, however designated, representing not less than two industrial unions of the one industry of either employers or workers, may be registered as an industrial association of employers or workers under this Act.

If you have a certain number of unions

in one district, that body of unions can form an association. Under our existing Act there is no need for an association to consist of only those unions belonging to one industry, but it may consist of the unions belonging to various industries. I think that undesirable, because you want as far as possible to keep industries to their own lines. You do not want to have bodies of men controlling various industries, and there is no reason why if a dispute arises in connection with one industry, somebody else in another industry should be brought in to the dispute.

MR. W. J. GEORGE: The main conditions of labour are the same in every trade; only the details differ.

HON. W. H. JAMES: If the hon. member (Mr. George) will look at this important report by Judge Backhouse, and turn towards the end—and his own experience will confirm this—he will find that all these disputes are about details. If he will look at some of the awards, he will find such is the case. Take the award given on page 36. There are a number of details given on pages 36, 37, 38, 39, 40, and 41. That is all one award. If your award is to be extensive and to deal with details so minute as those, it should be determined by the body affected. If you have a dispute, say, in the bootmaking trade, why should it not be settled by those concerned in the trade?

MR. GEORGE: I will explain later on.

HON. W. H. JAMES: I venture to think it is desirable to keep these industrial associations limited to one industry, because it keeps the trouble exactly where it arises; prevents it from spreading. It does not bring on the scene persons who have no direct interest in the dispute. There is another important alteration, too, in Clause 21. In this Bill an industrial association has no power to vote for the board or to recommend the appointment of a member. That is left to be determined by the unions, and not associations. Clause 22 is a clause which, under certain conditions, may have the most extensive and far-reaching consequences, but it may be on the other hand most useful and necessary. It deals with the question of one industry being related to another, and as I understand the principle, it is that if any dispute arises which affects the price of any article, the employer shall have the right to say, "I want all questions affected to be dealt with, and not only one." Supposing you produce an article which has to go through five steps, and a dispute arises, the employer has the right to say, "I want to call in the 1st man, the 2nd man, the 4th man, and the 5th man, because all their wages affect the product, and I do not want, when you have settled with No. 3, to have numbers 1, 2, 4, and 5 cropping up, and to have to go over the same ground again." Take the instance of a bricklayer. Where you have a rise in wages given to a bricklayer, it is apt to have an effect on the mason, who thinks, "In the past I have had so much more or so much less: why should I not have the same proportion? He has been given a rise of 1s., why should not I?" Take the bootmaking. Clicking comes first, I think, and then the making of soles.

MR. GEORGE: They call them "snobs."

A MEMBER: Cobblers.

HON. W. H. JAMES: In bootmaking there are four steps. It is desirable these cases should be dealt with, because the wages of all the four men affect the price of the product. This clause would have a most extensive power, and if used unreasonably it might work great hardship, but I think this is a case where we should trust to the board or to the Court.

MR. GEORGE: One clause goes for separation, but in Clause 20 you want to bring them together.

HON. W. H. JAMES: No; it is a branch of the same trade. It does not follow that because in Clauses 20 and 21 you provide that your industrial association shall represent a particular industry, when a dispute arises you can only deal with the industry that raised the dispute. A dispute may arise in one industry, but the court would have power to call in other industries; and even if you struck out Clause 22, the court would have power to deal with each item or dispute *seriatim*.

MR. GEORGE: It seems to me one clause goes for separation and the other for a joint business.

HON. W. H. JAMES: I do not think one is for separation. Clause 23 deals with an industrial agreement, and the only new provision there, I think, is Sub-clause

4, which provides that industrial agreements once made shall continue in force in respect to all parties thereto, except those who retire therefrom. When you once make an agreement in New Zealand, although it is nominally for the term of three years, it remains in force until disposed of by an award. I see an injustice in that. If a party gets an agreement for three, four, or five years, at the expiration of that time it ought to end. If you are going to make it perpetual, you prevent people from making agreements. In Clause 34, which deals with the constitution of the board, I have put in that a board of each industrial district shall consist of either three or five persons. I understand three would be too few. If you have three, in the case of illness or absence of one you practically prevent the board from operating. At present we have seven, but I think that number too high, and I have a strong opinion that such is the case. If you have a chairman and three members for one side, and three for the other, the members of the board will want to show how smart they are, and will be continually making objections. I think that if you had three men they would arrive at a settlement more quickly and satisfactorily than would seven. But there might be a difficulty in regard to a quorum if you had only three. I think we may modify the number and make it five, but I hope we shall not go beyond five. Members will see that the term of office of the members of the board is fixed at three years, the same as in the existing Act. As to the regulations, you will find that No. 18 in the schedule provides for a cumulative vote in certain cases: One for 100, two for 300, three up to 500, and if over 500 four votes. As that clause is drafted now, for all practical purposes the effect would be that each union of industrial employers would not have more than one vote. There are not many cases where you will have more than 100 members of an employers' union, but as far as this voting is concerned the men and the masters do not come into conflict. By Clause 49 provision is made for a special board of conciliators to deal with certain cases. There may be a dispute which extends to one class of industry having peculiar features, and provision is made whereby the board may make a special award. Then we have a court of arbitration established, which is practically under the same provision as that existing now. I should like to point out that so far as our present boards and court are concerned, provision is made whereby an existing board and an existing court can be terminated to make way for quite a new body. That has become necessary, because at the time that elections were held there was not the same number of bodies as now, and there was not that interest in the matter which exists at present. It is thought that if there were a new election there might be a different body of men. Clause 69 deals with the jurisdiction and procedure of the court, and provides that a dispute may be referred direct to the court. That is a provision which is not in the New Zealand Act, and I very much question whether I would like it here. The effect of the provision is that before a dispute is referred to a board, the parties to the dispute on one side or the majority of them if they so agree, may say they want to go direct to the court. It means practically that before they go to the board they may refer the dispute to the court. In New Zealand they cannot do that.

MR. EWING: Quite right.

HON. W. H. JAMES: I very much question whether it is wise to interfere with the influence and prestige of the board. I know that the point is open to argument, but the more I think on the question the more doubtful am I of the advisability of such provision.

MR. SAYER: It was inserted by the Council, I think, last year. It was not in the original Bill as drafted.

HON. W. H. JAMES: No; it was not in the original Bill. There are several matters I shall have to pass over. I was dealing with the question of jurisdiction under clause 69. The court is in this position, that it deals with disputes which either party may refer to it; it also deals with disputes which are referred to it by the board of conciliation; and it deals with cases in which the decision of the board is not accepted by one or other party. Therefore, disputes may come to the court in any one of three ways. Firstly, the board may send disputants there; secondly, after the conciliation board's decision is given, if the disputants are not satisfied with the recommendation of that board, they can appeal; and thirdly, under

Clause 69 either party may go direct to the Court. The Court consists of a Supreme Court Judge and two other persons, one person being recommended by the employers' unions and the other person being recommended by the workers' unions. These three persons form the court of arbitration, and they have extensive powers set out in the Bill, from Clause 68 onward. They have power, by Clause 92, to enforce their award by imposing penalties up to a certain sum. These penalties must be paid by the union itself; and if the union as a body has not got the money, the court has the right to impose payment from every individual member up to £10 per head in the workers' union. We come to Clause 107, which deals with the Government railways. Under the New Zealand Act provision is made by which they recognise the society known as the Amalgamated Society of Railway Servants. When the first Act was passed in New Zealand, the railways were under independent commissioners, this form of management being afterwards abolished. It appears that under the commissioners the society was registered, and it has continued to be registered ever since. Here we are dealing with the question by a different method. It is proposed under the Bill to cut up the railway department in regard to its industrial unions, and to give to the men the right to form certain unions representing the particular branches of trade to which they respectively belong. We contend that there is no affinity between the expert mechanic or artisan as a worker, and the fettler or other ordinary worker employed in connection with a railway; and we say that no organisation properly represents individuals whose interests and occupations so diverse and varied as are those employed in the railway department of this State, which employs thousands of men.

MR. DAGLISH: The men are satisfied with their association as it is.

HON. W. H. JAMES: This provision is not specially for the men.

MR. W. J. GEORGE: What is it for, then?

HON. W. H. JAMES: It is for the country, for the State.

MR. GEORGE: Then you do away with the liberty of the subject.

HON. W. H. JAMES: We are called upon to deal with this provision, not as a question of one body or several bodies: we have to say which is the proper way, and having decided on the way, we should deal with the matter accordingly. We have in the railway department now a body of men numbering some thousands, and among them some are getting 6s., 7s., or 8s. a day, while others range up to £4 or £5 per week; and under existing conditions we find an association formed for the purpose of representing departmentally the views of these men to the head of the department in which they are employed, the association being the mouthpiece of the men. That association obtained recognition less than two years ago, and now, because the association exists, we are asked to control and mould the whole of our legislation for the purpose of meeting their wishes.

MR. GEORGE: On the principle that the strong should care for the weak.

HON. W. H. JAMES: What we have to do is to approach the question irrespective of existing unions or associations, and to ask ourselves what is the right thing to do. If we decide upon a certain course as being the right course, and are agreed to the continued recognition of the railway association as it exists here, well and good; but if we believe this body of men should be divided into separate unions, then those who want us to depart from that because a certain body exists should show stronger grounds than have yet been put forward, so far as I know. This Bill does not detract one tittle from the Railway Association as it exists. That body can still remain the body that is to represent the men's grievances to the department; and if the members of that association do not want to form themselves into separate unions, they need not do it, and are not compelled to do it under the Bill.

LABOUR MEMBER: What benefit to the State would that be?

HON. W. H. JAMES: The benefit to the State is this, that you provide the best method of dealing with the question and the men will soon appreciate that despite the opposition of interested leaders who desire to maintain—perhaps naturally—the present organisation and position. I ask the House to consider this ques-

tion irrespective of the association or the men concerned, because we should not mould our legislation to suit any particular union; and we should not think of doing it now if some members were not electioneering.

MR. GEORGE: Who is electioneering?

HON. W. H. JAMES: Why should we not deal with this question irrespective of the consideration of any one body of men? Let us pass an Act which we believe to be just, and then if any person says that a certain association should have special treatment, let us deal with the question on its merits. It is most undesirable that we should be asked to shut our eyes because a certain association may want a certain thing, and because that association says it must have that thing. In considering this provision, we should not regard any particular association. There is no association registered under the existing Act which has claims upon us by reason of its age.

MR. TAYLOR: You make special provision in this Bill for classifying the railway men.

MR. GEORGE: What is the difference between a stationary engine-driver in Sub-clause (*d*), and one under Subclause (*e*)?

HON. W. H. JAMES: We will deal with that in Committee.

MR. GEORGE: But you said there was no affinity between them.

HON. W. H. JAMES: I said nothing of the sort. I ask the House to consider this question irrespective of the existence of an association. It is the mere fact that this body of men happen to have one employer, that they have only one association at present. These men comprise masons, carpenters, painters, and various other kinds of workers, and yet these men have only one association to represent the whole body of employees; whereas, apart from the question of having only one employer for the whole body, no association would comprise such a variety of workers as are comprised in this Railway Association.

LABOUR MEMBER: It is more economical to have one body. We have the A.W.A., and you registered them, numbering something under 5,000.

HON. W. H. JAMES: In dealing with this matter, we have to follow the industries which ordinarily would form several unions of workers. I am sorry I cannot make myself clearer than I have done. So far as the Government railways are concerned, we place the workers on no different footing from that on which other workers are placed; whereas if you say these men shall have a right to form only one association, you thereby place them on a footing different from that of other workers. For that reason we say that a man who joins the railway service should belong to that union to which his trade is related.

MR. DAGLISH: Give them the alternative.

HON. W. H. JAMES: I thought we were legislating on principle. If these unions are formed under the Bill, the unions themselves can form an association if they wish to do so, and that should satisfy the existing association.

MR. F. CONNOR: Why do you make the Commissioner of Railways the arbiter to say what association the men shall belong to?

HON. W. H. JAMES: In New Zealand there is one union connected with the railways, but in New South Wales they have more than one union, and there is more than one union in some other States. Here you have more than one union also, for you have the Drivers' and Firemen's Association, as well as the Railway Association; and why should not the railway men have the right to form different unions or associations?

MR. TAYLOR: We compel them under this Bill, which specifically places them under certain divisions or unions.

HON. W. H. JAMES: We should form unions on natural lines of cleavage. If this question were free from the element of certain existing associations, the question would simply be: is this provision on its merits a good one or is it a bad one? Should we have one union, or several unions? We should not allow our discussion to be controlled by a consideration of what is necessary for dealing with particular associations, but by the consideration of what is fair.

MR. TAYLOR: It is not so controlled.

HON. W. H. JAMES: It will be simple enough for members to dispose of this matter. There are two unions, two existing bodies — the Engine-drivers' Association, which is registered under

the Act of last year, and the Railway Association, which is not registered; and the latter association embraces all those members who are not members of the Engine-drivers' and Firemen's Association.

MR. TAYLOR: That is more the fault of the Act.

HON. W. H. JAMES: Whether they are registered or not, let us consider this question free from other questions: let us consider it with an open mind.

MR. TAYLOR: If you can catch them with the open mind, you are right.

HON. W. H. JAMES: If members think we must mould this legislation to suit the existing associations, I do not mind; but I think it is a wrong procedure. If the legislation is to be modified so far as the railway associations are concerned, it ought to be modified so far as other bodies are concerned. Why should a railway servant who is a carpenter, for instance, necessarily be a member of an association of railway workers who are mostly not carpenters, but engaged in other branches of work?

