

Legislative Assembly,

Thursday, 23rd September, 1909.

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

PAPERS PRESENTED.

By the Premier: (1), Medical, Health, and Factories Departments—Report of Principal Medical Officer; (2), Office of Principal Medical Officer—Statement of reasons for not approving of the recommendation of the Public Service Commissioner.

URGENCY MOTION—TIMBER TROUBLE, HEWING RATE.

Mr. HOLMAN (Murchison): I desire, Mr. Speaker, to move the adjournment of the House, for the reasons I have given you.

Mr. SPEAKER: The hon. member for Murchison has placed in my hands his reasons for wishing to move a motion for the adjournment of the House. The subject is as follows: With a view to calling attention to a matter of urgency, namely the serious position brought about in the timber industry by the refusal of the Commissioner of Railways to pay the rates paid by other employers for hewing sleepers, and the possibility of the trouble extending throughout the industry unless an early settlement is brought about.

Seven members having risen in their places.

Mr. HOLMAN said: I do not intend to delay the House in regard to this matter, but the position has reached an acute stage and it is necessary that it should be settled to prevent a serious dislocation of work in the timber indus-

try. The matter at the present time does not affect a very large number of men, because it only extends to one branch, namely that connected with the existing lines. The fact that the Commissioner of Railways absolutely refuses to pay the rate that other employers pay for sleepers at the present time has been the means of the stoppage of a fair number of men employed in the industry. At the present time there are some fifty or sixty men practically affected by this trouble, and if the matter be not fixed up it may extend to as many hundreds as there are tens affected at the present time. Although at the outset this matter may not seem a very serious one to those who do not understand it, still there is a big principle involved in the question, and a principle which the Government should decide upon and, having decided upon, should furnish information as to what their policy will be in regard to it. If the Government railways are to be allowed to pay less than the rate paid by private employers the result will be serious indeed. The men themselves realise this, and have done everything possible to bring about a definite settlement. The member for Forrest (Mr. O'Loughlin) and the member for Collie (Mr. A. A. Wilson) have interested themselves in this matter during the last two weeks or more, and have done everything possible to effect a satisfactory settlement. They have tried by every means in their power to do this, but the fact that the Commissioner for Railways absolutely refuses to pay the same current rates that are paid by other employers has, as I say, brought about a stoppage of those men engaged in the timber industry. When this question first cropped up—for it is not a new question, it has been simmering for months and has caused a great deal of dissatisfaction among the hewers—

The Minister for Railways: You knew a lot more about it than did the Railway Department.

Mr. HOLMAN: Twelve months ago we placed the matter before the Premier: and so far as knowing more than the railway people, I think we will be

able to get some very interesting information in this House to-night showing that the railway people are not so much in the dark as they try to make out. So far as the railways are concerned, and the policy governing the railways at the present time, it seems to be one tending more towards sweating and the ruthless cutting down of wages than is good for the country. In connection with this matter, some three weeks ago the question was taken up and reached an acute stage. The men appointed representatives to wait upon the Commissioner for Railways and make an effort to bring about a settlement of this trouble. They carried certain resolutions which they forwarded to the Commissioner. These resolutions were carried and signed by practically every man affected. One of these resolutions was as follows:—

“We decide to cut no more Government sleepers at the present rate, and we demand the ruling rate as paid by other employers.”

Surely there can be no possible quibble about paying the same rate that others connected with the industry pay. Even the Works Department, which has purchased a great number of sleepers recently, have had to pay an increased rate as compared with the rate that existed some months ago; and surely the Railway Department should be prepared to pay the same increase, and so obviate a trouble which will eventually extend throughout the whole of the industry. About a fortnight ago representations were made to the Commissioner asking that this matter should be remedied. Those representations have been met by a direct refusal. Since that time I have been doing everything possible to induce the Premier to see what could be done with a view to remedying the trouble. Unfortunately after being delayed day after day, when the position was becoming very serious and matters reaching a stage by no means satisfactory, we find we cannot make any further progress. In all probability it will be stated that the Railway Department do not require any more sleepers at the present time. Such a statement will be merely evading the question. Still, if we can get

the assurance that when they do want more sleepers they will pay the current rates it will be satisfactory to us. However, if we cannot get that assurance, so far as I am personally concerned I will endeavour to protect the interests of these men to the utmost extent. And if it be in my power to prevent it I will not allow the Commissioner of Railways to cause a big trouble in the industry without his giving the people most concerned every opportunity of preventing that trouble; nor will I allow the Commissioner to follow a certain course which will assuredly be the means of impairing the conditions existing right through the timber industry. The trouble is one that may reach very large dimensions. The position is this: Although only a small number of men are affected just now, if the other people in the timber industry, as has already been mooted by the delegates sent to confer on the matter—if it be shown that this trouble may in future affect the interests of the whole of the workers in the industry, then it will be to the direct interests of every worker in that industry to take a certain course of action in sympathy with his fellow workers. If the interests of these men are likely to be jeopardised through a policy certainly not in the interests of the country, then it is my duty as a representative of the people to see that the interests of the people shall not be so jeopardised. It seems a remarkable thing that while every other employer is quite content to pay a certain rate for the work which is being performed, the Railway Department is the only employer in the State refusing to pay the rate current at the present time.

The Premier: You mean that the Railway Department have not altered the rate they were paying.

Mr. HOLMAN: No: they have not.

The Premier: Why did the other people alter it? They altered the rate with a view to taking men away from a rival company.

Mr. HOLMAN: That is the Premier's view of it. As a matter of fact they altered the rate because, only a few months ago, over 400 hewers ceased work;

and had it not been for the representations of those charged with the interests of these men, that trouble would have extended throughout the whole of the industry. There had been dissatisfaction among the men for something like 12 months, and had it not been for the fact that those who are advising them and looking after their interests suggested that no drastic steps should be taken, as there was a chance of the case going before the Federal Arbitration Court, the whole of the timber industry might have been at a standstill. The reason why the men are getting a little higher rate than they did some time ago, is because the amount of money that they have been earning was insufficient for the work they did. It will be suggested, no doubt, that the men working for the Government earn so much a day, but it is to be hoped that those who make this statement will tell us how many hours a day the men have to work for the miserable wage they receive. They have to work all hours, from early morning until late at night.

The Premier: They need not do that.

Mr. HOLMAN: They have to in order to earn sufficient to live on.

The Minister for Mines: Men are easy to get.

Mr. HOLMAN: They have refused to go to work and that does not show eagerness to remain at work at the existing rate. In some instances men, who will doubtless be cited as being in receipt of a certain wage, have been known to work on Sundays. It is intended to endeavour to bring about, throughout the whole timber industry of the State, as soon as possible, an eight hours day. If the department refuse to assist in bringing that about they will be responsible for any trouble that takes place. However, it is the desire of those associated with the industry to do everything possible to prevent the trouble extending any further. The Commissioner of Railways will find that if a trouble takes place he will lose much more in revenue, owing to the refusal of the men to cut timber, which goes over the railways, than he would by paying a fair rate for the sleepers. It is not

our desire to compel the department to take sleepers now, for all we want is to have an assurance that when sleepers are required the department will be prepared to pay the same rate for them as other employers. To show that the trouble extends further than its present centre at Marrinup, resolutions have been carried in many other districts dealing with the question. Great surprise and condemnation has been shown at the action of the Government in refusing to pay a fair and reasonable rate for their sleepers. All the men engaged in the industry must naturally protect their own interests by taking a stand on the present issue. It has also been mentioned in a good many other directions that unless the matter is settled there is a great possibility of its extension throughout the State. I fail to see why the Commissioner of Railways should be allowed to bring about a reduction in the industry, merely to show a little better return in his year's working. Sleepers at the rate mentioned have been received by the Commissioner for the past two or three years. If that is so, and the rates have been increased by all other employers, the department should fall in line, and not be the ones to bring about a reduction in the earnings of the sleeper hewers generally. As this is a matter that affects the interests of the State, and may have far reaching results, so I trust the Premier will give us an assurance that if the department do not require sleepers now, when they do so in the future they will pay the same rate as other private employers. It is only a fair thing that the Government, instead of being a party towards bringing about the reduction, should be the very first to hold out inducements to the other employers to pay a fair and living rate of wages. In all probability, if the Premier replies to the effect that the Government will pay the same rate as other employers, the matter will be settled very soon. We do not want to compel the Government to take sleepers they do not need. This is a great question, and should be dealt with at once so that a big trouble may not arise. I beg to move—

That the House do now adjourn.

The PREMIER (Hon. N. J. Moore): As the member has said, the matter has already been brought under my notice, and I have asked the Commissioner of Railways to give me the facts of the case. From him I gather that for some considerable time the same price has been paid to the sleeper hewers as now, that is 1s. 4½d. delivered at the line, and 1s. 1d. delivered at the stump. It is difficult to make a comparison between the sleepers cut for the Railway Department and sleepers cut for the export trade, inasmuch as the latter are of a special class, 9ft. 6in. long and 10 by 5. Even an amateur will understand that it must necessarily follow that a better price will be given for a larger sleeper, more especially if that sleeper is procured from a cut-out bush. The Commissioner has had no trouble in obtaining men to cut sleepers at the price quoted, and those men have proceeded to the new bush in the flora and fauna reserves, and were quite ready to work there, knowing the existing price, and notwithstanding the fact that prior to their going there advertisements had appeared in the daily papers asking for sleeper cutters at a higher rate than they were to receive. There was no compulsion on the part of the Railway Department to send them to Marrinup, for other avenues of employment at a higher rate were being offered by the timber companies. As far as the men on this concession are concerned, they are far better off than they have ever been before, inasmuch as they are cutting in virgin country. At the present time the Government, with a view of taking the necessary steps to protect the interests of the State, have made certain reserves, one of the number being the flora-fauna reserve I have referred to, which contains the prime timber in Western Australia. These men, I understand, are well satisfied with their present conditions as compared with those that existed quite recently, when they were cutting at the same price in the cut-out bush. Anyone with a practical knowledge of the matter knows that it largely depends upon the sort of bush the hewers have to cut in as to whether

a good wage is to be earned or not. If a man had to go to Chidlow's Well for instance and try and get sleepers there he must get a better price than if he goes into the virgin forest, such as the one to which I have referred. With regard to the wages being paid, I understand that at the present time a fair hewer will cut about 10 sleepers a day—that is sleepers of the small size we use—and that many of them average from 12 to 15 sleepers, the net price they receive being 1s. 1d. per sleeper. The Government are paying 1s. 4½d. a sleeper, but I understand that 3½d. is paid to the carter for conveying the sleeper from the stump to the line. The member suggests that if the Government are not in need of sleepers at the present time they should undertake to pay the current rates when they want sleepers. The Government have never advocated doing anything else than to pay current rates, but at the present time, apart from the work of the sleeper cutters at Marrinup, the Commissioner of Railways has a contract for some 60,000 or 70,000 sleepers at a price of 1s. 4½d. Consequently he is not in any urgent need for sleepers.

Mr. O'Loughlin: Where is he cutting them?

The PREMIER: He has an agreement with the Co-operative Hewers' Association, who have been granted by the Government a large slice of this particular virgin bush.

Mr. Daglish: What is the price paid by the companies?

The PREMIER: It is very difficult to compare the price with what they are paying, inasmuch as they are dealing with large sleepers, 9 feet 6 inches and 10 by 5, whereas the Government sleepers are much smaller.

Mr. Holman: The price is not hard to find inasmuch as sleepers are estimated per load.

The PREMIER: Irrespective of the bush?

Mr. Holman: Yes, except in exceptional cases.

The PREMIER: Is it not necessary to pay more where sleepers are being ob-

tained from cut-out bush than from the virgin forest? It would be an insult to a man of intelligence to ask him to believe the contrary. Anyone who knows any thing about the sleeper hewing realises that.

Mr. Holman: We will tell you where 100 men are engaged in the virgin bush.

The PREMIER: Give a man a chance of going into the virgin bush, as compared with a cut-out bush, and he will be prepared to go there at 2s. 6d. a load less.

Mr. Collier: You pay 5s. a load less.

The PREMIER: I have been trying to get information as to what is paid by private companies, so as to make a comparison, but have not been able to get at the amount. The member has referred to the fact that the Government have entered into a contract and are paying more than the rate now referred to. It is a very difficult matter to make a comparison in a case such as that, for on the one hand the sleepers of the department are being obtained at the stump, while on the other there is a contract to deliver for the Port Hedland railway sleepers on rail in Bunbury. The latter are sawn sleepers. This has to be taken into consideration.

Mr. Holman: There is no use comparing the present price with what it was six months ago.

The PREMIER: The member has referred to the fact that the price for sleepers has gone up recently. With all due deference to his knowledge—I maintain I am acquainted with the industry myself—the enhanced price is paid by some of the existing companies for the purpose of encouraging men to leave other companies and go to them, so that they might be able to complete urgent orders.

Mr. O'Loghlen: All the companies pay the higher rate.

The PREMIER: It is admitted that in the first place some of the good hewers left their employers in order to secure employment with other companies at a higher rate of wages. There is no reason, if the price is so much better and the Commissioner of Railways

does not want sleepers, why these men should not do likewise. It was not as if the Commissioner of Railways was paying a certain price and had reduced it. He has not altered his price. It is the companies who have put up their price. The men say that they have worked for the Railway Department for a considerable number of years and the employment has been continuous, and they are prepared to stick to it.

Mr. Collier: Do you contend that the Government should not vary their rates as the private employers do?

The PREMIER: Are they going to put up their prices every time? As far as we are concerned are we going to be at the mercy of the timber companies who might combine, and pay an increased price? What does this increased price mean? Every threepence on a sleeper means for every mile of railway that is constructed that we have to add £30 to the cost. Rather than the Government should be at the mercy of any combination, we will put up our own mill on the flora and fauna reserve.

Mr. Holman: That is what we are asking.

The PREMIER: Then we can protect ourselves against the hewers as we do against the companies. The question is one which I have no objection to being ventilated. I know it is the desire of all members that we should not have any trouble as far as the timber industry is concerned. The men, from what I can understand, are well satisfied with the conditions existing, and it is rather unfortunate that this small difficulty should have occurred. After all it is a mere matter of departmental administration, and one in which the Government are not justified in dictating to the Commissioner of Railways, if in the opinion of his officers there is no grievance. In connection with the contract which the Commissioner of Railways has at present for 60,000 sleepers, I do not like to commit the Government without consulting the Commissioner as to coming to an arrangement that when his present wants are supplied we will be prepared to pay whatever rate may be in vogue. We certainly do not want the

men to work for a lower price after all the circumstances have been taken into consideration; but I want to impress on hon. members that there is more in the class of country in which these men are at work than would appear on the surface. I can only say it seems reasonable that we should, when the current contracts are completed, call tenders for the supply of sleepers. We have adopted that practice in the past, and it seems to me from what I can gather from the hon. member it would be preferable to call tenders than to carry on at the present time the "butty gang" system. In this connection I understand one individual becomes responsible for a certain number of men, and I am informed by the member for Murchison that one of these men recently collected what was due to a certain number of men and bolted with it. The amount I think was something like £150. That is unsatisfactory, and personally I would rather see the men working on the same lines as the Co-operative hewers are doing at the present time. I do not wish to say anything further except that I am prepared to consult the Commissioner of Railways, and ask him whether such arrangements can be made to endeavour to pay ruling rates as soon as the existing contracts are completed and when he requires additional sleepers.

Mr. UNDERWOOD (Pilbara): In my opinion the Premier's reply is unsatisfactory. I have always held that it is the duty of the Government to pay as high wages as any private employer; in fact I think it would be advisable for the Government to be the model employer of the State. The Premier it seems to me has rather a poor argument when he comes along and endeavours to get behind the Commissioner. I have spoken on this and similar phases of the question before, and I have found whenever there is a difficulty, the answer given has been something similar to that given by the Premier to-day. That is, that whenever higher wages have been advocated the Government have replied, "We cannot go behind the Commissioner."

The Premier: I do not think I said that.

Mr. UNDERWOOD: The Premier said that the Government had never advocated lower wages, and later on he stated he could not go behind the Commissioner. The statement that the Government have never advocated lower wages does not seem to me to be satisfactory, but the fact that they are paying these lower wages is unsatisfactory to those receiving them. With regard to getting behind the Commissioner, I think it is time the Government took up a position as boss of the State, and not delegate it to any individual who is not responsible to the people. I trust that every consideration will be given to this matter, and that these men will be paid wages similar to those which are being paid by various employers in the State. The proposition of the Premier that it would be possible for the timber companies to combine and raise the price of cutting sleepers would certainly, I think, be the first experience of the kind on earth.

The Premier: To the Government?

Mr. UNDERWOOD: To the hewers.

The Premier: They could combine, and not give any work to the hewers at all.

Mr. UNDERWOOD: It appears to me rather an unlikely proposition that the timber combine of Western Australia would raise the wages, simply to spite the Government. I must say it is one of the most extraordinary of many extraordinary statements I have heard the hon. gentleman make.

The Premier: You never heard me make such a statement. I said they had increased the price; that they could put up any price and we would have to pay through the nose for Government requirements. In order to protect the State we have made certain reserves, so as to be absolutely independent, and if necessary we can put up our own mill.

Mr. UNDERWOOD: We were speaking of the wages of the men, and that is the matter before the House this afternoon. I think hon. members must have understood the Premier to say that they

would combine and raise the wages of the men to spite the Government. All I can say is that it would be the first case of its kind on earth, and I would like to see it tried on just in the way of experimental legislation.