MR. TAYLOR: Have you dealt with any other society of a similar nature in a similar form?

HON. W. H. JAMES: We are called upon to deal specially with the Government railway servants. Railway servants in New Zealand are dealt with separately, as they are proposed to be dealt with in this Bill. There is an existing body there called the Amalgamated Society of Railway Servants, and that society is officially recognised. In this State there are two societies, the Engine-drivers' Association and the Railway Association. The question is: are we going by this Bill to limit the choice to these two bodies, or are we to depart from that and provide for railway servants forming themselves in future into several separate unions?

MR. DAGLISH: No; we are not going to limit the choice.

At 6·30, the SPEAKER left the Chair.

At 7·30, Chair resumed.

HON. W. H. JAMES (continuing): At the adjournment we were discussing that part of this Bill, Clause 107, which deals with the railway servants. I was somewhat distracted, perhaps, from the line one should take up in a second-reading speech, and began to digress into a Committee discussion. Let me restate, very shortly, the position which this question assumes to me. We are called upon to provide a system by which due representation shall be given to employees in the railway service. The great principle to be observed in this Bill, and every other Bill, is to localise the trouble, to localise the dispute, to bring yourselves as closely as you possibly can and as nearly as you possibly can to the point where a dispute arises. In our railway service we have existing what perhaps is found in no other industry—an enormous body of men carrying on trades and occupations which are extremely diverse, and varying from the expert artisan, the mechanic trained and skilled, getting a high rate of pay, down to the man carrying out mere labouring occupations, therefore receiving only a labourer's pay. I think I am right in saying that in the old country, which is the home of trades unionism, there is a sharp cleavage between the artisan who follows a particular line of trade and the labourer who does not. The line of cleavage is strongly marked throughout the whole system of trade unionism; and wherever one finds trade unionism strong and respected, one finds the men insisting that as trade unions are established for the purpose of protecting the interests of a particular trade or occupation, those concerned in the trade or occupation should alone become members of the union. In our railway service we have this body of men who follow various occupations; and when we are called upon to deal with the railway employees as a whole, why should we not apply to them those principles of trade unionism which are followed invariably in the old country, where we find our best examples of trade unionism, and which are also followed elsewhere?

MR. W. J. GEORGE: Clause 107 does not do that.

HON. W. H. JAMES: Why should we depart from that? I contend that Clause 107 does do it. If Clause 107, in its details, fails to carry out that principle, it is a question to discuss in Committee. I hope we shall not, as we are somewhat apt to do in this House, lose sight of the fact that, on second

reading, we discuss principles and not details. I simply desire to put before the House the principle on which I conceive Clause 107 should be constructed. If you agree with that principle, then I will ask you to assist me to find the best possible way of carrying out that principle. But it does seem to me to be an absurdity and a wrong that here, in our Government railways, we should have a system by which if a dispute arises affecting the fettlers, most of whom are only labourers, that dispute should involve men who are totally distinct from the fettlers, who have no connection with them, and no sympathy with them beyond that which springs from the fact that they are both in the same service, both employed by the one employer. Such a difficulty does not arise outside the Railway Department, and why should it arise in the Railway Department? If we only argue the case and discuss it, freeing our minds from the circumstance that there is an existing organisation, it will be seen that the fairest way to treat it is simply to ask ourselves, what is the best method of dealing with the Railway Department? Should we deal with the railway servants as one association or as several? We cannot have one association only, because we have two existing now; one consisting of the engineers and drivers, and the other the Railway Association. Thus we must have more than one association; and this is a feature which distinguishes the position here from the position in New Zealand, where there is one body, and one body only. We have, therefore, to depart from the practice which obtains in New Zealand; and it seems to me—and I submit this to the House with due respect—where we have this varied body of men, who have all those associations, traditions, and if I may say so, using the word not offensively, prejudices such as you find in any trade or occupation, why should it not be possible for the various sections to form their own unions? If, above those unions, the men desire to have an association representing them, then I contend that under this Bill the unions of the men can join together, as other unions can, and have an association over them, such as other unions have. But surely hon. members must realise—and our experience in this State emphasises it—that it is an undesirable state of things, when the locomotive engineer in this State, if he wishes to make an agreement with the men employed by him, cannot make that agreement with the men whom he knows, the men whom he meets every day, the men whom he comes in contact with, but must go to a body of men comprising not the locomotive employees only, but a number of other classes of employees in the railway service. I will appeal to practical men who are called upon to deal with such questions, to say whether it is proper that when you want to make an agreement with two or three hundred men, you should have to go and consult the wishes of four or five thousand. That is the position; and I appeal with confidence to the leader of the Opposition—the Commissioner of Railways is unfortunately not here—to say whether he has not encountered that difficulty; whether while wishing to come to terms with the men whose grievances are directly concerned, he has not found it extremely difficult to deal with them through a body or executive representing people of various and diverse interests.

MR. GEORGE: The executive have learned that union is strength.

HON. W. H. JAMES: They may have learned that union is strength; but we want to avoid giving rise to trouble, and the practical difficulty is this. You want to make an arrangement, say, with the fettlers. But if you go to the fettlers, who are getting so much a day, you have also to approach the organisation which represents all of the employees, from the fettlers upwards; and the executive of that organisation may say to the fettlers, "Oh, don't take what is offered to you: we can get you more." In passing, I may remark that it has always been a question of asking for more, and never a question of asking for less; and the more the men can ask for and the more they can get, the stronger their position becomes. We do not want to have to deal with conditions like that: we want to have power to deal with the men immediately concerned. Why, in the name of justice, should not men in a particular occupation, whose only feature in common with other employees is that they have the one employer, have the right to form a separate union? We shall be able to provide for separate

unions, while also giving them the opportunity of forming an association. If that were not the condition, the men would not have the chance of forming these separate unions.

MR. DAGLISH: You want to force them into separate unions.

HON. W. H. JAMES: I do not want to force them at all. I want to give them a free choice. If it be said that the association is to be recognised as a union, then I say that the association is not based on the principles of trade unionism at all.

MR. DAGLISH: It is the Railway Association.

HON. W. H. JAMES: I say it is not based on the principles of trade unionism, since it represents varying trades and occupations.

MR. JOHNSON: It is formed for the same reason as trade unions, anyhow.

HON. W. H. JAMES: It does not follow, if you form a society for getting to the moon, that you will get there; and it does not follow that if this association was formed for the purposes of trade unionism, it is a trade union. I say, let us localise the trouble. Is there a member of the House who thinks that those railway servants, if they want to form these separate unions—and I ask members to think that the railway servants would most probably form them, as being more consistent with the traditions of trade unionism—they will have a chance of freely doing it, but there will be no chance if you recognise this association and if you put the men in a position where this dominating association, which more or less controls——

MR. RASON: Why not make it optional?

HON. W. H. JAMES: What becomes of the value of an option in this case? Supposing I gave the hon. member an option of hitting a man seven feet high, what would be the value of that option?

MR. RASON: I might avail myself of it.

HON. W. H. JAMES: The hon. member would have a small chance after availing himself of it. The association wants to get power, very naturally: any body of men wants to get power like that.

MR. JOHNSON: You want to prevent that power.

HON. W. H. JAMES: I want to prevent any association having the power by its organisation of preventing its members splitting into separate and legitimate unions if they so desire, and to prevent this association which professes to be a trade union from acquiring a power which no other trade union has. I want the unions under this Act to be real trade unions. If you are of opinion—and this is the initial point; if you disagree with me on that, very well—if you are of opinion that the men should have the chance of forming themselves into various unions, if that is your opinion, I say, give them a *bona fide* option, and do not give them such options as are not worth the paper they are written on. We all know the force and power of organisations like those. We must dispose of this matter by our own experience, and not in the way of exactly following New Zealand, where they have one association, whereas we have two. In New South Wales there is more than one body of railway workers. If there be more than one body of railway workers before the Bill comes into force, in that state they will keep going on. Trouble will arise locally and we must deal with such troubles under our own circumstances. I ask the House to deal with this question on principle. We must ask ourselves what is the best way of dealing with it. If we say there shall be one association, and that shall be the Engine Drivers', let us debate that. If we ought to have more bodies, but this particular association is entitled to special consideration, let us have that put forth on behalf of the association. I do not think we ought to have the real issue obscured by thrusting a particular body before us and saying that because that body controls the position the matter is disposed of; and certainly not by having it stated that unless we meet the wishes of this particular association, the Bill will be waste paper. That is not the way to discuss the question. So far as the railway service is concerned, I think I am right in saying that in the preliminary stage the only discussion that arises is whether we shall provide for a series of unions or for the Railway Association and the Engine Drivers' Union; those two or more. The clause wants redrafting in detail. The unions here are too many. We have four already. I propose to have a clause placed upon the Notice Paper so that

members may be able to see what it is. There is another important matter which has not been mentioned in this Bill, to which I desire to draw attention. The Government wish to place before the House a clause the effect of which will be this, that if any person employed by the Government on daily wages, payable weekly or fortnightly, is a member of any industrial union composed of workers of the same trade as such person, the Minister shall be bound by all decisions binding on employers with regard to that particular union. So the effect of that will be that if in the Government service we have a carpenter or printer who belongs to a union outside the service, we shall be bound by any award affecting the carpenter or printer, so that he shall be affected inside the Government service the same as are those who are outside the Government service. We want them to be on the same basis in everything. We propose to recast Clause 107, so that the effect will be that if a Government employee does not belong to any outside union, he shall belong to a specified union. If a man in the Government service belongs to a trade or occupation which has a union outside the service, I should say let him join a union outside the service. Let us, as far as we can, keep the Government employee on the same terms as those affecting outside employees. But in the railway service you have guards, porters, signalmen, and a class like that who, if they were not allowed to have a union inside the department, would not have an outside body to go to, and we have not the men with necessary qualifications employed privately to form an outside union. My idea is that the right method would be for us to say to the Government employees of all sorts, "If you so desire, you may join a union in your own trade or occupation in the ordinary way, and so far as in the Government service you represent a particular trade or occupation which has no union outside the public service, you can form one." For instance, suppose you have a class of people like railway porters, they would not have a union outside the service. We are above all things aiming at placing our Government servants as closely as possible on the same basis as the outside servants. The Government propose to introduce a clause later on so that any person employed in the Government service on wages shall be entitled to join any outside union of the same trade or occupation as that of such person. The effect of that would be that if persons wished to join an outside union like some of them do, who belong to old and historic unions, they could still do so. That will govern all the service except, of course, the clerical staff. So far as the clerical staff is concerned, personally I am prepared to give it to them, but I think before it is granted I should like them to devote most anxious consideration to the point. It must be borne in mind that if we are going to extend this to the clerical staff, we are going to have no pensions. They are not going to get the privileges they have now, but will have to work the same hours as under ordinary circumstances, and they will have to bring their differences to be settled before the ordinary board or tribunal; so I should like the clerical staff to give the most anxious consideration before they ask for those terms. The clause will represent what we are going to do so far as the Government employees are concerned. I fully anticipate that when we come to the consideration of Clause 107, there will be ample room for discussion; but I hope members will bring to it a mind fully determined to do that which is best in the interests of the State, and not merely that which is best in the interests of the employees or the Government of the day, or any particular body of servants. This is a most difficult matter. I hope that if the House think the Bill ought to be maintained, they will have the courage to say so, and support it, and will not avoid the responsibility of doing that which they think will be best. We have in this Bill many matters which are bound to crop up and will require consideration. There are various important matters which must be debated. Take the question as to "worker," which is of great importance as to how far this Bill should determine it. Then there is the question of the size of unions, which is a most important question and one upon which I hope members will avail themselves of the opportunity of perusing the report of Judge Backhouse. Then you have the question whether it is desirable to have a deposit before going to arbitration. I am opposed to such con-

dition. This measure is not for the employers only, nor is it only for the men.

MR. A. E. THOMAS: You introduced it for the benefit of everybody.

HON. W. H. JAMES: Yes. Not for the employer or the worker only but the State; and the underlying principle of the Bill is that those disputes shall not be settled by force, that we shall not have strikes or lockouts, as we shall create a tribunal to which these men ought to go and must go. We shall not place obstacles in their way. These courts are safeguards imposed in the interests of the State, and under circumstances like those we should not impose conditions which would prevent men from availing themselves of the measure. If you had a right of enforcing a deposit of £10 for every individual, and men had not the money, they would avail themselves of strikes, and that is the very thing we want to avoid.

MR. GEORGE: Are not unions strong enough?