Mr. O'LOGHLEN (Forrest): As this little trouble has originated in my electorate, I desire to make a few remarks. The trouble is not altogether a new one; it has been simmering for some time, and I think the Premier will recognise, if he looks up the files of the Department, that as far as the men cutting sleepers for existing lines are concerned they have been getting a lower rate of wages for four or five years than those in private employment. The Premier has advanced arguments which will not hold water if put to the test, but I am pleased with his assurance that he will again confer with the Commissioner of Railways, and let us hope that this time there will be some practical result. He has been conferring with the Commissioner, and we have been holding this question back expecting some definite reply before the present time. In order to show that this is not merely a passing boom in the timber trade, I might say that prices have been steadily on the increase for some time, and I am going to refer to the fact that the Works Department have been compelled to pay a higher rate for their new construction works. I have looked up the figures for the different sizes of sleepers, and let me say there is not such a great deal of difference between cutting large and small sleepers, considering the bush is practically the same. I am going to refer to the Premier's contention that the men at Marrinup are in virgin forest. They were in virgin forest in Camellup Swamp area before going there. There are also 180 men in the Lunenburg area cutting for Millars' Karri and Jarrah Company in virgin forest.

The Premier: What do you call the Lunenburg area?

Mr. O'LOGHLEN: It is just outside Worsley.

The Premier: On private land?

Mr. O'LOGHLEN: Yes; cutting for Millars'. So that I do not think as far as that argument is concerned much importance can be attached to it.

The Premier: We can only say what the inspector says.

Mr. O'LOGHLEN: I think we are inclined to take too much notice of inspectors. In April, 1907, in connection with the Collie-Narrogin railway construction works, for sleepers 7ft. by 9in. by 4½in. they had to pay alongside the line 1s. 5d. or 3s. 5d., approximately, a load. In April, 1907, for the Jandakot railway, sleepers 7ft. by 9in. by 4½in. cost 1s. 5d. on the trucks at Collie. In December, 1907, for the Donnybrook-Preston railway, sleepers 6ft. by 8in. by 4in. alongside the line were 1s. 1d. for the first lot, 1s. 2d. for the second lot, and 1s. 3d. for the third lot. There was a gradual rise.

The Minister for Works: The first lot was the bulk of the contract.

Mr. O'LOGHLEN: For the second section of this railway, built in 1908, the first lot cost 1s. 2½d., the second lot 1s. 4d., and the third lot 1s. 6d.

The Premier: Where did they cost 1s. 2½d.?

Mr. O'LOGHLEN: Alongside the line.

The Minister for Works: The majority were at 1s. 2½d.

Mr. O'LOGHLEN: My endeavour is to show that there has been a gradual rise during the construction of these railways. For the Newcastle-Bolgart railway in September, 1908, the sleepers 6ft. by 8in. by 4in. on trucks cost 1s. 11d., or an increase of 7½d. on the highest price for the Donnybrook-Preston railway. A good number of them I believe were cut at Lion Mill.

Mr. George: Lion Mill is a worn-out forest.

Mr. O'LOGHLEN: I now come to the Pinjarra-Marrinup railway. The sleepers on trucks at Dandalup cost 1s. 7½d. There were 29,000 wanted, but only 10,000 were tendered for at first. That tender was put in by Whittaker Bros. There was no timber nearer than five miles from Pinjarra along the route and they needed these sleepers to carry them

out to that point. At any rate there was no tender for the other 19,000. Afterwards further tenders were called, with the result that Moore & Collins received a contract to provide the sleepers alongside the line at 1s. 5d.; but owing to the position being so unsatisfactory in their dealings with the Works Department, owing to the difficulty of getting satisfaction in the matter of inspection, and also owing to the low price at which they took the contract, they were only able to supply 6,000 sleepers out of the 19,000, the result being that the contract was cancelled.

The Minister for Works: I do not think it is yet cancelled.

Mr. O'LOGHLEN: If the Minister will consult the files of his department he will find that it has been cancelled.

The Minister for Works: Have you seen the files?

Mr. O'LOGHLEN: I saw the Engineer-in-Chief in his office to-day.

The Minister for Works: And I was speaking to the Engineer-in-Chief only half an hour ago.

Mr. O'LOGHLEN: Well, all I can say is that there may be a system of giving to members on this side of the House information that is different from that given to members on the other side. I merely desire to deal with what I have been told this afternoon in the Engineer-in-Chief's office. The sleepers required for the Mount Magnet-Black Range railway were 6ft. by 8in. by 4in., and they cost 1s. 7d. on the trucks. I would like the member for Murray (Mr. George) to take notice of this. They were supplied at 1s. 7d. at Lion Mill, while at Mundijong they cost 1s. 9d. The hon. member is aware that there are no hewers at Mundijong, and they are only sawn sleepers that come from there, but they cost 1s. 9d. on the trucks.

Mr. George: I was quoted 2s. 10d. and would not pay it, and made an enemy for life.

Mr. O'LOGHLEN: I wish to show a gradual rise right through. The latest contract is for the sleepers for the Marble

Bar railway. Of these 210,000 cost 2s. 2d., and 30,000 cost 1s. 1¾d.

The Premier: Where do they cost 2s. 2d.?

Mr. O'LOGHLEN: At Bunbury. Within less than two months the Works Department have been compelled to add over 4d. a sleeper to the cost, and if they have to pay this increase for 210,000 sleepers for the Marble Bar railway, I ask is there any injustice in another department not paying an increase of 4d. a stick for the sleepers required for existing lines? Many contracts have been placed by private employers for 9ft. 6in. by 9in. by 5in. sleepers.

The Premier: Ten by five.

Mr. O'LOGHLEN: No, nine by five.

The Premier: Where for?

Mr. O'LOGHLEN: I cannot tell you, but it is an absolute fact that they are cutting them 9ft. 6in. by 9in. by 5in.

The Premier: What are they paying?

Mr. O'LOGHLEN: Two shillings or 32s. a load. They are paying 32s. 9d. a load for 9ft. 6in. by 10in. by 5in. sleepers, and 32s. 8d. for 10ft. 6in. by 10in. by 5in. sleepers, while for sleepers 8ft. 6in. by 10in. by 5in. they are paying 32s. The sleepers over which the trouble has arisen, the 7ft. by 9in. by 4½in., are being paid for at the rate of 27s. 1d. per load. Why should this disparity exist?

The Minister for Works: I make it 37s. 1d.

Mr. O'LOGHLEN: I am surprised at the Minister. There is a difference of 10s. between his figures and mine. The department are paying 27s. 1d. a load for the sleepers over which the trouble has arisen, but other employers are paying an average of 32s. 7d. or an increase of 5s. 6d. over the rate paid by the Railway Department for sleepers for existing lines. Are members going to agree to a Government department paying such a low rate to men who have stood loyally by the Government for the last five or seven years? Are members going to submit to a policy which may be described as nothing less than sweating the sleeper hewers? The Premier made much of the fact that the companies by some sort of agreement between them were trying to

get the Government hewers away. I know the directors of many of the companies, and I do not think that they are philanthropists, or that they are going to bring about a state of affairs to force up the wages of the hewers or of any of their employees. So I do not think much reliance need be placed on the contention raised. Millars', the principal company operating in the timber trade in Western Australia, through a foreman have offered these men a guarantee of 18 months' work at a rate which is an increase of 5s. 6d. over what the Railway Department are paying. As the Premier said, members not conversant with the subject may be led away with the argument he advanced that if these men can get an increase of 5s. 6d. a load at another place why do they remain with the Government. There is not one of these men cutting to-day; they have ceased their work, and have asked us as their representatives to try to get a promise from the Government that when the Government require sleepers they will pay the current rate. The men can get 5s. 6d. extra elsewhere, but for years they have been working loyally for the Government, though as regards their getting other employment the door is open to them to-morrow. They could find employment in any other centre, and by one firm they have been practically guaranteed the increased rate of 5s. 6d. for 18 months. Are the Government going to allow this state of affairs in the Railway Department, that the department can get its sleepers for 5s. 6d. less than private people? I hold with the member for Pilbara (Mr. Underwood) that the Government should be model employers. We all advocate State enterprise. Ministers may take sides against us on other questions, but I believe they all consider that by the administration of State departments much good can be done to the State. Then if we believe in State enterprise, let us as the people's representatives not be accused of paying a sweating rate in regard to the sleepers required for existing lines.

The Minister for Railways: Is it a sweating rate?

Mr. O'LOGHLEN: These men have been paid the lower rate for five or six

years. Certainly they have been cutting at these rates, but we are not in one fixed groove all the time. These men, cutting not only Government sleepers, but for others, came to the conclusion some months ago that they wanted no charity rate, that they wanted something more. The member for Murray shakes his head.

Mr. George: I have too much respect for the hewers to think they are cutting for charity.

Mr. O'LOGHLEN: They are not cutting for charity altogether, but the hon. member knows that for years they have been cutting for 5s. 6d. a load less than they can obtain elsewhere.

Mr. George: No; but they may have been last year.

Mr. O'LOGHLEN: I say for five or six years they have been cutting at a lower rate than they could obtain from private employers, and I am prepared to prove it.

The Premier: Why have they been doing so?

Mr. O'LOGHLEN: Perhaps it is because they could see some little advantage in getting this new area the Premier mentioned.

Mr. George: And getting constant work for six months at a time.