HON. W. H. JAMES: They may or may not be. Unions must have a certain amount of time to become established. You must have organisations capable of carrying out the intentions of the Act, and if they are not financial and you have the right to enforce payment of £10 on every individual member, you place upon a union a liability which no other body has placed upon it by any Act. I do not know of any Act where a personal litigant has a right to sue an incorporated body, and, if he does not get payment, is given a personal right to get £10 as against every member of the body. I am sure that everyone will admit that the average worker is worth £10. If he is not worth £10 in cash, this order remains until he has; and if a union has money, there is a simple procedure to apply for it. Another point is the extent to which the Bill shall apply to the Government. I have already indicated to what extent we are prepared to ask the House to go, and this is a matter for discussion. These are matters of the greatest importance. I think some of them were discussed last session, but they are bound to crop up this session in relation to the Bill before the House. We have, as far as possible, followed the New Zealand Act. We have thought it desirable even on those points where we disagree with it, to place before the House that measure which commends itself to the Parliament having the most experience of the Act, which is the only Act in existence, so far as I know, in any part of the world, dealing with this subject. We thought if we placed that Act before this House as a basis, and members should think any departure justifiable, they should justify their cause, whether on the Government side or Opposition side of the House, or whatever part of the House they might be in. It is a safe guide to take that Act which apparently experience has justified, and which the experience of New Zealand dictates. I should like to conclude in the words of Mr. Wise, in moving the second reading of his Bill in New South Wales:—

> Writing in the last October number of the *National Review*, he (Hon. J. McGregor) says: "Whilst it must be admitted that the experiment has not been as successful as was hoped, it would be premature to pronounce it a failure. Whilst it has caused some mischief, it has also done some good, and its ultimate success or failure must depend largely upon the spirit in which the Act is worked by the trade unions, and administered by the court of arbitration. Whatever measure of success has been achieved is entirely due to the fact that there has existed, on the part of the general public and employers, a desire to give it a fair trial." With these words, which are very significant as coming from a pronounced opponent of the Bill, I in the main agree. I do not put forward this Bill as a panacea for all industrial evils; on the contrary, I admit that all legislation of this kind must necessarily be experimental; but I contend that it is an experiment in the right direction (hear, hear), and that the known evils of the present system are far more serious than the possible risks of what I am introducing. Indeed, I know no greater evils in the industrial world than those which are produced from conflicts between capital and labour; and I refuse to believe, until experience proves the contrary, that an orderly and legal method of defining the points at issue and apportioning the blame will not, on the whole, tend to industrial peace. I know well that there must always be disputes between capital and labour which no court can ever settle, just as there must always be quarrels between nations which can only be determined by the sword. But I believe that time for inquiry, investigation, reflection and criticism by an impartial tribunal will serve the purpose of diplomacy between nations, and prevent many industrial disputes from ripening into open war. I know well that we cannot by this or any other Act of Parliament enter into an elysium of industrial peace; but I contend this

measure provides legal machinery which, with proper motive power and proper guiding intelligence, can be made effective for the highest social purposes. I agree, too, with Mr. McGregor that its success must depend very largely on the desire of the general public and employers to give it a fair trial. The secret of political reform lies always in individual character, and not in legislative mechanism; and every measure that deals with industry must depend, for its final and complete success, upon the temper, the good faith, and the honesty of those who use it. I say to the employers that they will have—some of them—to change their views; that they can no longer regard themselves as entitled to do as they like with men, because they pay them wages; but that they must rise to the higher conception of an industrial partnership between themselves and their employees. And, on the other hand, may I be permitted to say that the "ethics of war" which some years ago were invoked to justify wrong-doing must give way to the ethics of an older system which teaches that the foundation of success in dealing with our fellow-men depends upon the recognition of two simple maxims, "speak the truth," and "keep your word!"

I have very great pleasure in moving the second reading of this Bill.

MR. W. F. SAYER (Claremont): For the most part, the Bill now before the House is the Act of last session; and to my mind, so far as it alters the Act of last session and even so far as it extends it, the Bill is objectionable; and on one or other of these grounds it is objectionable alike from the point of view of the worker and from the point of view of the employer. If the Government believe in the principle of the Bill, as I do, then I cannot conceive why it should not apply equally to all employees of the Government and other employees alike. I do not know why, if the Bill be a good Bill, as I believe it is, the Government as the largest employer of labour, and having all the resources of the State at their back, should not be bound by these provisions, if private employers are to be bound by them. I have always felt, from the first time this legislation was mooted in this State, that the Government should show their belief in the principle by bringing all the Government employees under its operation.

THE COLONIAL TREASURER: You did not put it in the last Bill, you know.

MR. SAYER: I was not in the House at the time, and am not responsible for that Act; but if I had been in the House, I should have spoken then as I have spoken now. We should make the principle of this Bill apply to the Minister for Works as it applies to the Commissioner of Railways. Why that is not proposed in the Bill is a question I am not able to answer. I do not know why. How can we reconcile the application of this Bill to railways under construction by private contractors, with the exception from the Bill of railways under construction by a Government department? Logically, I cannot see the reason why we should apply the Bill to the one, and except the other from its operation. Where is the logic of it? Then in regard to the Government Printing Office, which is the largest printing establishment in the State, why should the principle of the measure be applied to newspaper printing and to private printing offices, and be not applied to the Government Printing Office.

HON. W. H. JAMES: We agree on that.

MR. SAYER: Then if the Government agree, why is it not in the Bill? In regard to railways opened for traffic, to which this Bill is given partial and limited application, strictly limited and fenced in with the greatest care, we find in Clause 107 that "in no case shall the board of conciliation have jurisdiction over any such union, nor shall any such union or any branch thereof have any right to nominate or vote for the election of any member of the board."

HON. W. H. JAMES: That is in the New Zealand Act.

MR. SAYER: It may be that the Government are right in having no confidence in the board of conciliation; and, as Mr. Wise said in dealing with this question in New South Wales—I do not adopt his language, though his language has apparently had its effect on the Government here—

> The intermediate board of conciliation has proved an absolute failure in New Zealand, on the admission of the Department of Labour, on the admission of the workers, and on the admission of the employers. The Department of Labour admits it is only kept up for the purpose of providing fees for the officers of unions. Anyhow, the measure has not been a success. All the cases of any importance—all, I think, except seven—have gone from the board of conciliation to the final court of compulsory award.

This is Mr. Wise's statement, and in regard to it I say that the members of the court of arbitration including a Judge

of the Supreme Court who will have to decide these questions will be as anxious to have conciliation as any board of conciliation can be; and the court of arbitration has this advantage, that it has a coercive power behind it. I do not say the Minister who moved the second reading of the Bill has not confidence in the boards; but if the Government have not confidence in the boards, it is rather unfair to force the Midland Railway and other private railways to go before the boards of conciliation. It may be a very good thing to keep the boards of conciliation.

MR. W. J. GEORGE: This Government are "going by the board."

MR. SAYER: But if the Government say the board shall have no jurisdiction over Government railways, then the Government have no right to force it on private railways. As to Sub-clause 7 of Clause 107, relating to railways, it says:—

> Such petition when duly filed shall be referred to the court by the clerk of the court; and the court, if it considers the dispute sufficiently grave to call for investigation and settlement, shall notify the said Commissioner thereof, and appoint a time and place at which the dispute will be investigated and determined.

I again say with regard to this, that if the Government are going to secure to themselves the right to have a preliminary investigation by the court before the dispute is referred to the court, then that same privilege should be extended to private railways. If private railways can be brought before the board at the instance of the workers, without this preliminary inquiry by the court as to whether it is a sufficiently grave matter, then why should not the Government railways be brought before the court without a preliminary inquiry?

MR. W. J. GEORGE: They want to be guided by decisions in the case of the Midland Railway and other private railways.

MR. SAYER: Why are the Government hedging themselves round so? In New South Wales and in Victoria, the Governments have sufficient confidence in their Bills to make them apply to the Government railways and to public works.

HON. W. H. JAMES: No public works, except one or two.

MR. SAYER: I find that the Government of New South Wales have sufficient belief in their Bill to extend it to the workers in the Government departments, and I feel therefore that their Bill must be a sounder measure than the Bill now before this House, or the Government here would have more faith in the principles of their own measure. When I find these safeguarding clauses, I think the Government are treating this measure as if they were treading on hot bricks. If the Government bring in a measure to apply to trades and industries generally, unless it is good enough for the Government departments, it is not good enough for industries generally. I believe most thoroughly in this legislation for industrial conciliation. I believe in it as I believe in the measure we had here the other evening, which I attacked because it went too far, though approving of the principle generally, I mean the Workmen's Compensation Bill. While I believe this is an excellent measure in principle, so long as it is not ridden to death, yet I think we ought to adopt here the amendment which was carried in the House of Representatives in New Zealand, to the effect that "worker" shall mean any person of any age or either sex employed or usually employed by any employer to do any skilled or unskilled manual or clerical work for hire or reward in any industry, and shall include the Crown and other departments of the Government of New Zealand; "provided that the appropriation of the services to His Majesty shall not be increased by any award under this Act." That amendment was proposed, and I believe it was accepted practically without opposition; but it was defeated when it went to the Senate. I say that if we can make this a sufficiently moderate measure to satisfy both workers and employers in this State, then we should propose the amendment I have quoted, so that the Government workers shall be on the same footing as private workers; but if the measure is not safe for the Government as an employer, it is not safe for private employers. Before passing from this part of the Bill dealing with the railways, I would like to say that this Division 6, so far as I can understand it, must be a dead letter as it stands; because the unions of Government railway workers cannot register under the Bill, nor are they to be

deemed to be registered under the Bill. If we compare the New Zealand Act with this Bill, we find that although the New Zealand Act does not generally apply to Government workers, yet that difficulty is met by a provision in these terms, that the railway employees are deemed to be registered, or there are facilities for registration. Just for a moment to see how this is dealt with by our present Act and by the New Zealand Act, our present Act says:—

> The management of the Government railways shall be deemed to be an industry within the meaning of this Act. The Commissioner of Railways may make industrial agreements with any association or society of railway servants to be registered under this Act, and either the said Commissioner or the association or society may refer any industrial dispute between them to the court established under this Act.

The Act farther says:—

> Any association or society of railway servants may be registered as an industrial union under this Act; and the Commissioner shall be deemed to be an employer within the meaning and for the purposes of this Act.

And you find in the New Zealand Act a similar provision, as follows:—

> The society of railway servants, called "the Amalgamated Society of Railway Servants," and now registered under the Acts repealed by this Act, shall be deemed to be registered under this Act; and in the case of a dissolution of the said society, any reconstruction thereof or any society of Government railway servants formed in its stead may register under this Act as an industrial union of workers.

But in this Bill we find no such provision. We do find this, however, that Clause 117 provides that—

> Except as provided by section 107 hereof, nothing in this Act shall apply to the Crown, or to any department of the Government of Western Australia.

Therefore, all these earlier provisions which enable the unions to register have no application to Clause 107; and therefore no union formed under Clause 107 can register at all. Thus division 6 is absolutely unworkable, because the unions are not now said to be deemed to be registered, and all the provisions providing for registration, are expressly excluded from Division 6.

HON. W. H. JAMES: Oh, fudge!

MR. SAYER: This is a matter which we may amend in Committee, I confess. It is a slip in drafting, I suppose, and I point it out lest it be overlooked. An unfortunate amendment made in the Upper House in the Conciliation and Arbitration Act of last year caused that measure to become a dead letter so far as the railway servants are concerned; and I wish to guard against a similar misfortune happening now. I say that if we were to pass this Bill as it stands, we should find that Division 6 does not enable the registration of railway servants. However, we can amend that in Committee. It may be a mere slip of the draftsman, but it is as well to draw attention to it.

A MEMBER: It was design.

MR. SAYER: Before passing from Division 6 I wish to state a farther objection I have to it. I object to this division of seven separate unions. Why should not Government railway employees be as free to register as employees of a private railway? Why not? If the employees of a private railway can register as freely as they like, why should not the Government employees do so? In New Zealand we find the Amalgamated Society of Railway Servants is deemed to be registered, and why should not the West Australian Railway Association be equally free to register? Why, if they desire to register, should they not be as free to register as the Amalgamated Society of Railway Servants in New Zealand is under the New Zealand Act? I know of no reason. Possibly there is a reason. I did not hear the whole of the speech of the member for East Perth (Hon. W. H. James). There may be a reason for splitting up these unions in Western Australia; but to my mind, if the New Zealand Bill enables the Amalgamated Society of Railway Servants there to register as a union, why should not the West Australian Government Railway Association be equally free to register? And then we have this, to my mind, very objectionable provision, that a railway servant shall join only that union for which he is qualified, and that in the event of any dispute arising as to which union he is entitled to join, the point shall be settled by the Minister. I object to that most emphatically. [MR. GEORGE: Hear, hear.] Our existing Act, to my mind, is far preferable in this respect. It makes no such restriction, and I do

not understand why the amendment is required. Our existing Act provides quite generally that any association or society of railway servants may register. That provision would have worked admirably except for the unfortunate definition of "worker," which excluded clerical workers, and by that means excluded many of those who had become members of the association. Because of this amendment in the definition of "worker," they were not able to come under the operation of Section 95, which enables any society of railway workers to register. If only we turn the definition of "worker" in the present Act into the definition of "worker" given in this Bill, then under the present Act there will be no difficulty in registering so far as railway employees are concerned. It is not only the New Zealand Act that generously extends its provisions to the railway employees, and trusts them to form their union without prescribing how they shall form them and who shall join them. We find that the New South Wales Bill also extends this privilege to the railway workers without limitation of any description. It says:—

"Employer" means person, firm, company, or corporation employing persons working in any industry, and includes the Railway Commissioners of New South Wales, the Sydney Harbour Trust Commissioners, the Metropolitan Board of Water Supply and Sewerage:

And other public bodies.

HON. W. H. JAMES: It does not include the Public Works Department.

MR. SAYER: I think it should.

MR. W. J. GEORGE: Hear, hear; certainly.

MR. SAYER: The bringing of the Railway Commissioners and other public bodies within the definition of "employer" is done, if I may say so, freely and handsomely, without any restriction: So far as the New South Wales Bill applies at all to any industry, it applies with all its effect to the railways and other public departments specified. The House will have gathered that I am in favour of the general application of the Bill to Government departments, but only so long as its terms are confined within reasonable limits satisfactory alike to the worker and the employer. For I believe that the labour associations would be perfectly satisfied with our Act as it stands, with a few necessary amendments and the application of it generally to the Government workers, without the introduction of new and advanced provisions which have only just been initiated in New Zealand, and which were described only last year as enormous extensions of the Act. I do not think the associations of workers called for these enormous extensions of the Act; which have no application to the Government workers, bear in mind. If these extensions were applicable to the Government workers, and to private employees alike, we might not take such exception to them; but when we remember that these extensions are contained in those parts of the Bill which have no application to the Government workers, then we see how their application is limited so as to affect only the private employers. As I have said, I believe the associations of workers would rather forego these enormous extensions—to which I shall refer farther in a moment—for the time being, until they see how the existing measure works. If only we get rid of the objectionable portion of the Act relating to the definition of "worker," and give it a general application to all workers, we can well wait and see how the experiment works. I do not think there is any demand on the part of the labour associations at this moment for the extensions in question, which are only of a partial application, because they are carefully excluded from that part of the Bill which relates to the Government. Our Act of last year and the New Zealand Act in its origin, were intended as a means of doing justice between the worker and the employer, and of avoiding the mischief and distress resulting from strikes and lockouts. But it has been said in the House of Representatives of New Zealand that "during the last few years the Act had been used, not for the purpose of preventing strikes and lockouts, but actually for the purpose of creating disputes where no disputes existed." The member gave this illustration:—

In connection with the iron trade in Canterbury last year, a comparatively small union connected with the iron industry brought before the court every person connected with the entire engineering trade. All these were brought forward and made parties to a dispute when in no case did a dispute exist between

any of the operatives and their employers. That is a condition of things never contemplated when the Act was passed; and if the Act is to be kept as it was originally intended, namely as a means of preventing strikes and lockouts, as a means of dealing with those disputes when they do actually arise, we must endeavour to provide some machinery by which fictitious disputes shall not be created at the behest of certain persons who have perhaps a financial interest in these disputes being set up.

That criticism was passed in New Zealand.

HON. W. H. JAMES: By whom?

MR. SAYER: By Mr. Russell; and Mr. Seddon has also added his voice. He is reported, as late as the 6th of August, as expressing anxiety regarding the future of the Conciliation and Arbitration Act, in the following terms:—

He deprecated the wholesale summoning of employers when there was no necessity for doing so. It was riding the Act to death, and in time both men and employers would get sick of it. The employers did not want to be everlastingly in turmoil. What the country wanted was to have awards, but to go quietly working at the same time. Some one had to stop what was going on. The law was a good law, but of late had been brought into disrepute. Great care must be taken, or there would be a revulsion of public opinion on the matter.

And in the report of Mr. Justice Backhouse there are references to "the great power, and the consequent ability to promote strife, which by the Act a handful of men in any industry has." The report says:—

There may be no friction between employers and employees, when suddenly a union of seven men is formed. Four of those are a majority, and it is possible for them to have the relations between master and men in the whole trade gone into, causing much annoyance, and bringing about the very friction which it was the object of the Act to do away with.

I want to look into the Bill now before the House in the light of this criticism, because I am strongly in favour of this legislation, but I am against any amendment which may tend to defeat its own ends. The objection which was raised by Mr. Justice Backhouse was met, I think to a great extent, by a section in our present Act which it is now intended to repeal. It may not be necessary to keep this section, because its effect may be brought about by other means; but in the present Act we have a section which meets the objection of Mr. Justice Backhouse to some extent. It is Section 14, which provides that—

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

It is proposed now to repeal this section. Objection is also taken to any seven workers registering as a union without adequate responsibility. That is met by the Bills before the Parliaments of New South Wales and Victoria, because in those Bills the basis of registration under the Conciliation Act is trade unionism. I believe that is a safeguard, and it meets the objection to a great extent. To my mind, if we are to pass a new Bill instead of amending the present Act for the time being, we should follow the example of New South Wales, in making trade unionism the basis of registration. The reasons are stated by Mr. Wise in a later speech than was quoted by the member for East Perth (Hon. W. H. James). He said:—

I am aware that in the New Zealand Act it is provided that any seven workmen can form themselves into an industrial union; but if you can get seven men to form an industrial union, and to register and take the liabilities and privileges the Bill confers, there is nothing to prevent those seven men from forming themselves into a trade union and coming under the Trade Unions Act. There is this advantage in bringing them under the Trade Unions Act, that this Act provides a means of regulation; it secures the funds, and protects the men against legal liability for acts which would violate the law if committed by men not registered as a trade union. Therefore for the protection of the workmen themselves, for the protection of the employer so that he may not be harassed by irresponsible agitation, and that he may feel satisfied that those with whom he has to deal are persons under the State with corporate funds, the custody of which is to a certain extent provided for by the State, and also for the better convenience of administering the Act, we may utilise, with this measure, the machinery of the Trades Act. I have not adopted the provision of the New Zealand measure, but I have provided that every industrial union of workmen must be a trade union or a branch of a trade union.

If the provision of the New South Wales Bill is followed here, then I think much of the objection pointed out by Judge

Backhouse will be met. I desire to look a little farther into this Bill, to see how far it contains matters of amendment which we may approve, and how far new matter of which we cannot approve. With regard to the definition of "worker," we are told:—

"Worker" means any person of any age or either sex employed or usually employed by any employer to do any skilled or unskilled manual or clerical work for hire or reward in any industry.

The definition is as wide as can be, but I think it is no wider than the definition in New South Wales, and to the extent to which New South Wales and Victoria are prepared to go I think this State is prepared to go; and therefore I have no cause to quarrel with the definition of the word "worker," if it is amended by adding words so that it shall include the Crown and every department, provided the appropriations of Parliament shall not be affected. I have always held that the Act was a good one, and should have a wide application; and I find that if we adopt the definition as described here we shall be going no farther than the other States of the Commonwealth. But turn now to Clause 45, because I have no intention of going through these clauses minutely—I find in Clause 45 things which are most objectionable. We are told in Clause 45:—

The presence of the chairman and of not less than one-half of the other members shall constitute a quorum at every meeting of the board subsequent to the election of the chairman.

We are told, by the marginal note, that it is Section 40, Sub-section 1, of the present Act, and we are told that it is Section 46 of the New Zealand Act. It is neither the one nor the other, and I take exception to these marginal notes, unless they are accurate. When we find a marginal note referring us to existing Acts, of this or some other State, we are inclined to accept the clause on trust; at least, we come to the conclusion that it is the existing legislation, or the law of another State. But if the clause is not the same, the marginal reference ought not to be there at all. Under our present Act, and under the New Zealand Act, it is provided that the employer and the worker shall be equally represented on the board.

MR. MOORHEAD: If the chairman is absent, where is your quorum?

MR. SAYER: I did not say the old Act was perfect. It was manipulated and mutilated when passing through this House. But what I am driving at is not that our section does not require amendment, but to assert the principle which is at the very root of this legislation, the first principle of the Bill, that the board shall be constituted of representatives of the workers and of the employers alike. I object to a board that may be legally constituted of two representatives of the employers and not one of the workers, or two of the workers and not one of the employers. That is contrary to the principle of our present Act, and contrary to the principle of the New Zealand Act. We must preserve the principle of equal representation whatever the number of the board may be, we must have representatives of the workers and the employers on the board, and a chairman. We must not have a board wrongfully constituted, as it would be, if there were representatives of only one side. By leaving out these very material points of the New Zealand Act, we have, I think, introduced a most dangerous principle. We are told it is the New Zealand Act, Section 46; but we find that New Zealand takes the precaution of providing as a quorum the presence of the chairman and not less than one-half the number of the other members of the board, including one of either side. I think that is most essential. I object to any board of arbitrators, unless both parties are represented on the board. The next clause to which I wish to draw attention is Clause 22. It introduces an entirely new principle. It is one of those extensions of the principle of the Act which are described in New Zealand as an enormous extension of the Act. Clause 22 was before Mr. Wise when he drafted his measure now before the Parliament of New South Wales, and Mr. Wise declined to adopt it. If it is considered not safe to allow this enormous extension in New South Wales or Victoria, why should we rush in? Why should we be the forerunner in legislation of this kind? Is our experience so great that we can afford to be before the other States in legislation of this sort? I should have thought we should rather

have deferred to the greater experience of those States which have large industries to consider. Clause 22 refers to "related industries," and it is important to read this clause in connection with subsequent Clauses 84 and 85, because the object of introducing the idea of related industries is to make an award binding not only on the parties to the arbitration, but all other employers or workers who are engaged in related industries, although they have not been before the court, and have taken no part in the proceedings. However unsatisfactorily the court may have been constituted, however imperfectly cases may have been put before the court, the award is to be the industrial law of the district, if not of the State; binding not only on the parties to the arbitration, not only on the parties who have had the opportunity of arguing their case before the court, but upon the related industries. This is the new clause:—

(1.) An industrial dispute may relate either to the industry in which the party by whom the dispute is referred for settlement to a board or the court, as hereinafter provided, is engaged or concerned, or to any industry related thereto.

(2.) An industry shall be deemed to be related to another industry where both of them are branches of the same trade, or are so connected that industrial matters relating to the one may affect the other: thus, bricklaying, masonry, carpentering, and painting are related industries, being all branches of the building trade, or being so connected as that the conditions of employment or other industrial matters relating to one of them may affect the others.

The aim of that clause, introducing the principle of related industries, is only discovered when we turn to later clauses of the Bill. We find in Clause 84, Subclause (4):—

The award shall, by force of this Act, extend to and bind as subsequent party thereto every industrial union, industrial association, or employer who, not being original party thereto, is at any time, whilst the award is in force, connected with or engaged in the industry to which the award applies within the industrial district to which the award relates.

The effect is that, however imperfectly the case may have been brought before the court or argued there, yet once the award is made, and during its currency of three years, it not only binds the particular parties and the particular industry in that dispute, but it becomes the industrial law of the district during the currency of the award. So that it binds not only the parties to the award and not only the particular industry, but every industry that the Governor-in-Council may be pleased to proclaim as being related to the industry which is the subject-matter of the dispute. It binds during the currency of the award every employer who happens to come into that district to carry on his business, although he may have been no party to the arbitration and has had no opportunity of advancing reasons against the award. And although the award has been made perhaps between some comparatively unimportant union of workers and an employer, yet that decision binds every man who ventures to engage in that industry or a related industry in the particular district for the next three years. That is one clause which New South Wales and Victoria will not adopt; and this being so, why should we adopt it? Why should we adopt it simply because it was passed in New Zealand against strenuous opposition? I do not think any association of workers here are asking for it; and, if not, the Government are jeopardising the principle of this Bill by running it to death. That this is absolutely novel even in New Zealand I shall show; although the marginal note to this clause of the Bill before us says "1900 Act, s. 87 (proviso)," thus telling us that this is an existing proviso in our legislation of last year. The marginal note is misleading, a delusion and a snare, in suggesting that this absolutely new provision of the Act of New Zealand is an existing proviso of section 87 of our present Act. It is nothing of the kind. Clause 85 of the Bill deals with special powers to extend or join parties to an award; and we are told, also in the marginal note, that this is Section 79 of the Act of 1900. Referring to that Act, we find that Section 79 is this:—"The court may amend its award." That is quite right. But we are told in this marginal note that these special powers to extend or join parties to the award is Section 79 of the Act of 1900. It is nothing of the kind. This Clause 85 of the Bill gives special powers to extend or join parties to an award; and Clause 84 provides in effect that an award when made shall be the industrial law of the district. I

must say that, except for these extensions which we ought not to adopt until we find the other States of the Commonwealth are prepared to go to the same length, there is very little in the Bill beyond what we find in the existing Act; and I say, why should we do more than extend the definition of "worker," and extend the operation of the Act to Government departments? The reason stated by the hon. member for bringing in this Bill in its present form, instead of introducing a Bill to amend the existing Act, was that he objected to the trouble of referring to an amended Act in order to ascertain the effect of the amendments on the principal Act. But I say we can meet that objection by providing that any copies of the existing Acts, printed by the Government Printer, shall, after the passing of amending Acts, be printed as last amended. By this simple course, we shall meet all the objections which the hon. member urged, and it would get rid of all the difficulty as to referring from the principal Act to any later amending Acts.

THE MINISTER FOR MINES: And buy fresh copies of the Statutes every year?

MR. SAYER: At a cost of twopence-halfpenny! We find there is also inserted in Clause 2 a new Sub-clause (*e*) providing that an industrial dispute may relate not only to the wages, allowances, or remuneration of workers employed in any industry, or the prices paid or to be paid, but also to "The claim of members of industrial unions of workers to be employed in preference to non-members." This is a new industrial matter to be brought before the court. It seems an undesirable thing that if two men are seeking employment, one perhaps being a better worker or perhaps a more honest worker than the other, the court is to say, "Although A is the better workman and the more honest man, yet because B is a member of a workers' union, the employer is bound to employ B in preference to A."

MR. DALGLISH: Trust your court.

MR. SAYER: That is the claim of industrial unions, that their members shall be employed in preference to workers who are not members of those unions. New South Wales will not have it.

A MEMBER: We won't have it, either.