Mr. O'LOGHLEN: Certainly they have in the past received constant work, but in the industry employees of other companies have been receiving constant work both on piece-work and contract, at which they have worked long hours, as has been said, and on Sundays as well. So there can be no criterion in the amount of wages earned as shown by the figures of the Premier.

Mr. Foulkes: Why do they work on Sundays?

Mr. O'LOGHLEN: Because there are some who refuse to pay them enough so that they may earn sufficient on other days. I want to make this point, that these men who are cutting at 5s. 6d. less per load than others working for private employers have to pay a license fee, while those working for private employers have not to pay it.

The Premier: What is the license? A shilling a month only.

Mr. O'LOGHLEN: That does not matter. Every small amount is a consideration to these men. I submit that the Premier should take up a different attitude on this question, and should give an assurance that when the Railway Department requires sleepers it will pay the same rate as is paid outside. Much has been said about the good bush which the men have. As I have pointed out, they have been a considerable time cutting in the Marrinup area, and I ask members on the Government side if they are prepared to see men cutting sleepers at a less rate for the Government than they can obtain from private employers. There were 250,000 sleepers for Port Hedland, and an advance of 4d. a sleeper was made. There has been a gradual increase for three years, and are we going to see the Railway Department reduce the rate to 20 or 30 men by 3d. a sleeper for a few loads, that is the matter in a nutshell. We ask for an assurance from the Premier, and I believe the Premier is in sympathy with us. If the Commissioner was not standing in the way I am sure the Government would give more consideration, but the Commissioner has rigid lines drawn up. There is another matter which, in a great measure, is the cause of the motion being brought forward. The Railway Department do not let tenders. Mr. Davis, the inspector, goes down to Bill Jones or Tom Smith and says, "You supply 10,000 sleepers," and to John Brown, "you supply another 10,000;" no tenders are called. The Works Department called for tenders, and they had to accept tenders at an increase of 4d. a stick. As regards the Railway Department, if tenders were called for the supply of sleepers for the existing lines there would have to be a big increase in pay. The Premier need not run away with the idea that the men at Marrinup are going to cut at this reduced rate, for the men are going away to other centres. I want an assurance from the Government that they will not pay 5s. 6d. below the rate of private employers, but that they will bring the rate up to the standard. While men are cutting at 5s. 6d. less than they can obtain from

private employers, they are looked upon as scabs, men who are disloyal; therefore, these men are going further afield where higher rates are paid. I ask the Government when they do require sleepers that they will pay the existing rates.

The MINISTER FOR MINES (Hon. H. Gregory): I would like to preface my remarks by drawing attention to the Railways Act of 1904, which provides that the question of any contract of this sort is entirely under the jurisdiction of the Commissioner of Railways. I think the first point we have to consider in debating a question of interference with that Act, or the conditions under which men are employed by the Railway Department is, are they unfair to the men employed therein. Unless we consider the Commissioner is using his position to the disadvantage of the men then we are not justified in considering any motion that will have that effect. In connection with the dispute which has taken place between some timber hewers and the Railway Department, I would like to say that for the past five years we have had a number of men employed by the Railway Department, hewing sleepers for us at a fixed rate. During the time I have been in office I have never heard a word of complaint in regard to the wages these men are earning. They appeared to be quite satisfied, and it is only within the past few days I have heard that there has been any trouble existing. I have my own ideas as to the cause of this trouble.

Mr. O'Loghlen: What are they?

The MINISTER FOR MINES: I will deal with that a little later. But I can assure members that the greater number of these men, according to the report I have from Mr. Davis, the majority of the men, are quite satisfied with the conditions, and are quite prepared to go on except for the reason given by the member for Forrest, that it would be disloyalty to the other hewers in the district.

Mr. Holman: Absolutely incorrect.

The MINISTER FOR MINES: I have never had any correspondence on the matter, and I have not met any of those

people, but Mr. Davis is an old and trusted employee of the department, and his report is before me, and he points out in connection with this dispute that there are a few of the men who came to this area from Worsley; the greater number of our timber hewers had not arrived. The question was brought before these men, who arrived at the Flora and Fauna reserve. The meeting was not held at Marrinup but at Worsley. The man who came here, as a representative of these men, was not, to Mr. Davis's knowledge, ever employed with these men.

Mr. Holman: I know differently.

The MINISTER FOR MINES: He assures the Commissioner that these men would be perfectly content to go to work if it was not for the reason that they would be considered disloyal. They know from years' experience of the department that they have been paid well and treated well. The inspector states that he considers the average wage earned by these men to be 11s. a day; pretty good men could earn up to 15s. a day.

Mr. Gordon: How many hours?

Mr. O'Loughlen: Eighteen hours.

The MINISTER FOR MINES: Mr. Davis says that they would have to work longer hours. I cannot believe for a moment that men would refuse contracts for 18 months' work. Can anyone conceive that a body of workmen would refuse 18 months' contract if they could get 5s. 6d. a load more from others than from the department.

Mr. O'Loughlen: Are many men cutting for the department?

The MINISTER FOR MINES: No, because the hon. member and others stop them.

Mr. Holman: You are never fair.

The MINISTER FOR MINES: The hon. member wired down that there would be no increase in the rate. The hon. member sent a message, which was quite correct in all particulars, and the men ceased work.

Mr. A. A. Wilson: They had stopped before that.

The MINISTER FOR MINES: I think the men ceased work immediately.

Mr. A. A. Wilson: They had not started there.

The MINISTER FOR MINES: The inspector states that these men will not go to work, because if they do they will be considered disloyal. In his report he says—

"With a number of the men the latter possibility (that is, the disloyalty) seems to be the chief source of dissatisfaction, and since my return to Pinjarra, a number have told me it is the abuse they are likely to receive that deters them from starting at present, otherwise they were satisfied, or they would not have gone to Marrinup."

I do know that under the contract we offered these men they are able to earn 11s., or a higher rate of wage. How can members say that is sweating?

Mr. O'Loughlen: You call for a tender, and see.

The MINISTER FOR MINES: I am not prepared to do what the hon. member desires me, to call specially for a tender and give up our reserve, and the men get all the advantage of our timber.

Mr. O'Loughlen: Do you approve of the Government rates being so much lower than those of private employers?

The MINISTER FOR MINES: Why is the hon. member afraid of these men going to work for us? What is the danger? These men are offered contracts; there is great activity in the timber industry at the present time. Large contracts have to be filled, and there is no danger of the men not getting work. The department have been loyal to the men, and the men have been loyal to the department. I do not see why we should change our conditions to-day. Would the hon. member agree if the price of sleepers rose now, that we should raise our price, and in a short time afterwards, there being a big lull and contracts taken at a rate which would hardly pay the companies—would the hon. member ask that because the companies reduced their rates that we should reduce our rates. We should not. We should continue to pay a fair rate all the time.

Mr. Bolton: Is it not your desire that private employers should lower their wages to your present standard?

The MINISTER FOR MINES: I do not know what the private employer

should or would do. The member for Murchison is not fair in saying that the Railway Department always reduce wages. There has been a general increase in wages.

Mr. O'Loughlen: For sleepers?

The MINISTER FOR MINES: The hon. member knows that the proposals made to the men were accepted. I ask members, has it been shown here that the conditions under which the men are working are such that we should interfere with the powers of the Commissioner under the 1904 Railway Act. If it can be shown that the Commissioner is doing something which is not fair, we are justified in bringing the matter before the House. In this case we find a large number of men who for years have taken these contracts from us and have been fairly content. No one can say that they have heard complaints until the last few weeks.

Mr. Holman: There have been complaints for the past 12 months. The only reason why there was no stir was that there was a case before the Federal Arbitration Court.

The MINISTER FOR MINES: The Arbitration Court would not deal with matters of this sort.

Mr. Holman: It would.

The MINISTER FOR MINES: Well, I never heard of any trouble, and as far as the report is concerned these men are quite satisfied. I want to tell hon members that the Commissioner of Railways some years ago entered into a contract with the Collie co-operative hewers to supply certain sleepers. They were put on to an area where the Works and Railway Departments cut their sleepers. The Collie co-operative hewers have to supply the Railway Department with 65,000 sleepers at 1s. 4½d., and if the agitation in this House be the means of instructing the Commissioner of Railways that he is to increase his price to his contractors, then it will naturally follow that he must pay an increased price also to the Collie co-operative hewers on that contract.

Mr. O'Loughlen: Will you say anything about the Works Department.

The MINISTER FOR MINES: I have nothing to do with that. We have a big contract under which we are to be supplied in the specified time, and the sleepers are to be delivered at Bunbury. Of course it naturally follows when a man has to employ a large amount of labour and get his work done in good time he must pay a higher price, because the job lasts only during the period of the contract. It is entirely different in the Railway Department; because these men know when they are engaged by us, during good conduct on their part and so long as we want sleepers cut, they will have continuous employment. Further than that, for these last five years these contracts have been carried on at the present prices. And we have offered the men new and virgin bush where, if they are able to earn a fair thing at all, they will be able to earn much better money than what is paid by the Railway Department. I suggest that the motion be withdrawn.