MR. SAYER: I think I have dealt with most of the provisions of the Bill which introduce anything new, other than that which we have already on the statute book, except the definition of "worker," which I fully support. The important point is that we should in this State, in industrial legislation of this kind, keep in line with the other States of the Commonwealth; for if there is anything in federation, we should not be handicapped by legislation of this kind, passed separately for this State and not adopted in other States. When we find the Federal Parliament has power to legislate for the settlement of industrial disputes extending beyond the limits of any one State, when we find also that this will be one of the subjects for early legislation by the Federal Parliament and when we find Industrial Arbitration Bills before the Legislatures of New South Wales and Victoria, I cannot understand, in view of this, why we should consent to take our Act of last session off the statute book, and put a new Act there, only to be replaced by a third Act when we have the legislation of the Federal Parliament and of New South Wales and Victoria before us. I cannot help thinking that the proper course to take at this moment is to amend our Act of last session so as to get rid of the injustice and the impediments as regards the registration of railway workers; and to extend the Act if you please, to other Government workers, and let the rest of the Act alone until we find out what the Federal Parliament and the Parliaments of New South Wales and Victoria intend to do. If we pass the Bill as it stands, we shall be going beyond anything Victoria or New South Wales has sanctioned. As I have said before from this place, in legislation it is very much easier to go forward than to go backward, and I for one object to any industrial legislation, much as I have the interests of the worker at heart—and if any man in the State has been a worker, I have been—I object to any industrial legislation which will burden our industries beyond those of the other States, and may therefore tend to handicap our industries out of the markets. I say, amend the Act so that it may be justly applied to all workers, and postpone any new measure. Do not let us pass a new Act until we know what the Federal Parliament and the Parliaments of Victoria and New South Wales intend to do in this respect.

MR. H. DAGLISH (Subiaco): In order to give the House an opportunity of having before it the amendments which the Minister in charge proposes to insert in the Bill, I beg to move that the debate be now adjourned until Tuesday next.

Motion put and passed, and the debate adjourned accordingly.

POLICE ACT AMENDMENT BILL.

SECOND READING.

MR. F. C. MONGER (York), in moving the second reading, said: For the last three or four years this Bill in one shape or another has been before hon. members for their consideration; but for some reason the Government have always seen fit to place the Bill at the bottom of the Notice Paper, and so it has been postponed from day to day, and session after session has passed without this Bill being debated. I trust that now when it is brought forward in the mild form in which I am introducing it, the Government will give an expression of opinion, and will show the people of Western Australia exactly the views which they hold on this perhaps peculiar question.

SEVERAL MEMBERS: Very peculiar.

MR. MONGER: Some four or five hours ago we started on what has been called laborious legislation. We laboured for four or five hours on a Bill, and I think we shall labour for 44 or 45 years before we arrive at any sort of conclusion on that Bill, which was so ably introduced by my friend the member for East Perth (Hon. W. H. James).

A MEMBER: Forty-four or forty-five years?

MR. MONGER: I repeat that it will be 44 or 45 years before we arrive at a conclusion on that Bill. I am now introducing in the shortest and mildest form possible a measure which in many circles is regarded in a very different light from that in which the Bill introduced by the member for East Perth is regarded. That Bill has only just got through its infancy, as far as this House is concerned; and it is not, perhaps, destined to get much farther. As regards the Bill which I am endeavouring to bring under the notice of the public of Western Australia, instead of inflicting on the House a Bill of 117 clauses, I have compressed my measure into two. My Bill has been brought under the notice of the Australias during the past few months, and on no better occasion than since the advent of federation. As we know, the Federal Postal Bill contains clauses referring to the Bill which I am now asking hon. members to allow to pass into the law of Western Australia. The Federal Postal Bill contains amendments which, perhaps, hon. members may not be aware of. The amendments to the particular clauses referred to in this Bill were introduced by two Federal members from Tasmania, the Hon. Mr. Piesse and the Hon. Mr. Clarke. I am not going to attempt to wade through the clauses, because at all events my friend the Colonial Treasurer must be conversant, even if no other member sitting on the Government side of the House be conversant, with them. The amendment which Mr. Clarke has moved to Clause 55 of the Federal Postal Bill is to add the following proviso at the end of the clause:—

> Provided, however, that the Postmaster General shall not have power to make such order with respect to any of the matters referred to in Sub-sections (*a*) and (*b*) which have been already sanctioned or may be hereafter sanctioned by the law of any State or States of the Commonwealth.

Evidently anticipating the Bill which I have the honour to submit to the House this evening.

MR. W. J. GEORGE: They have their eye on you, you see.

THE COLONIAL TREASURER: Even in Tasmania.

MR. MONGER: I cannot say whether that amendment has been carried or not. The Government are in a better position to speak on that point than I am; but I take it for granted that we should have seen some definite notice of the fact had the amendment been withdrawn. I take it that in the Postal Bill as it stands to-day, the amendment stands part of the Bill. I have nothing before me, and I have seen nothing in the papers, to lead me to think that I am not absolutely correct. We have heard from almost every section and portion of Western Australia during the past few weeks expressions of approval or expressions of disapproval of this Bill, which is one that can be explained in a very few moments. It is exactly the same, or as nearly as possible the same, as the measure now

existing in one of the Federal States. I believe there is this difference. The Bill which I have the honour of submitting contains, in the schedule, the following regulation:—

All prize money in any lottery which remains unclaimed by the winner for the space of six calendar months shall be paid into a separate account in a bank in Perth, to be approved of by the Treasurer, and if unclaimed for a further term of six calendar months shall be paid over to such charitable institutions in the State, and in such proportions, as the Treasurer shall appoint.

I think that is the only difference between this Bill and the Act now in operation in Tasmania. Although he is looking down for the moment, I know I have the eyes of the Colonial Treasurer on me, and I know the Colonial Treasurer and every member of the House will agree with me that the authority I am now about to quote is a greater authority than any which my hon. friend can bring forward. I am about to refer to the speech delivered in the House of Lords, in response to the Bishop of Hereford, Lord Aberdeen, the Bishop of London, and the Archbishop of Canterbury, by Lord Salisbury on the great question of gambling. In referring to the motion Lord Salisbury made some remarks with which my friend the Colonial Treasurer should be acquainted. They are as follow:—

His sympathies were so entirely with those who wished to stop the general practice of betting that he did not wish to go very far into the arguments on the other side. What he wanted the supporters of the motion to consider was that they were undertaking a business of enormous magnitude——

I am desirous that my friend the Colonial Treasurer will bear these words in mind.

THE COLONIAL TREASURER: I do not see their application at present.

MR. MONGER:

and that they were going against the feelings and desires of a vast mass of people.

THE COLONIAL TREASURER: Yes, I know.

MR. MONGER: I am desirous that my friend on that (Government) side will also bear these words in mind:

He doubted very much whether the results of this crusade would be satisfactory to the minds of those who undertook it.

A gentleman like Lord Salisbury makes remarks such as these; and I feel quite certain that my friend the Colonial Treasurer will with pleasure take a second position to that hon. gentleman.

A MEMBER: Why?

MR. MONGER: I have no desire to refer to the many speeches made in the Federal Parliament when this question was under discussion. I am only sorry that the member for East Perth (Hon. W. H. James) is not present to hear my concluding remarks, as I desire to pay a high tribute of respect to one of the greatest associations or organisations which Australia possesses, the Australian Natives' Association. I think if the gentleman I refer to were here, he would say that if it be right that the Australian Natives' Association should be allowed to run art unions, it is equally right for any Australian State to allow similar concerns to be run under somewhat different auspices. There is no difference between the two things. I want to point out to my friend the Colonial Treasurer that we see advertisements in every paper throughout the States of Australasia, and that notices are sent through the post-offices of every State of Australasia, concerning the art unions run under the auspices of the Australian Natives' Association. We see these things year after year. Now, I am going to ask the Colonial Treasurer whether he is consistent. I believe he is an Australian native.

THE COLONIAL TREASURER: No; a Yorkshireman.

MR. MONGER: I am going to ask him as an Australian native to support the Bill which I now submit to Parliament.

THE COLONIAL TREASURER: I am a Yorkshireman.

MR. MONGER: I have much pleasure in moving the second reading of this Bill.

THE COLONIAL TREASURER (Hon. F. Illingworth): It is a remarkable thing that the hon. member for York (Mr. F. C. Monger) has distinguished himself nearly every session I have had the honour of sitting in Parliament by bringing in a Bill for the extension and support of pernicious gambling in some form or another. (General laughter.)

MR. MONGER: Be correct; the Government bring in the Bills, and I bring in the amendments. This time I bring in a Bill.

THE COLONIAL TREASURER: It is also a remarkable thing that it has fallen to my lot on every occasion to oppose the hon. member. It is equally remarkable that the House has been pleased to follow the suggestions I have made in preference to the suggestions of the hon. member for York. The hon. member has also been pleased to refer to me as an Australian native. It is a high and distinguished honour, and I wish, of course, that I could claim it; but unless Yorkshire happens to be in Australia I am afraid that I shall have to surrender the honour. Also it is peculiar that the member for York should hold the position which he has done so frequently in this House. What is involved in this question, this little Bill?

MR. W. J. GEORGE: £5,000 deposit.

THE COLONIAL TREASURER: This innocent little Bill. There are two things that are supposed to be sufficiently attractive to induce the House to adopt this legislation. One is that the Colonial Treasurer may have paid to him temporarily a sum of £5,000 for which he has to pay three per cent. interest and he has to pay it back at something like 30 days' notice; the other is that in case of default certain moneys may possibly go to some charities and a good deal to the Colonial Treasury. In regard to the Treasury I say it is no advantage; and if it were an advantage, I at any rate, and I hope the House, would not entertain such a proposal for a moment; and if it is put forward as an inducement that such a thing as this should be passed in order that charity should have benefit some time, I say it would be a shame to the sacred name of charity to have it polluted with money that comes from this source. What is intended? It is intended that this Bill shall give to Western Australia the high and significant preference of being the dumping ground for the whole of the Commonwealth.

MR. MONGER: No, no. What about Tasmania?

THE COLONIAL TREASURER: Every State on this continent has ignominiously rejected the proposals which the hon. member makes.

MR. F. W. MOORHEAD: Germany retains it.

THE COLONIAL TREASURER: In South Australia it was rejected. Victoria followed, and there it was rejected. Those who desired to run this kind of business removed to New South Wales, and carried it on there. New South Wales, in the interests of public morality, rejected the Bill, and refused to carry messages through the post. Then they moved across the border into Queensland, and Queensland followed, ignominiously rejecting not only the Bill but the people who were associated with the movement. And then the only place where this class of business could find a footing was little Tasmania; and the hon. member quotes some amendment that was proposed by one of the members of the Legislative Assembly of Tasmania to protect the little business that is going on there now. What is intended? It is intended to make Western Australia the dumping ground for all the rejected business of all the other States on the continent. That is what the hon. member desires. He desires to put upon the statute book of the State a Bill, an amendment to the existing Act. He wants to remove from the statute book the prohibition which will prevent this kind of business from being conducted. If he were prepared, as he was last session, to bring before this House motions which would obliterate such a movement as he has referred to—that is the lottery of the A.N.A.—he would find me one of his strongest supporters.

MR. W. J. GEORGE: Bazaars at churches, too.

THE COLONIAL TREASURER: If he were prepared to bring in a Bill to prevent a lottery at a church bazaar or a bazaar for any charity, or a lottery of any kind, he would find me a strong supporter.

MR. GEORGE: What about "two up?"

THE COLONIAL TREASURER: What the hon. member proposes to do is not only to legalise the evil in this State, which proposal has been rejected by every other respectable State on the Australian continent ——

MR. MONGER: Be mild.

THE COLONIAL TREASURER: But he proposes to give certain persons a monopoly of this business. It is proposed that the only persons to run this beautiful kind of business shall be the men who can raise £5,000 to put into the hands of the Treasurer. Members know that this

evil is a growing one in this State, and that nearly every tobacconist's shop is polluted. In fact there is hardly a hairdresser's shop where one can go and get his hair cut without having this business flaunted before him. I hope this Parliament will not for a moment entertain the proposal of the hon. member. The hon. member speaks of the matter standing over from last session, but if the House had not been counted out, he would not have got the support of the House any more than in the preceding session. In one form or another the hon. member has produced a Bill or some amendment of the Act every session. I hope the consensus of opinion which has been so strongly manifested in the House, and which I believe is only a reflex of the opinion of the people outside the House, will ever reject any proposal to establish a system of lottery here suggested. Of course we know that we cannot altogether do away with what is called gambling. We cannot altogether do away with a great many things that exist, but we can do away with the principle of legalising a thing which we know to be wrong. We may not be able by Act of Parliament to prevent people from doing wrong, but we can surely stop at legislation on a thing that we all know to be wrong, because even those of us who engage in this kind of thing know very well that it is very unsatisfactory. I appeal to the House on behalf of the younger members of the community. This system has been going on in the State, and little boys and girls are going into these tote shops and putting on their half-crown.

MR. MONGER: Now you are showing your ignorance. (General laughter.)

THE COLONIAL TREASURER: It is quite possible I am showing my ignorance. I am very glad to be ignorant of some things; but friends say, and some of the Police Department are prepared to support the statement, that little children, young people at any rate of eight or ten years of age, are going to these places at all hours of the day or night.

MR. GEORGE: What? Does not the Early Closing Act shut the shops up?

THE COLONIAL TREASURER: No; unfortunately.

MR. OATS: Not tobacconists.

THE COLONIAL TREASURER: I think if the hon. member wanted to do something that would be illustrious and would tend to bring him honour—such legislation as this would never bring him honour—if he wanted to do a service to this country and honour to himself, and would bring in a Bill to license tobacconists under special conditions, giving encouragement to those who wanted to conduct an honourable tobacconist business, he would be doing some good, and would be helping deserving men. The hon. member knows that in this city there are tobacconists who sell their goods at less than cost price. No honourable tobacconist can conduct his business on those lines. There are only two ways of selling tobacco under cost price. One is to keep a tote shop and make a profit, and the other is to buy stolen tobacco. If the hon. member finds any advantage in a good pipe of tobacco, he is welcome to it. I hope in all seriousness that the House will not entertain this proposal for one moment. We do not want to make Western Australia a dumping ground, or to have our post office crammed with all this kind of literature. Perhaps the hon. member will say this postage will help the Postal Department.