Mr. A. A. WILSON (Collie): Certain statements have been made which I wish to try to explain away. The Minister says he has a report from Mr. Davis. I say advisedly that Mr. Davis must have been playing the game unfairly; because he has made certain statements to the hewers outside, and it would seem he has made quite other statements to the Department. He informed the cutters that he would advise that an increased rate of pay be given for the Government sleepers. He said this to Mr. James, who is one of the contractors to the Government and who has been in the Government employ for the last five years. And he said it also to Mr. Cusack, who is a representative of one of the Collie companies. To both of these Mr. James said he would advise that the extra price be given for the Government sleepers. Either these two persons are guilty of a deliberate falsehood, or else Mr. Davis has tried to bolster up his case for the Government by trying to get the price underent.

Mr George: That is not like Mr. Davis.

Mr. A. A. WILSON: I do not know whether it is or not; I have not come to this House to make any false statement, or

take any stand which I am not prepared to stick to.

Mr. George: I do not think that you are making false statements; but the man's living is depending upon it.

Mr. A. A. WILSON: And the hewers are depending upon Mr. Davis's living. I say that the price paid by the Government is of the utmost importance, because it is used as a lever by the other companies to reduce the rates operating.

Mr. George: Yet it seems they have advanced their prices for cutting.

Mr. A. A. WILSON: The Government price is twopence per sleeper under the price paid at Kirrup, Greenbushes and other places. The fact is this, that if the companies employing hundreds of men are to be influenced by the Government in cutting down the price, it is going to be bad for the trade generally. Hundreds of men are getting threepence per sleeper more than the Government men, and the result will be that the wages will come down. In regard to new bush, I have been over that bush, both the flora and fauna reserve and the Coomballup Swamp; and speaking, not as a woodman but as one who, perhaps, knows a straight tree from one in the wind, I think the Coomballup Swamp timber is just as good as the other. I have been through Worsley, and my friend the member for Murray knows that the Worsley timber is equal to any. If one argument could be adduced why the Government should consider the claims of these men it is the fact that they have worked for eight months under the price given by the Government, and it is only fair that as an advance has been given by other employers the Government should step forward and see that they (the Government) do nothing unworthy of a fair employer. That is all we want. I say advisedly that the statements made by Mr. Davis to the Minister are in direct contradiction to the statements made by him to the hewers.

Mr. GEORGE (Murray): In reference to this matter, perhaps I may be pardoned for intruding myself into the debate, as I have had to do with the timber hewing industry in Australia for about 30 years. Many years ago a num-

ber of hewers who had been in my employ in Victoria followed me over here; and some of them are here now. I am sorry if any of my interjections have offended hon. members on the other side, for I recognise that they are justifiably trying to do their best for the class of men they represent; but they must remember that there are others who have just as much interest in, and who just as ardently desire that the men whom our friends are speaking about should be fairly paid as they are themselves. The member for Collie referred to Mr. Davis, a timber inspector. I put Mr. Davis on about six years ago. I like to speak of a man as I find him, and hon. members will not think less of me for that. I have known Mr. Davis for about six years. He is a practical sleeper hewer. He is not a man who merely talks; he has been right through the game, and he could take his coat off and do as good a day's work, when he once got into fettle again, as any of the hewers in the bush to-day. He is a man respected by the hewers. He is not the sort of man he might be taken to be from what has fallen from hon. members opposite. I believe there is not another man in the Western Australian bush whose word could be accepted more readily, and who could be trusted more implicitly than Mr. Davis. Perhaps there could be no better proof of this than the fact that during the four years over which I had dealings with Mr. Davis I had no trouble whatever with any of the hewers supplying the Railway Department. Mr. McCoy, who preceded Mr. Davis, did not make trouble; but he had trouble, and when he came to me about it I said, "Let these hewers come up and see us; we will give them a free pass up, and I will talk with them. Let them understand that they are talking with a man who knows the game."

Mr. Walker: What game?

Mr. GEORGE: The sleeper hewers game; it is a game I know from A to Z. I met these men; one of them I remember was Burns—he may be working there to-day for all I know to the contrary. The conditions I put to them were these: I wanted a certain number of sleepers for

the Railway Department; I was prepared to pay a fair price—1s. 1d. at the stump, 1s. 4½d. at the siding. That might not be a fair price to-day, but it was then. I said to these men, "I know all your troubles about having to shift camp after perhaps a month's work. Now I will guarantee a six months' job, and give you full work for that time; then perhaps at the end of that six months there will be another six months' work." Now what was the result? Some of those men have been hewing for the Railway Department ever since.

Mr. Daglish: Are the rates the same now?

Mr. GEORGE: I do not know; the rates I paid were 1s. 1d. at the stump, 1s. 4½d. at the siding.

The Minister for Mines: They are just the same now.

Mr. GEORGE: These men have been working for the department for years. I do not know whether the rate is a fair one to-day, but that is a question that can be gone into. If the Government are placing further contracts for sleepers, it would seem to me altogether incongruous if they paid a less rate than the rate ruling outside. Now that, I think, should be quite sufficient to show hon. members the trend of my views. But in regard to Mr. Davis, if the member for Collie knew Mr. Davis as well as I know him, he would know that he is a man of a very high standard of character, and that his word is good. And if I were going into the timber trade to-morrow, Mr. Davis would not be in the Government employ one minute longer than it would take me to engage him at his own price.

Mr. A. A. Wilson: I know these people who told me just as well as you know Mr. Davis.

Mr. GEORGE: Yes, of course the hon. member has had his information from gentlemen he knows; but I do not know them. However, I do know Mr. Davis, and I say that if I were going into the timber trade to-morrow I would see to it that Mr. Davis went with me. If the Commissioner of Railways requires sleepers for his work, if he must have these sleepers,

of course he must pay for them. Hon. members will be at one with me in this particular. Soon after I became Commissioner of Railways I wanted sleepers and I advertised for them. There were some new, and it seemed to me silly, regulations in regard to the Tender Board. I may say I have not altered my opinion in that respect. However, I advertised. The result was that amongst others one firm came forward with a tender at, I believe, 2s. 10d. or thereabouts per sleeper, when I knew well enough that I could buy them at 1s. 4½d. The head of the very firm that put in that price of 2s. 10d. was the man who had pursued me like a religious enemy ever since and who is now out of the State. As a practical man I knew that the price was absolutely out of the question. While it is quite right that the Government should see that they do not pay too much to any timber combine they are quite right also not to pay an unreasonably high price to the sleeper hewers; but by all means they should pay a fair market price. Now, what is a fair market price? According to those who are conversant with the timber forests—and I am not making any invidious comparison when I refer to the members for Forrest and Collie; the member for Murchison has had a large experience in regard to the organising of men, but perhaps his knowledge of timber is not as profound as that of the other two hon. members whom I have mentioned. It is all a question of the bush. Take the bush at Chidlow's Well and Lion Mill for example. Everyone conversant with the practical work of a timber hewer knows very well that the bush there is very difficult to get sleepers from as it has been depleted of anything like free splitting timber for a long time. Those desiring to obtain sleepers from there have to pay more for them than in virgin country. At those places men have to groove the sleepers out, and this means much more work. When I was Commissioner, and I presume it is the same now, I found that if I wanted sleepers from those particular districts I must be prepared to pay more money for them. That was only fair, for it is a very difficult matter for

the hewers to get supplies of sleepers from there. It is an altogether different proposition at Marrinup, and down near my place at Lunenburg.

Mr. O'Loughlen: That is where they are getting the high price to-day.

Mr. GEORGE: Whereas at Lion Mill or Chidlow's Well a hewer would be able to get perhaps only one length from a tree, and then have to groove that timber in order to get a sleeper, at Marradong or Lunenburg he could get three, four, or five lengths from an easy splitting tree, while the timber is very different to put a broad axe on. With regard to the price that should be paid for sleepers—

Mr. O'Loughlen: Do you not think the same rates should be paid by the Government as by other employers if the bush and conditions are the same?

Mr. GEORGE: A remark was made as to the price being paid for the sleepers by the timber companies. I suppose we all know, at all events many of us do, why the companies pay the higher price. The companies are after the dollars, as we all are. They have undertaken contracts to provide jarrah sleepers, and contracts have been somewhat plentiful of late, as the value of the timber is now becoming so well known in South Africa, South America, and India, the consequence being that there is a great demand for it. This demand is due not only to the excellent quality of the timber, but also owing to the scarcity that exists in timber suitable for sleepers in other parts of the world. It is this very fact that should make us careful of our timber supplies. The demand has resulted in higher prices being obtained under contract by the companies, with the natural result that the companies must and do pay a higher wage to the men who get the jarrah. With the Government the position is this: every year they require for the existing railways a certain number of sleepers for maintenance, say two or three hundred thousand. For the careful carrying on of the railways it is necessary for them to accumulate a large quantity of sleepers so that the supply cannot in any one year run short and necessitate green timber being put into the road. Any engine driver who goes over a road made with

green sleepers knows he has to be much more careful than on a road made solid with seasoned sleepers. At all events the policy I adopted when I commanded the railways, perhaps for better or for worse, was to accumulate timber so that it should become seasoned before being put into the road. I would have thought ill of myself had I given the engine-drivers cause to complain that they had to run engines over green sleepers and a faulty road. My object was to enable them to run their engines with confidence, and I believe they acknowledge that. During my time I put more than a million sleepers into the road. If the Government have carried on that policy, and accumulated a large quantity of sleepers ready for any emergency, and also for the general maintenance, then the position at present may be that they will not require to obtain more for some time. What the member for Forrest wants is, not that the Government should be compelled to obtain more sleepers now, whether they are needed for the road or not, but that when the time comes for more sleepers to be obtained the price paid for them by the Government should be approximately the ruling rate? I think the Premier has given the member that assurance.

Mr. O'Loughlen: He said he would see the Commissioner himself.

Mr. GEORGE: Of course the Premier must see the Commissioner about it. Surely members will agree that they cannot possibly ask the Premier himself to decide a question of this kind without receiving all the facts of the case from the Commissioner. Let members be fair on this point. I do not want to go into my grievances, for they are done with. I have wiped them off the slate, but my experience enables me to suggest what is a fair course to adopt towards the men in charge. The House expects the Commissioner to manage and conduct the railways on fair lines, both to the men and public, and they also want him to show a return at the end of each year. If we ask the Commissioner, whoever he may be, to give a surplus each year, we must not tie his hands so that he cannot do

what commercial men must always do, get in his supplies to the best advantage possible; that would be unfair to him. If it is proper that fair treatment should be meted out to employees, surely the man who takes the responsibility, the man at the head of an institution such as the railways, should also have fair treatment. If you say that he shall pay higher wages for day labour, or on piecework, then you take from him the possibility of returning a lump sum at the end of the year and must relieve him of that much responsibility which the House must shoulder.

Mr. Johnson: Then is the lump sum to be taken from the wages of the workers?

Mr. Horan: It was never laid down that the railways should be made to pay. Such a clause was not inserted in your contract.

Mr. GEORGE: I do not know whether such a clause was inserted or not. I know very well that if I had been unable to show a surplus it would have been "off with his head!" The member for Forrest quoted a number of figures, and I would like him, when the debate is concluded, to let me have a copy of them as to my mind they do not seem to balance. He said that the Works Department paid 2s. 2d. at Bunbury for 6ft. 6in. timber, 8 x 4, while the price paid by the timber companies for 9 x 5 timber was 2s. Now what does it cost to get the sleepers to Bunbury? Shall we say 3d. or 4d.? Assuming for the sake of argument that the sleepers cost even sixpence to get to Bunbury it would mean that the timber cutter would get 1s. 8d. at the station for 8 x 4 sleepers or say 1s. 5d. at the stump. The members for Collie and Forrest, with their practical experience, and the member for Murehison, with his administrative ability, will see that if timber hevers could get 1s. 8d. at the stump and 2s. at the station for 9 x 5 timber, and could get 1s. 5d. at the stump for 8 x 4 timber, they would be jumping over each other trying to get a job at the last-named price. It is a well-known fact to those having any knowledge at all of the industry that it is very much better to take a smaller price for a small

sleeper than a higher price, correspondingly large in accordance with the increased size of the sleeper, for the large one. This is due to the fact that with the larger sleepers so few can be got out of one length when the tree is dropped.

Mr. A. A. Wilson: You forget that the companies have to make a profit.

Mr. GEORGE: The companies say they do not make any profit, and we must believe them. Let us take for instance a 10ft. sleeper 10 x 5. A practical man will know that he may only get two or three sleepers of that size, while he gets four or five 8 x 4 sleepers. The smaller the sleeper the more he gets out of a tree. With regard to what has been said of Mr. Davis, he always knew that the department required a certain number of piles, a certain number of beams, split posts and sleepers, and made all his arrangements accordingly. He knew that if he dropped a tree and could not get sleepers he would be able to get for the department a certain number of split posts out of it, and would be paid for them. The department also gave him instructions to the effect that they wanted piles, and if he saw any in the forest he could get them. Thirty years ago I had considerable experience of this business in Victoria, and was in the fortunate position then of being able to give similar mixed specifications and thus get every inch out of a tree. In every case the price of a sleeper must depend on the demand.

Mr. O'Loughlen: You will acknowledge that there has been a gradual increase in the price for some time past.

Mr. GEORGE: Yes, from the figures that have been quoted. What members are striving for is an assurance from the Premier that when sleepers are required in the future the Government will pay the ruling rate; but to my idea the Premier has already given that assurance.

The Premier: That is so.

Mr. GEORGE: Well, that being so, the affair is settled, and we are now only fighting wind, and perhaps I am assisting. I can give hon. members a little information which perhaps may be of interest as to what happened to me 41 years ago. In the year 1868 when I was

working as a lad I was supplying a certain article at eighteenpence a piece. Six months later, because the China trade was over, and there was only work for stock, I had to turn out the same article at sixpence. This is a clear example how the price depends entirely on supply and demand. The Minister for Railways put the matter succinctly when he said that supposing the rate for sleepers went down would members support the Government if they dropped their price to the hewers to the lowest rate existing elsewhere. Although members opposite might know that this state of affairs existed, still they would without doubt make a good fight to keep the rate up, although having done their duty to their constituents, they must remember there is a duty to the country at large, and if the financial position of the State is bad, they may have some few qualms of conscience in taking up that stand. I particularly desire to repeat that I know Mr. Davis is an honest, white man, and that his word is worth taking.

(Sitting suspended from 6.15 to 7.30 p.m.)

Mr. BATH (Brown Hill): I just wish to offer a few observations on this matter, not so much on the technical side, because that is a question I must confess my ignorance on. I cannot claim to possess the same cyclopædic knowledge which the member for Murray seems to possess, but the point I wish to emphasise is this, that the House would be doing a very great injustice if it always determined in relation to the wages paid to its employees never to give the question consideration because some of these employees did not complain. As a matter of fact, we would never have undertaken early closing, factories or industrial legislation of any character, seeking so frequently as it does to assist those who are in receipt of a low rate of wages, if we had always withheld our assistance because some of these people concerned had not complained. It is those who most need assistance who are in the position that they have no means of complaining,

or if they do complain, lay themselves open to be victimised. The Minister has referred to the fact that under the Railways Act the Commissioner is given control over the question of contracts, I presume for the supply of stores, and in support of his argument the Minister stated that we should refrain from interfering. We have the member for Murray saying it is a bad thing indeed to interfere with the Commissioner, because it will hamper him in dealing with the railways as a commercial proposition. It seems to me that the chickens have come home to roost, because when the Bill was being discussed I pointed out that hon. members, or a number of them, were quite prepared that Parliament should interfere with what I might term the autocratic powers of the Commissioner, as long as they affected those interests which were so well represented on the Ministerial benches. They were prepared to withhold from him full power and to place him under Ministerial control, and thus be responsible to Parliament, and where it was a question of bringing influence to bear in respect of getting a reduction of freights, I emphasised that argument when discussing the Railway Bill.

The Premier: Has not influence been brought to bear to increase wages?

Mr. BATH: I am only referring to the frantic efforts that were made to retain Ministerial control.

The Minister for Mines: In the amending Act, if the Government interfere with the rates they take the responsibility.

Mr. BATH: I am merely pointing out that hon. members, particularly those representing agricultural constituencies, were very anxious that power should be retained by the Minister. I want to point out that being State railways, and that the State consists of the people, it is as much our duty to consider the interests of those who sell their labour for wages as it is to consider the interests of the producers. They are as much a part of the community responsible for the railways as are the producers, whether they be agricultural or pastoral, and the right of this Parliament to express or lay down

a general line of conduct within which the Commissioner shall work is just as necessary on the question of wages as it is on the question of rates to be charged for the carriage of produce. It is in no sense handicapping the Commissioner, or preventing him from carrying out his duties in a proper manner if the House retains that power.

Mr. George: You do not want the Commissioner then, you want Ministerial control entirely.

Mr. BATH: The hon. member has reduced his argument to an absurdity when he states that. While Parliament, or an administration representing Parliament, can lay down a general line of conduct within which the Commissioner shall work, there is still ample scope for a Commissioner or manager to supervise the actual working of the railways, just the same as a board of directors may prescribe a policy, while the manager is appointed to see that it is carried out, and also to ensure its being carried out. On this question I agree with hon. members that we should not in the rates of wages we pay, or the amounts which we give for piecework, such as this, set a bad example to other employers. The foundation at least should be that we should pay a wage equal to that paid by other employers, and where employers are indulging in sweating, I go further and say that the State should set a good example and pay rates that are not sweating rates. It has been argued in this connection that the higher amount paid by other employers—and I may say there has been no refutation of the figures submitted by the member for Forrest on this matter—is only a temporary expedient, and that the Railway Department on the other hand have been consistently paying a certain rate. I have had some knowledge of the rates that are being paid, and I know that for a considerable time past outside employers have been paying in excess of the rate which the Government have been paying for hewn sleepers. It gives to the employer this opportunity. He says to the workers when they ask for an agreement in which certain rates are specified; “you come to us and ask us

to pay these rates to our men, and yet at the same time you acquiesce in the Government of the State paying lesser rates than these, and that same Government compels us to submit to the dictates of a court of compulsory arbitration.” That is not consistent, and I think there should have been no necessity for a lengthy discussion, or for the necessity of asking the Premier to give an assurance that in future demands for supplies from hewers employed by the Railway Department, the rates paid should be in line with those ruling with private companies. That seems to be a reasonable demand, and I would regret to see the House consenting to any other course being adopted.