MR. MONGER: I never referred to that.

THE COLONIAL TREASURER: If he will go into that he will find the Post Office is losing a considerable sum of money, the cost of carrying those letters through the post being about twice as much as the sum paid for it. It is no good to argue that we are going to get a benefit for the Post Office. That argument will not fit. Why should we, then, pay out of the taxation of this country to help these people to carry on a business degrading in itself; and not only that, but establish, as this Bill proposes, a monopoly for a few? I hope the House will oppose the hon. member, as it always has done when he has tried to place such legislation on the statute book.

MR. W. J. GEORGE (Murray): I have listened to the remarks which have fallen from my friend the member for York (Mr. F. C. Monger), and my friend the Colonial Treasurer (Hon. F. Illingworth), and I do not think I should have interposed in this debate except that I think it is well the opinion of the great bulk of the people should be known.

The Colonial Treasurer spoke about a reflex of outside opinion. Although I do not intend to vote for this Bill, I may just as well inform the member for York I am going to give the House a little of the reflex of outside opinion. This is a letter I have received from a portion of my constituency, representative of something like 1,000 men. The writer says:—

Since Charles has been stopped, there has been a great increase in drunkenness.

HON. F. ILLINGWORTH: You make the men sober.

MR. GEORGE: I hope the House will not laugh. The gentleman who wrote this letter is not a trained politician. He only says in plain language what he thinks and what he knows:—

Since Charles has been stopped, there has been a great increase in drunkenness, and that abomination called "two up," and also a great deal more money sent out of the country to Hobart. It is the only chance a working man has of making a rise.

I appeal to the Labour members to remember this.

He has not got the money to gamble in scrip and bank shares and other things that are in the reach of his employer and the wealthy class. He will never make up a competency on wages. It is his only chance of investment, and I have never seen any mill-hands who had to shirk their responsibilities on account of sweeps.

He goes on to speak about parsons in language which perhaps is not quite so respectful as it should be. I have also a communication from representatives of timber stations.

MEMBER: We all have them.

MR. GEORGE: Well, if members have a copy, I will not read it.

MR. A. E. THOMAS: Read it.

MEMBER: How many names are there?

MR. GEORGE: You can have them to count.

MR. THOMAS: We want to see if the wording is the same.

MR. GEORGE: I do not think members are quite aware how rough they are on *Hansard*. I know that *Hansard* is very careful and tries all it possibly can, but neither *Hansard* nor any other reporter can manage to put down about 51¼ interjections at the same time. The Colonial Treasurer, in his very sympathetic speech, talked about putting down various things, and also about assisting the legitimate tobacconists to make a legitimate profit and a legitimate living. Why should not the Treasurer interfere with those other speculative things which are practically lotteries, those land sales, by which the promoters try to extract a few pounds out of the working man's pocket, inducing him to hope that if he only puts his money into a particular piece of land, he is sure to make a rise. If there is anything in the States that has done more harm than the lotteries, it is the way land sales and gambling temptations of that kind are put before the people. We have not quite got to the brass band and penny whistle and the free lunch which were once so lavishly common in Victoria; but the harm which was worked in Victoria through the land-sale business has been tried here, and so far as it has gone here and elsewhere, I say this kind of thing has done more harm than any speculation in the shape of betting sweeps.

LABOUR MEMBER: Too much sand here for the land business.

MR. GEORGE: Therefore, while the Colonial Treasurer is so anxious to put down vice, I would suggest, as a little means of recreation in his leisure time——

THE COLONIAL TREASURER: He never has any leisure time.

MR. GEORGE: I suggest he should attend to men who are being induced to put their £2 on a block of land, on the chance of making a rise. I cannot see any difference between that and putting money into a consultation in the hope that it will turn out right.

THE COLONIAL TREASURER: It will not hit me, as I never had any.

MR. GEORGE: I do not want to hit the Treasurer, but I ask him to say whether he will refuse any revenue that comes to him through land sales and the stamps used in connection therewith. If I have to choose between letting a man get drunk or playing "two-up"—which is a very interesting game, mind you, if you know how to play it rightly—I must choose that which will do the least harm; and on that ground I say, in regard to lotteries and sweeps, let them have their lotteries, and if they get their ticket and it happens to be a winner, let us hope that those who win money in this way will not make a foolish use of it.

MR. H. DAGLISH (Subiaco): I rise simply to say that I intend to vote against the Bill on the ground, firstly, that I object to legalise gambling, although I know there are a large number of people throughout this community who are in favour of it. I object to it, but I object more strongly to building up a monopoly, as I will not sanction any Bill which proposes to give a monopoly to any individual for gambling purposes. I contend that this Bill is intended for the sole purpose of giving a monopoly to one person in this community. I want to point out to the hon. member who introduced it, that if we are not to confine the monopoly to one individual, then it means that the State is to be overrun by persons licensed to manage and conduct lotteries. To have a number of monopolies of that kind would be a greater evil, the temptation would be far greater if we had many such monopolies than if we had only one. A great deal has been said about the harmlessness of this sort of thing. I look at it as one who is here to represent Labour; and as to this kind of speculation being the only chance for the working man to make a rise, I contend, on economic grounds, that we must, as representatives of the worker, condemn every proposal like this, because out of every sweep, one-tenth of the total amount subscribed is lost to those who subscribe the money, namely the workers. For instance, out of every ten sweeps that workers of this State put their money into, the effect of the system is that at the close they have actually given away the total amount they subscribed to one of those ten sweeps. If there be ten sweeps of £5,000 each, and the subscribers get back £45,000 for their £50,000, then at the end of these ten sweeps the subscribers will be £5,000 poorer, collectively, than at the beginning. That is a way of making a rise that I personally object to. I recognise that one of the great evils under which we suffer is the bad distribution of wealth. We must recognise that wealth all over the world is getting into the hands of smaller numbers of individuals; and I object to any legislation that has a tendency to encourage the many to subscribe money which is to be so handled that the many shall subscribe it, and the few, the very few, in the end draw the profits. This Bill has been skilfully drafted, and I congratulate the member who introduced it on the advantages which the Bill secures to the person who is to be licensed under it. I find that this person is to put up a deposit for the safety of the public, I presume, and he is to get interest on the deposit all the time, and is to get back the money on very short notice should he decide to surrender his license. But there is no provision for forfeiting the deposit or any portion of it, if any offence be committed against the license. There is no provision for the cancellation of the license, under any circumstances whatever. All the provisions are for the protection of the person who is to have a license granted to him under the conditions stated. I also object very strongly to the system of gambling in land or in shares of any class; but I am quite prepared to support the member for the Murray (Mr. George) in any legislation he may propose for making it unprofitable to speculate in land, by imposing direct taxation on land. I will support him in any proposal to take, by the State, any proportion of the unearned increment of land. But I know the hon. member who spoke so strongly in regard to land business, for the purpose of making a personal point, would be one of the first to object to the legislation I am suggesting. In conclusion, I want to point out that the existence, by reason of the strong demands made by the public, for facilities to gamble, is a justification for this House to hesitate before increasing these facilities; because it proves that our national tendency is towards undue speculation. It proves that we are the children of most adventurous people who have left the British shores, that our forefathers came from their British homes to a very distant land, that they met hardships fought them in the bush; and having encountered hardships and dangers in the forests of Australia, we who are their successors have evidently inherited their spirit of adventurousness and their love of excitement, and we now seek that excitement in another form, that of gambling. If we look into our national characteristics, we find this is one of them that needs careful handling and some degree of restraint. For that reason I will cast my vote against this Bill, and

trust the House will see fit to reject it. I go farther, and put my objection in tangible form by moving, in effect: –

That the Bill be read a second time this day six months.

MR. F. WILSON (Perth): I second the amendment.

MR. F. WALLACE (Mt. Magnet): I do not intend to support the amendment of the member for Subiaco (Mr. Daglish). In saying a few words on the Bill I desire to draw attention to what I consider an error of judgment on the part of the member for York (Mr. Monger) in framing the Bill. In drawing Clause 2 of the Bill as he did, he must have anticipated receiving the sympathy of the Colonial Treasurer, which however I fear he has not gained in this case. Strange to say, the last time a Bill of this kind was before the House, the Colonial Treasurer, who then sat on the Opposition side, raised objections to the principle of the Bill; and one of his objections was that money which should go to pay the honest debts of the poorer people in this State, was going into the hands of the consultation promoters. But we do not hear any outcry by the Colonial Treasurer against that money going into the hands of theatrical companies playing in this State; and I venture to say that much more money passes into the hands of the theatrical companies in a day than passes into the hands of the consultation promoters in a week. The Colonial Treasurer has referred to the consultations as a pernicious system of gambling. I cannot claim to be a gambler, but I do claim that I like to have freedom of sport. I admit that I have put a little—and in order to be truthful, very little—into these consultations. It is not from any desire to encourage gambling, but from a desire to have a form of sport which I approve, that I support the Bill. I approve of that class of sport; and if the Colonial Treasurer does not approve of it, still I really do not see why he should stand up here and in such a drastic manner—I say this with all kindly feeling towards the member in charge of the Bill—drub the member for York down for introducing this measure.

MR. GEORGE: He could not help it.

MR. WALLACE: The Colonial Treasurer and the member for the Murray (Mr. George) made little or no reference to the Bill itself. It was simply the principle they attacked. It is the principle we are here to debate. The Bill in itself, as far as it goes, is fair and reasonable. The member for Subiaco (Mr. Daglish) has evidently perused it; and he has found what I have found myself, the absence of any conditions for forfeiture against the licensee if he commit a breach of the regulations set out in the Schedule. I have no doubt the member for York will be quite willing to accept the addition of a new clause giving the Colonial Treasurer some claim on the licensee if any such default occur as we have seen committed by local sweep promoters.

MR. MONGER: Yes; certainly.

MR. WALLACE: However, while condemnation of this pernicious system of gambling has gone on for many years, we have never known the leaders of the churches, either the clergy or what are called "the pillars of the church," to oppose the little art unions and lotteries got up in aid of churches. Those lotteries, I will take the opportunity of saying here now, were quite as strong swindles as any consultations or lotteries ever were. I may refer to a little experience I had on the goldfields four or five years ago. A bicycle was raffled in one evening for £26 four or five times—the same bicycle. Perhaps the Colonial Treasurer would not call that a pernicious system of gambling.

THE COLONIAL TREASURER: I do. I call it downright swindling.

MR. GEORGE: Oh, I don't know.

MR. WALLACE: The Colonial Treasurer admits that what I have described was a downright swindle; but I have never heard his voice raised against that kind of thing before to-night. I have heard him plead here for the honest trader, storekeeper, butcher and baker, who he says have lost money which has gone to the promoters of these sweeps. That is the only opposition I have heard him raise to the consultations.

THE COLONIAL TREASURER: I moved last session to make them illegal.

MR. WALLACE: In all these matters I desire to be as truthful as it is possible for one to be, and I desire to be accurate. I do not understand why hon. members, in order to gain a point, will exaggerate statements. I propose to show that the Colonial Treasurer's statements in opposition to this Bill were exaggerated. He

has not visited the places where these consultations are conducted; he has only the words of other people, who do not give him the truth. If the promoter of the principal consultations carried on in this State kept a record of all the little boys and girls mentioned by the Colonial Treasurer as coming into the promoter's establishment, I venture to say he would scarcely have more than one on his record.

MR. GEORGE: It was only a little bit of florid language.

THE COLONIAL TREASURER: That was stated.

MR. WALLACE: The Colonial Treasurer has been wrongly informed.

MR. GEORGE: Syndicates got up at the schools, I suppose.

MR. WALLACE: The matter of licensing tobacconists was brought up two or three years ago. If some gentleman holding such principles as the Colonial Treasurer holds, had introduced a restriction, say in the shape of a £50 license fee for tobacconists, in order to suppress other crimes and evils than those of totalisators and consultations, it would have been a very good thing. We heard nothing of those things before the member for York introduced this Bill.

THE COLONIAL TREASURER: The hon. member is inaccurate. I said something of the kind a session or two ago.

MR. WALLACE: The Colonial Treasurer states he mentioned the matter a session or two ago, implying that he moved for the licensing of tobacconists. I think, however, that he must have moved very lightly.

MR. GEORGE: What about the coupon system?

MR. WALLACE: I hope the Colonial Treasurer, now that he is in a position to do so, will move in the direction of licensing tobacconists.

MR. GEORGE: Are you in favour of the coupon system?

MR. WALLACE: I have been told that two or three branches of revenue benefited annually by the sweep promotion in this State to the extent of something like £9,000 in all. The Colonial Treasurer, it appears, does not desire to have in his Treasury chest any money at all, no matter what the amount may be, gained by this pernicious system of swindling. We have heard him state that the cost of gaining the £9,000 referred to is so excessive that it is very probable the country gains nothing by the increased revenue. If the Colonial Treasurer can show that the State is not making anything out of the sweep promotions, I have no desire to saddle the country with a burden of this sort. At the same time it is my opinion that the State profits largely by these consultations. Speaking as a layman, I am of opinion that if this Bill be passed it will still be entirely optional for the Colonial Treasurer to issue one license, or a hundred licenses, or indeed to issue a license at all.

MR. GEORGE: He won't have a chance to issue a hundred licenses.

[Several interjections.]

MR. WALLACE: Hon. members sitting round me will persist in interjecting, and they put into my head ideas that I do not desire to have put into it. I fear that the hon. member for York will receive from me the only support he will get in the House to-night. I do not say that I will support the Bill as it stands. My gambling losses—wins there are none—are very light indeed; and I do not desire to be deprived of one branch of my sport. I was always anxious to have a few shillings in Charles's sweeps, and also was always pleased to make a few bets. I do not contend that if gambling be stopped entirely I personally will be driven to drink; but there are many others who, if they are prevented from spending their money on sweeps, will certainly spend it in drink. Later on, therefore, increased accommodation will be required at the Inebriates' Home. I trust the Colonial Treasurer will offer no objection to providing that increased accommodation, for on him will rest the responsibility for the need of it.

THE COLONIAL TREASURER: I will take the responsibility.

MR. WALLACE: The Colonial Treasurer is now paving the way for a large increase in the population of the Inebriates' Home. When the money required for increasing the accommodation is asked for, the Colonial Treasurer, I fear, will tell us that there is a full Home and an empty Treasury. I leave the onus of the rejection of the Bill on the shoulders of the Colonial Treasurer. I intend to support the member for York.

MR. J. L. NANSON (Murchison): I am in sympathy with the member for

York to the extent of wishing that it were possible to permit the moderate use of consultations. We have heard a good deal to-night about the morality, or I should rather say the immorality, of gambling; but it has always seemed to me that this matter of the morality or immorality of gambling is merely a question of degree. Gambling, like most things in this world, if you use it in moderation may yield you a large amount of innocent pleasure; but, on the other hand, if you indulge in it to excess you will suffer as from excess in anything else. I am aware that in legislating on this matter it is an impossibility to secure absolute consistency. I suppose very few people now believe that by legislation you will succeed in absolutely stopping betting. Something like a century ago the State used to conduct lotteries, and from those lotteries drew a very handsome revenue; but the people of that time who believed gambling to be immoral brought their influence to bear and succeeded in persuading public opinion that the lotteries were doing an immensity of harm. Well, the lotteries were stopped; and for a time, no doubt, good results followed; but at the present day the complaint is made in England—a complaint to which the member for York referred — that gambling is just as rampant as it was 100 years ago when those lotteries flourished. You have abolished the lotteries, but you have allowed another form of gambling to step in; and, no matter what you may do by legislation, though you may abolish a hundred forms of gambling, the Protean evil is always found springing up in another shape. I cannot agree with the member for York in that provision of his Bill which affirms the vicious principle of creating a monopoly and then making a gift of the profits from that monopoly to private individuals. I have always held that if the State create a monopoly, the State should enjoy the fruits of that monopoly. To my mind, one great objection to the virtual monopoly in the liquor traffic is that the enormous revenue arising from the restriction of the trade in drink goes into the pockets of comparatively a few individuals. It will be a great mistake, if we allow the perpetuation in lotteries of this vicious system of putting money derived from public monopolies into the pockets of private individuals. We live in times in which it is stated that the voice of the people should prevail, and it has often seemed to me that in this vexed question of gambling, it might be wise, as regards consultations, to pass a measure declaring that this particular form of gambling should be submitted to the people in the form of a referendum; that it should be left to the people of this State to say whether they are willing to permit consultations or whether they are unwilling, and that the voice of the majority of the people should decide. It is infinitely better to face the position and endeavour to discover whether public opinion is with us or against us in our endeavour to restrict these evils; because nothing can be more certain than that if you are legislating against public opinion in this matter you will fail, but, on the other hand, if you legislate with public opinion in your favour, you may have a measure of success. What the opponents of gambling often seem to forget is what may be called the sociological defence for it, if conducted in moderation. Complaint is often heard that as civilisation advances, life tends to get more monotonous, and there can be no question that to people who are doing the same sort of work from day to day, and work in which very little variation arises, the privilege of being allowed to speculate or invest a small sum of money in one of these consultations does have the effect—a temporary effect it may be—of lightening for the time this present load of monotony that affects so large a proportion of our fellow beings. By the expenditure of a few shillings there is a possibility for any of us to build these delightful castles in the air which will make us think, at any rate for some months or for some weeks, until the drawing takes place, that we have all riches and affluence within our reach; and if lotteries conduce to that amount of pleasure and they are not carried to extremes, I fail to see where the great evil that one lot of extremists imagine in these lotteries could come in. But outside you have the cry that public opinion is against the attitude assumed in this House of stopping these lotteries, and we are further left in the dark because when the election took place it was a subject that came up only to a very slight degree, and, therefore, although I

am not prepared to go to the extent of supporting the Bill which the hon. member for York has introduced, I would like to see him amend the Bill or introduce another in its place for a referendum, so that Parliament may have some sort of guide as to what course it should take in framing laws on this vexed question of gambling.

THE PREMIER (Hon. G. Leake): It is not my intention to support the member for York (Mr. Monger).

MR. MONGER: I never expected it. (General laughter.)

THE PREMIER: But I intend to support the amendment of the member for Subiaco (Mr. H. Daglish). I am not very much influenced by the consideration that the rejection of this measure will encourage an increase of drunkenness. I hardly accept that proposition as a probable one, but I do not think there is any necessity at the present juncture to encourage the system of large consultations or lotteries upon horse-racing. Some people may think they do good, while others think that such a system does harm. I have no very definite opinion on the right or wrong of this principle, but I feel that the majority of the people of the State do not approve of this practice, and I am satisfied that it can do no good. Moreover, it is against the policy of the law to recognise lotteries, and I see no necessity to single out lotteries on horse-racing as being those which ought in the circumstances to be legalised while we disapprove of lotteries in other directions. We cannot, of course, legislate to put down or check gambling. The instinct is too strong in human nature to be put down by rule or regulation. I do not wish to pose as a moralist on this occasion. I have been known to purchase tickets in the vain hope that by chance I might speedily accumulate wealth, and like many other ventures of mine, they have been attended by a certain degree of disappointment. I have sometimes felt when I have put perhaps we will say £1 into one of Tattersall's big sweeps on the Melbourne Cup and have not succeeded, that I have lost about £30,000. Such a thought perhaps to myself and to others similarly placed must have had a depressing and demoralising effect upon a finely strung and sensitive moral system such as I myself or my friends possess. I do not think therefore in the circumstances we can argue in favour of such a system.

MR. MONGER: You mean that politically.

THE PREMIER: It is hardly a political subject. This is one of those frankly moral questions which men who sometimes do not believe in them are required to legislate upon. I intend to oppose the Bill. It has been brought forward on other occasions.

MR. MONGER: The Bill has never been brought forward. That is where you are making a mistake. The Government on numerous occasions have brought forward a Bill, and the present Bill only came forward this evening.

THE PREMIER: I say this matter has been brought forward at other times. I do not say by whom or with what object, but it has been brought forward, and the proposal invariably rejected by the House.

MR. MONGER: No, no.

THE PREMIER: I trust this Bill will meet with the same fate as its predecessors.

MR. F. WILSON (Perth): The hon. member in introducing this measure referred to some remarks by Lord Salisbury, who said those who were advocating legislation in this direction were undertaking a very arduous task. I can assure the member for York (Mr. Monger) that his task is equally arduous, and to my mind he does not stand the slightest chance of passing the Bill through the Assembly. As far as the remarks of the member for the Murchison (Mr. J. L. Nanson) are concerned, suggesting that a Bill should be introduced to refer this matter to a referendum, I take it there are very few members of the House who would agree to that course. I for one am sufficiently in touch with my electors to know what the majority wish with regard to measures of this sort, and if any member is not sufficiently in touch with his electors, the sooner he holds a meeting or comes into contact with them and ascertains what their opinions are, the better. We do not want a referendum. I hope we are quite capable of expressing the opinion of the majority of our electors, and of passing a Bill or rejecting it. It has been a matter of surprise to me that it has taken so

many years, after a decided expression of public opinion against these lotteries, for the police to move and suppress them. I do not know where the fault lay, whether it was actually with the police or the Government of the day, but we know these sweeps have been in our midst for some years, although they have been illegal, and I believe it was only of late, when private persons moved in connection with the repudiation of a debt of one of the promoters——

A MEMBER: The Government took steps.

MR. WILSON: I thought the initial procedure was by private individuals. It was only then that the Government took action to close down sweeps, which had caused so much adverse comment for the past three or four years.

THE COLONIAL TREASURER: The present Premier.

MR. WILSON: I am happy to hear that, and I congratulate the Premier on putting the law into force, which had been in abeyance to my knowledge for the last four or five years. I quite admit that gambling is a question of degree, but surely we do not want to increase the degree here. We know that gambling goes on to some extent on racecourses, but there is a great difference between having a sweep or consultation in every other shop down the main streets of the city, and having it centred or confined to the arena of a racecourse. In one instance you have everyone passing down that street confronted with these advertisements, and despite what others may say, you have often boys and young men induced to speculate in these consultations. With these tote shops the temptation is the hope of making a big windfall or rise by investing 10s. or a £1 in these sweeps. The same temptation does not appertain to a racecourse. The individual must first go to the racecourse before he has the temptation of the tote before him. As a rule only those who know something about racing will go to a racecourse, and as a rule only those who know something about racing will put their money on a tote when they get there. I hope that many of us would even go so far as to object to gambling and betting on the racecourse, yet I hope that will not be used as an argument why we should refrain from closing these sweeps in the city. We object to gambling in any shape or form; but we know we cannot suppress it entirely, and therefore we desire to confine it to places where the racing takes place, and in that way minimise it to a great extent. I cannot understand anyone, either from the aspect of public morality or from the commercial aspect, wishing to support a measure to legalise these sweeps, which have been done away with in the other States of the Commonwealth. The hon. member once proposed a measure to make it penal for a bookmaker to follow his profession on the racecourse; and if he would apply it to the totalisator, I think the country would be better without it. I was proceeding to argue that even when we pass from the public morality of the question, we still have the commercial aspect to consider; and it goes without saying that we have it from all the shopkeepers in Perth that their business has been affected by the pernicious speculating in sweeps. [SEVERAL MEMBERS: No, no.] I am speaking of what has been proved to me to be true, by the evidence of those directly interested in commerce; and if hundreds of thousands of pounds are subscribed among a small population like ours for speculating in lottery tickets, that system must of necessity have its effect on the trade of the community. The member for the Murray (Mr. George) took exception by trying to draw an analogy between land sales and lotteries. You cannot compare the two questions. In the sweep you stand to win something, perhaps a hundred or a thousand or possibly ten thousand to one, though in the great majority of cases you are bound to lose all you invest in the sweep. But if you buy a block of land, you may pay too much for it perhaps, but you always have an asset in the land. In that case you do get something for your money, but in these sweeps you get nothing in most cases. The difference between trading and gambling is very distinct. I hope also the argument that theatricals are on the same line as gambling or sweeps will not be seriously entertained. People go to a theatre either for amusement or educational purposes; in many instances the theatre is resorted to for its educational value, and in other cases for amusement and recreation. People pay their money, and get some

value in return; and theatrical performances cannot have the same pernicious effect. I am bound to say that as far as these sweeps are concerned they are pernicious, they are detrimental to the wellbeing of this and any other State, and are injurious to the commercial health of the community. On these grounds I intend to vote for the amendment.

MR. J. M. HOPKINS (Boulder): I have been the recipient of several petitions from my constituents in connection with this matter, but there is one thing that struck me as being a most remarkable coincidence, that every petition was a reprint of the other; and this showed that they must have had one common source, and probably that was one of the sources whence these sweeps originated. It may be classed as on a par with the coupon system of trading, which is to get something and give nothing in return. When sweeps were permitted in Boulder, the game was known as the "missing alley." The town of Boulder was demoralised and trade became stagnant. We found that certain persons connected with those lotteries became wealthy; that persons whose financial standing was thought not to be good were able to branch out with carriage and pair, and all sorts of elaborate accessories were added to their households; although anyone knowing their surroundings could not believe this system of sweep promotion was in the interests of the people. I believe these sweeps have a demoralising effect on the community when permitted to be conducted without restriction. I am not a moralist myself, but I may say that any person having seen this Bill—and I am sure the persons who forwarded those petitions to me in favour of it had never seen the Bill—could come to only one conclusion, that it was not in their interest that the Bill should be passed. If any person apply for a liquor license or other such license, he has to make his application by giving full publicity and advertising, and has to apply in open court for the license; but in this case the Bill provides that by depositing £5,000 with the Colonial Treasurer, the applicant is to have the privilege of obtaining a license, and there is to be no publicity except that application in writing shall be made. All sorts of privileges are to be secured to the licensee; but no matter what may happen, it is not to be in the power of the Colonial Treasurer to cancel the license. If sweeps were permitted under the control of the Government, and we curtailed them to the extent of having one to four sweeps per annum, the system would not be so bad; but to allow any licensee to run sweeps indiscriminately means the impoverishment of the people. Regulation No. 7 in the schedule provides that before a lottery is drawn or distributed, the licensee shall certify the total amount of money subscribed, and 90 per cent. of the amount subscribed shall be distributed to the subscribers. Had this regulation stated that 10 per cent. should be retained by the promoter and 90 per cent. be handed over to the Government, with an audited statement together with the butts of the tickets issued, and if the Government were to pay out the prizes, we would then know that the large percentage of prizes which are never claimed would remain with the State and would not go to the promoter. The State has every right to this unclaimed money. The member for the Murray gave us the contents of a letter—I do not know who was responsible for the twaddle in it, nor whether the letter emanated from one of his constituents. I suppose if it did, the authorities will take note of its contents, and the police will probably take action with regard to the playing at "two-up" in that constituency. There was some "two-up" played at Boulder at one time, but it has been practically exterminated.