Mr. DAGLISH (Subiaco): I question very much whether, during the course of this debate, the House has got much further forward in the argument. I have listened carefully to hon. members on both sides with a view of ascertaining, as far as I could, the real position. I have taken the liberty of interjecting to find out the actual rates paid, but I have had some difficulty, as one unacquainted with the timber industry, in deciding for myself as to what remuneration was earned by those engaged in sleeper hewing. I yield to no one in the desire to see not only fair wages paid, but a reasonable example in that respect set by the Government. I quite agree with the Leader of the Opposition that this House is perfectly justified in interfering with regard to the railway administration for the purpose of insisting on the payment of what hon. members regard as proper wages for the workers employed in any particular line of work by that department. Listening to the various arguments made by the different hon. members, I have gathered that some years ago, while the present member for Murray was Commissioner of Railways, a rate was fixed by the Commissioner for the payment of hewers employed by the Government; that at that time the rate was regarded by the men then engaged as hewers as being a fair rate; that at that time the rate ruling for sleeper hewing was lower than it is at the present time; that since that time a rise in

the pay of hewers employed by outside firms has taken place, and no change has been made in the remuneration to hewers employed by the Government. That, I think, is the effect of what has been explained to the House to-day. If that be right then I venture to say undoubtedly to-day these hewers, who have been working for the Government, have some claim to consideration; that undoubtedly there is very considerable substance in the case presented by the member for Murchison, and supported by the member for Forrest, that if these hewers were permanently employed, and had a guarantee of perpetual engagement by the Government, then, perhaps, it would be justifiable that the Government, having fixed what was somewhat more than a living wage, should always retain that rate of payment; but I understand that these men are employed, not under perpetual engagement, but only as the sleepers are required. Therefore, while to-day there may be 50 men employed there is no guarantee that those 50 men will be employed six months hence.

The Premier: They have been working for five years.

Mr. DAGLISH: Yes, but all the time this debate has been going on, I have been endeavouring to find out what the exact position is, and I understand, though these men have been working for five years, they have not had five years' engagement.

Mr. George: They have had six months' engagement.

Mr. DAGLISH: Still, there has been no permanency of employment. I do not mind whether there has been an engagement for six months or not, but even six months' engagement is not permanent as I understand it. But is there a continuous demand for those sleepers? There has been no guarantee to these men that there shall be this demand.

The Premier: We have to keep the railways up.

Mr. DAGLISH: There has been no guarantee that the railways will require a certain number of sleepers each year, or that the sleepers required will be taken from these men. If these men have not a permanency of occupation they are un-

doubtedly entitled to profit by the upward fluctuation of wages caused by the increased demand in their employment; but if they have permanency of occupation by which they are not liable to suffer any reduction in pay caused by the employment becoming less remunerative, of course then they cannot expect to profit by the upward fluctuation due to the larger demand for the commodity they produce. However, I think the circumstances, as explained by different hon. members, including the member for Murray, justify me in saying that these men have a large claim on the consideration of the Government; but we had at the outset of the debate a promise from the Premier.

Mr. O'Loghlen: If it were a promise it would be all right, but it was not an assurance.

Mr. DAGLISH: The Premier at the outset of the debate, when replying to the member for Murchison, said that he would go into this question with the Commissioner of Railways.

Mr. Holman: I went to him a fortnight ago and we have been waiting for something ever since.

Mr. DAGLISH: My experience of the Premier is that when an assurance is given by him it has been carried out. I believe the Premier has, like myself, the fullest sympathy for the reasonable demands of the workers for fair wages. I ask the member for Murchison and members on both sides of the House whether we cannot trust the Premier to see that this matter is satisfactorily adjusted?

Mr. Swan: I do not think we have a definite assurance yet.

The Premier: I said I was prepared on the completion of the existing contracts to suggest to the Commissioner that he should call tenders, or that he should pay the existing rates.

Mr. Bolton: On the completion of the present contract?

The Premier: Yes.

Mr. DAGLISH: The Premier has absolute knowledge particularly in regard to this industry, and I think—I am not speaking from a party point of view—that we can trust him to see that fair conditions are insisted on in regard to men engaged by the Railway Department. I

have candidly expressed my opinion, one perhaps some hon. members think ought not to come from the Government side of the House, seeing that by some of the references made to-day it has been implied that the mere fact of a member sitting on this side of the House shows that he cannot be in sympathy with the demand for larger wages.

Mr. A. A. Wilson: That is not so.

Mr. DAGLISH: The inference may fairly have been read into some of the remarks made, if not into the remarks made by all the speakers, but I have no hesitation in repeating that the men have some grievance, and that I hope that grievance will be redressed.

Mr. HOLMAN (in reply): To make it clear to hon. members who have spoken I may explain that at the present time the men affected by this trouble have no contract whatsoever with the Railway Department. Mr. James, who has been referred to, has a party of men who cut on the gang system, but I have documents signed by all the men on the job stating that they have no contract of any sort. The same system has been in vogue on the railways for a considerable time, because a little while ago when one man cleared out with the money belonging to the hewers, I wrote and asked about this contract, but there was no contract of any kind. Mr. James is supposed to supply sleepers from Marrinup at the railway siding. He has a gang of about twenty men working for him, but none of these men have any guarantee of permanent employment. They may be told by this carter that he will not cart any more of their sleepers.

The Premier: Is not James simply the carter?

Mr. HOLMAN: But he is the man who is dealt with by the Railway Department.

Mr. Taylor: He is practically a sub-contractor?

Mr. HOLMAN: Yes, that is practically the system, and it is a very unsatisfactory one, because all these cutters have been fighting for some time to deal directly with the Railway Department so as not to leave them in the position of losing their earnings through this man's being dishonest or having a loss. They want to

deal directly with the Railway Department, because if the person supplying so many sleepers to the department belonging to these men happened to have the money, given to him by the department for the men, stolen from him, the sleeper-hewers would have to suffer the loss, as they have done before. The position of these men is more unsatisfactory than that of men working for outside employers, because if a man is working for a private employer—Millars' or any other company—he is always certain of getting paid for the work he does, but the men working for the Railway Department are not even certain of getting payment for the work they have done if anything happens to the man who is practically the sub-contractor between them and the Railway Department.

The Premier: Why cannot they do the same as the co-operative society?

Mr. HOLMAN: Simply because we have made application at certain times for certain conditions, and the Premier will remember when this question was laid definitely before him some twelve months ago the reason why it was not followed up and dealt with. It was because at the same conference that decided to wait upon the Premier it was decided to submit a case to the Federal Arbitration Court; and as the case was sub judice we could not go any further with it at the time. Dealing with the position of the Commissioner of Railways, I maintain that if any disturbance to industrial peace is involved it is the bounden duty of Parliament to step in, and of the Government to decide the policy to be carried out. The Minister has full powers over the expenditure of money on the railways, and the Commissioner cannot spend a penny unless the Minister gives the authority; so that when it comes to a question of expenditure it is very poor policy for the Government to throw the responsibility on to the shoulders of the Commissioner of Railways. I maintain it is a question of policy involving the welfare of the State, and that the Government should take the responsibility and say whether they are going to treat their employees the same as any other employers.

The Premier: You would not say that the department should treat them the same as other employers if other employers paid a lower rate.

Mr. HOLMAN: If there is a rate of wages adopted throughout the State and accepted as a fair rate, the Government should fall into line with it. I maintain that if the rate of wages is too low outside to keep men decently, the Government should set the example by giving an increased rate. They should not be the ones to bring down the rate in opposition to other employers. It is usual for the Minister for Railways in matters of this sort to throw out an inference for which he has no grounds. The inference thrown out to-night is that we, being interested parties, have fomented this trouble. The Minister was referring to the member for Forrest and myself. I give that inference an emphatic denial, because the whole affair had been brought to a head and carried out in its entirety before I knew anything about it. I would not have appeared in the matter until the thing arrived at a critical stage, but that the member for Forrest and another member who had charge of the matter had gone out of the State and the Commissioner of Railways had refused to give me a reply to some questions I had asked. I then went to the Minister and asked for a definite reply as to whether the department would increase the rate or not, but the Minister and the Commissioner refused to have any dealings with me. That was immaterial to me, but I desired the information on account of the absence of the two members dealing with the matter and in order to reply to numerous telegrams I had received asking me what was the intention of the Government in the matter. Here we have the Minister for Railways inferring that because we were interested in the matter we were fomenting the trouble that has taken place. To show that what the Minister said about Mr. Davis and the men is incorrect, I will read the resolution carried by the men affected before anyone outside had any dealings in the matter. This is the resolution carried

and signed by all the sleeper hewers at Marrinup—

"We the undersigned sleeper hewers engaged hewing Government sleepers at Marrinup, hereby authorise Mr. A. Rowlands to place before the proper authorities the following resolution agreed to and carried by the whole of the hewers concerned: 'That we decide to cut no more Government sleepers at present rate, and that we demand the ruling rate as paid by other employers.'"