MR. MONGER: It would not take place there now.

MR. HOPKINS: I can assure the hon. member it did take place there, even since he left the town. It seems the old methods of integrity and self-reliance are going to be abolished and if these sweeps are to be permitted, everybody is going to take to drink—the Colonial Treasurer included. If the licensee under this Bill gains the privileges asked for, and supposing he transgresses against the conditions, what penalties are to be imposed? I do not see one solitary penalty provided in the Bill. Instead of that, the Bill ought to provide one of the most stringent penalties that could be imposed. In regard to the granting of other licenses, we claim the right to cancel them if the conditions are not complied with. In this instance, it is

not deemed advisable to provide for cancelling the sweep license. I am pleased that the Colonial Treasurer and the Premier are going to oppose the measure as it stands. If the member who introduced the Bill had asked any member of this House what chance he would have as an investor in sweeps conducted under the conditions provided in this Bill, that member would have to say that he had a double chance—his own and Buckley's. Some reference was made to the totalisator. For my part, I spend a good portion of time when on the goldfields in attending race meetings; but I believe it would be to the best interests of the community if the totalisator were legalised, and the privileges of bookmakers were abolished once for all. I do not believe the bookmaker is indispensable. When I am prepared to bet, I prefer to bet through the totalisator, in which you get the legitimate odds, and whatever funds are gained out of the percentages are spent in improving the racecourse or in providing larger stakes for the owners of horses.

MR. R. HASTIE (Kanowna): I wish to say that the House is indebted to the member for York for bringing this measure before us. Though several members have criticised the Bill severely, and pointed out how in some directions it does not fulfil the purpose intended, yet I take it that the mover's object was to put before us the question whether or not sweeps should be legalised in this country. I am prepared to say they should not. Yet at the same time there are many men in the country who think that probably Parliament will legalise sweeps; and we have to decide whether or not Parliament should legalise the business of the sweep promoter. I have no doubt that if Parliament decided to do so, the hon. member would agree to very many alterations in the clauses of the Bill. A farther remark I wish to make, is on another aspect of the question, which has already been referred to. All over the country petitions have been got up.

SEVERAL MEMBERS: No, no.

MR. HASTIE: Well, in most parts of the country petitions have been got up; and they have been signed by thousands of very good people, thousands of people who wish to have the privilege of speculating in those sweeps. It has been represented to most of us that they would be pleased if we acceded to their petition by legalising sweeps. Personally, I do not agree with the legalisation of sweeps; and I know thousands of people who also do not agree with it; and I trust that the House to-night will express its opinion in very decided terms, because we know that in Western Australia hundreds of people make it their particular business to work these sweeps, no doubt believing the occupation to be a legitimate one. So far as the administration of the law is concerned, sweeps were allowed to be run until recently. Now it is the business of the House to consider whether they shall go on much longer. In one respect I think the member for York is unfortunate. His Bill has not received the amount of backing I expected it would get. He told us, in moving the second reading, that the Bill was one of only two clauses, and surely, he urged, that was a consideration. We remember the wet-nurse in a certain story excused her mistake for being so young a mother, by saying her baby was "such a little one." The hon. member makes the same excuse in this Assembly for his little Bill. I hope, however, that the House will adhere to principle, and that the vote of the House will be decisive on the question of whether or not we are to make sweep-gambling easy, and so give the West Australian public farther facilities for gambling. I think this Bill proposes a revival of gambling, and I therefore trust the House will give a decided vote on one side or the other.

MR. A. E. THOMAS (Dundas): I rise, with sorrow, as far as my friend the member for York is concerned, to oppose the Bill he has introduced. I also have received a petition; and I think it right I should inform the House that I have carefully looked through the signatures, and that the petition does, so far as I can see, contain 120 genuine signatures of residents in the Dundas electorate. But I am sure the 120 signatories were not acquainted with all the provisions of the Federal Postal Bill and the Schedule thereto. I oppose the Bill before us, first on the principle that its passage will provide an easy living for some members of the community at the expense of the majority of the community, by reason of

this 10 per cent., which the promoters retain at all times. I oppose the Bill, secondly, on the ground that it will demoralise horse-racing. Hon. members may laugh, but I do not think they will laugh after I have farther explained my meaning. Racing is upheld by many people, because they believe that it improves the breed of horses; and it is upheld by other people because they believe it gives enjoyment to certain classes of the community.

A MEMBER: Good reasons, too.

MR. THOMAS: Excellent reasons, both. I patronise horse-racing myself, and shall continue to do so. But I have had experience of big sweeps in other countries than this. I have had experience of Phillips's sweeps in Johannesburg, which sweeps are second only to Tattersall's consultations in Tasmania. In Johannesburg there were repeatedly cases of an owner refusing to run his horse unless the drawer of the horse consented to lay him half the amount of the prize to nothing. In case of a refusal, he would strike his horse's name out of the running list. It is provided in the Schedule to this Bill that the names of the drawers of horses shall not be published. Such a provision was also in force in Johannesburg; more lately, though: at first it was not in force. I know of instances there, and I have known of instances in other countries also, where an owner has even had the impertinence to wire to the drawer of a horse, saying that unless he were allowed a certain proportion of the ticket, he would scratch the horse's name. Even after the provision that the names of drawers of horses should not be published came into force, the owner would simply wait, and if no one came forward, with an offer to give him a proportion of the prize money, the horse was scratched just the same as before.

POINTS OF ORDER, ETC.

MR. MONGER called attention to the state of the House.

THE COLONIAL TREASURER: On a point of order, I ask whether it is in order to interrupt a member when speaking?

THE SPEAKER: I think that the hon. member had the right to call attention to this matter when another member was speaking.

Bells rung, and quorum formed.

MR. THOMAS (continuing): I must thank the hon. member for York for giving me a greater audience than I had previously, although I do not wish at this late hour to detain the House longer except once more to say——

THE PREMIER: I rise to a point of order. Is it right for the member for York, who drew attention to the state of the House, to retire from the House?

THE SPEAKER: No; it is out of order.

MR. MONGER: I came back. I only went out to get something.

THE SPEAKER: The hon. member ought not to have gone out at all.

MR. MONGER: I apologise, sir.

DEBATE RESUMED.

MR. THOMAS (continuing): Except to say that I oppose the Bill on these two principles: that it makes an easy living for a certain small portion of the community at the expense of the community generally, and also that, in my opinion, the promotion of sweeps tends to the demoralisation of horse-racing, which we want to keep at as high a standard as it is possible to keep it.

THE SPEAKER: Does the hon. member in charge of the Bill wish to reply?

MR. MONGER (in reply as mover): I am sorry to speak at this late hour, but perhaps it may be necessary for me to occupy the time of members in referring to some of those very able remarks which have fallen from my friends on the other (Government) side of the House. I must, in the first instance, thank the member for Subiaco (Mr. Daglish) for the compliment he intended to pay me because I brought the Bill forward. He referred to the Bill as now drafted as being a monopoly in the interests of a very few; a monopoly which I must say the hon. member is as much entitled to as any other person in Perth or any part of the State. He referred to the schedule as making it absolutely necessary that a £5,000 deposit should be put up in order that the privileges of this Bill should be obtained. I should be only too pleased to accept an amendment from that gentleman making it £500 instead of £5,000.

MR. R. HASTIE: Or £5.

MR. MONGER: Make it £5, if it will suit you better. I was in the first instance quite prepared to have an amendment of this kind. What I want to point out is that the Bill I have submitted this evening is practically the Act which is to-day in existence in Tasmania; and what amendments the Federal Parliament may have passed in their Post and Telegraphs Bill, I do not know. The member for the Boulder (Mr. J. M. Hopkins) appears to be in possession of more facts than I am in possession of.

MR. HOPKINS: That is not to be wondered at.

MR. MONGER: I will admit I am not at all surprised at that, but it seems strange to me that if those amendments which were submitted to be added to the Bill were not carried, the hon. member is not in possession of the fact. I say the amendments submitted to be added to Clauses 54 and 55 were absolutely carried in the Federal Parliament.

THE COLONIAL TREASURER: I do not think you are correct.

MR. MONGER: Is there a member of the Government who is prepared to say my remarks are incorrect? I have given you the amendments; I have read them out to-night.

THE COLONIAL TREASURER: Do you affirm that they are passed?

MR. MONGER: I infer they are passed.

THE COLONIAL TREASURER: Will you affirm that they are?

MR. MONGER: It is not for me. I simply took the date of the Parliamentary list.

THE COLONIAL TREASURER: It is impossible they were passed. There were five States against them.

MR. MONGER: I do not know. They were worded in that nice manner which the Colonial Treasurer is in the habit of using. They were worded so nicely that no one could take offence at them. The chances are that they were carried. I have no desire to read the many various arguments used in the Federal Parliament regarding the particular clauses to which the Colonial Treasurer made reference, but, it appears to me I shall have to read some of these, and in a sort of winding-up way I shall have to draw some inferences, like my friend, the member for East Perth (Hon. W. H. James).

THE COLONIAL TREASURER: Do not stonewall. There is no force in that.

MR. MONGER: This very vexed question was spoken to in language which it would be hard to surpass. In referring to this particular Clause 55 of the Postal Bill, one says:—

> I now come to the clauses which are exciting so much interest outside the House. The question whether Clause 55 does not amount to an invasion——

POINTS OF ORDER, ETC.

MR. DAGLISH rose to a point of order. Clause 55 of the Postal Bill was not referred to by any speaker during the debate, and the hon. member, in introducing it, was introducing new matter into his reply; matter altogether outside the scope of the discussion, to which he should be confined.

THE SPEAKER: The hon. member should not introduce fresh matter.

MR. MONGER said he desired to bring under notice that he referred to this as being the principal point in connection with the Bill.

THE SPEAKER: The hon. member did generally refer to the Postal Bill in the Federal Parliament.

MR. MONGER: And particularly referred to Clause 55, and read a particular amendment of Clause 55, which was the basis of the supposed rejection of "Tattersall's" in Tasmania.

THE SPEAKER said he did not hear the hon. member refer to that particular clause; but, of course, if he did he was in order in going on to allude to it.

MR. MONGER said he particularly referred to it.

MR. DAGLISH, in pursuance of the point of order, inquired whether the hon. member was supposed to reply to his own previous remarks, as he himself was the only member who referred to Clause 55, and therefore he was now replying to his own remarks.

THE SPEAKER: The hon. member could not call it new matter, if it was referred to before. Still, it would soon be necessary to rule that the member for York was out of order, if he was speaking merely to prolong the debate.

MR. M. H. JACOBY called attention to the state of the House.

Bells rung, and quorum formed.

MR. MONGER referred farther to Clause 55.

MR. HOPKINS: Was the hon. member in order in discussing the point he was now dealing with?

MR. MONGER resumed his remarks at some length.

THE COLONIAL TREASURER: Too much time had been wasted already.

MR. HOPKINS: The hon. member might apply for six months' leave of absence.

MR. MONGER asked the Premier if he would agree to an adjournment of the debate.

The PREMIER said he was not at liberty to answer the question.

THE COLONIAL TREASURER: The hon. member might move the adjournment himself.

MR. MONGER: The Government might reasonably agree to an adjournment.

THE COLONIAL TREASURER: Let the hon. member move the adjournment.

MR. MONGER: Yes; and then he would be beaten. If he moved the adjournment, would the Government agree to it?

MR. OATS: If the hon. member would sit down, he (Mr. Oats) would move the adjournment of the debate.

MR. MONGER: If the Government would agree to the adjournment, he would move it.

LABOUR MEMBER: Adjourn for six months.

MR. HOPKINS: Was there any limit to which the hon. member might continue his remarks?

THE SPEAKER read to the House the Standing Order on which he intended to take action immediately, if necessary. The hon. member was now speaking for the sake of obstruction; therefore he (the Speaker) would carry out the order if the hon. member continued this course much longer.

MR. MONGER again asked the Premier if he would consent to an adjournment of the debate.

[No reply. Mr. Monger sat down.]

MR. OATS moved that the debate be adjourned.

THE SPEAKER said the only question he could put was that which was before the House. The question was, "That the word proposed be struck out stand part of the question." Did members understand the position?

MR. WILSON: Was the motion for adjournment not to be put?

THE SPEAKER: The question to be put was the question before the House, namely, "That the word proposed to be struck out stand part of the question."

Question put, and negatived on the voices. Farther question — That the words proposed to be added be so added — put and passed.

Motion for second reading thus negatived, and the amendment passed.

ADJOURNMENT.

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

Legislative Council,

Wednesday, 18th September, 1901.

Papers presented—Statutes (complete) Printed—Question: Electricity, long-distance transmission, bonus—Paper (plan), ordered: Kurrawang Railway Extension—Motion: Midland Railway, Travelling Inconveniences—Bush Fires Bill, in Committee, reported—Roads Act Amendment Bill, in Committee to new clauses, progress—Roman Catholic Church Lands Act Amendment Bill, Select Committee's Report—Obituary: President McKinley—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS: Annual Reports, (1) Postmaster General, (2) Perth Public Hospital.

Ordered to lie on the table.

STATUTES (COMPLETE) PRINTED.

THE MINISTER FOR LANDS (Hon. C. Sommers): I wish to inform members that bound sets of Statutes for the use of members of the Legislative Council will shortly be ready for distribution.