This was all done before I was interested in the matter. A day or two after I received the following telegram from Mr. Rowlands:—

"All Government hewers here refuse work at present rate, demand current rates."

That shows clearly that I knew nothing of the position until the 7th September. A day or two after that I waited on the Premier and the Commissioner, knowing that a cessation of work was about to take place. After a delay of about a week, on the 14th, the Commissioner and the Minister having refused me any information, when I came to the House there were two letters for the members for Forrest and Collie. I received his letter from the member for Collie, and telegraphed to the representative of the men at Pinjarra that the Commissioner of Railways refused to pay the current rates as paid by other employers. The reply from the representative of the men was, "Men ceased work immediately news received." So it went on, and at present they have been out of work nearly a fortnight. The position is more far-reaching than many members seem to consider. If these men cease work and the Commissioner of Railways attempts to secure sleepers at a lower cost than others pay, the position will be that every sleeper-hewer in the State will know that his welfare is threatened, and in all probability a demand will be made which will do injustice to other employers. That is not what we desire, because there is a question of principle involved; and I maintain that the men are justified in protecting their own interests to the ful-

lest extent. I think the correspondence I have read, and the explanation I have made, will clearly show that I have merely done what I considered to be in the best interests of the State to try and prevent any trouble occurring that may bring about a bigger reduction in the revenue, than to pay the men a fair rate of wages. All we ask is that the Government shall pay the same current rate for the hewing of sleepers as is paid by outside employers. If the Premier will give us that assurance no one will be more pleased than myself to withdraw the motion, feeling sure that in the near future this matter will be settled and the industry not threatened. I believe the Premier has stated that he will give that assurance. If he will do so at present I shall be pleased to withdraw the motion which I have moved. I trust the remarks to-night will prevent what might be a serious trouble in the timber industry. I do not know if the Premier will give the assurance I ask.

The Premier: I am prepared to repeat the assurance that I have already given.

Mr. HOLMAN: What is that?

The PREMIER: I do not know if I am in order. We have a gentleman entrusted with the management of the railways, and it is only fair and reasonable I should take the opportunity of informing Mr. Short the result of the deliberations here. At the same time I am prepared to suggest to him that when the contracts now running are completed he should pay the current rate of wages or call for tenders as has been done in the past.

Mr. HOLMAN: On the assurance of the Premier that it is intended to do the best towards paying the rates, I ask leave to withdraw the motion.

Motion by leave withdrawn.

QUESTION — RAILWAY WORKSHOPS, EMPLOYEES' WAGES.

Mr. O'LOGHLEN asked the Minister for Railways: Is it true that some iron dressers employed at the Government workshops, who have had previous experience and have been over three months

in the service, are only receiving 7s. 6d. per day.

The MINISTER FOR RAILWAYS replied: Yes, two. This is in accordance with the minimum provided in the industrial agreement, but, on the recommendation of the Chief Mechanical Engineer, arrangements have been made to pay these men 8s. per day as from the 4th inst.

QUESTION—FISHING, CLOSE SEASON.

Mr. DAGLISH asked the Premier: Is it the intention of the Government to cause a proclamation to issue closing the West Australian waters to fishing for flathead, flounder and black bream during the months of August and September of each year, for the more effectual conservation of the fish supply, and for the protection of the spawning and feeding grounds, under Section 9 of "The Fisheries Act, 1905."

The PREMIER replied: No; because from scientific investigations carried out in different parts of the world, including Australia, it has been proved that with one or two exceptions all species of food fishes lay a pelagic egg, in which are included the flathead, flounder, and black bream. Although it may be considered advisable to declare a close season for black bream, which is an anadromous fish, the difficulty of enforcing any such close season would be so great as to make the suggestion impracticable. With regard to flathead and flounder, these being open sea fishes, there is no necessity to restrict the catching of them during spawning season.

BILL — FREMANTLE MUNICIPAL TRAMWAYS AND ELECTRIC LIGHTING ACT AMENDMENT.

Order discharged.

Order of the Day for third reading read.

Mr. FOULKES (Claremont): I propose moving that this Order be discharged, and I think it is only right that I should inform the House of my reasons for so doing. About four years ago a

private Bill was introduced to give power to the municipality of Fremantle to supply electric light, and to construct tramways in the Fremantle municipal district. Last year a Bill was introduced by the Government called a public Bill altering the powers contained in the original private Bill. This year I introduced a Bill called a public Bill making an alteration in the original private Bill. I have been informed that exception was taken by the member for Dundas as to the form in which the Bill was introduced, and although I could bring forward arguments in favour of the course that has been adopted by myself I quite admit there might be a certain amount of opposition brought against that view. Having regard to the fact that I do not know if the question was brought before the Speaker what decision the Speaker might arrive at, still if it was ruled that the Bill was perfectly in order, when the measure reached another place it might be ruled that the Bill was not in the form in which it should be, and as I am anxious to remove all possible doubts as to the procedure on this Bill, and as I shall have another opportunity of bringing a Bill forward to carry out the objects I wish, with the leave of the House I move—

That the Order of the Day be discharged.

Question put and passed: the Bill discharged.

BILL—SEA CARRIAGE OF GOODS.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Daglish in the Chair; the Attorney General in charge of the Bill.

Clause 4.—Add the following sub-clause:—"This Act shall not apply to any Bill of Lading or document made before the 31st day of March, 1910, in pursuance of a contract or agreement entered into before the 1st day of September, 1909."

The ATTORNEY GENERAL: The Message from the Council asked that the Bill should not apply to any bill of lading or document made before the 31st March

of next year, in pursuance of any contracts entered into before the 1st of September, 1909. The object of the amendment was obvious, it being simply to prevent contracts entered into before the Bill became law being interfered with by the Bill until after the 31st of March next. To that extent the operation of the Bill will be suspended for about five months, or until the Bill becomes law, probably three months. He did not think any objection could be raised to the amendment.

Mr. Bath: Strong objection.

The ATTORNEY GENERAL: It was only in respect of contracts entered into before the 1st September, 1909. It would not affect bills of lading entered into unless they were entered into in pursuance of a contract made before, probably the Bill was introduced, certainly before it passed through this Chamber. He moved—

That the amendment made by the Legislative Council be agreed to.

Mr. BATH: The Attorney General took up a mild attitude concerning the amendment. At the time the member for West Perth sought to have such an amendment inserted in the Bill the Chairman of Committees ruled it out of order, and the member had to accept that ruling. There was no justification for the amendment even if it had been accepted. We were told the object of the amendment was to prevent the Bill from applying to contracts entered into before the 1st of September. If the Bill were passed in the form in which we sent it to the Council it would not have been declared until January 1st, 1910. That was the date fixed in the Bill. And as the Bill only applied to ships trading between ports in Western Australia it was not likely with the date fixed by us for the coming into operation of the measure that there would be contracts that were entered into prior to the 1st of September. If it had been sought to make the date the one on which the Bill was introduced in the House, that was the date on which the Address-in-Reply was moved, there might have been some support given to the proposition, but the member having had the amendment

ruled out of order here, immediately the measure went to another place he sought to have the amendment inserted there. Why not bow to the ruling of the Assembly and accept the opinion given by the Chairman of Committees.

The Attorney General: The ruling of the Chairman was not against the policy.

Mr. BATH: The amendment was ruled out of order. It seemed to be a lack of courtesy to an officer of our Chamber to go to another place to have the amendment inserted.

The CHAIRMAN: The amendment now before the Committee was not the amendment he ruled out of order. If it were the same amendment he should certainly again rule it out of order, but the amendment he ruled out of order really contracted every bill of lading and document entered into before the 31st of March out of the operation of the Bill. The amendment now before members was limited in its operation to bills of lading and documents made before the 1st of September, 1909. That was the distinction between the amendment he ruled out of order and the one at present before the Committee. In his opinion it was sufficient to make the present amendment entitled to the consideration of the Committee. To that extent it was in order.

Mr. JOHNSON: Why should the Attorney General agree to the amendment? He (Mr. Johnson) was prepared to listen to arguments why the Bill should date from the 29th of July, that was when the Bill was introduced, but why make it the 1st of September when the Bill had been before the country for a month or so? There was no valid reason why the 1st September should be singled out as a special date. The proposal was to extend the time to the 31st March, 1910, but he could not understand why there should be any contracts liable to extend from the 1st September to March, 1910.

Mr. DRAPER: This amendment was certainly not the same as the amendment previously ruled out of order. The amendment which he had sought to have inserted would have applied to any contract, no matter when it was made. The

Federal Act had come into force in December, 1904, and, no doubt, had been discussed in the Federal Parliament in November and December of that year. The application of that Act was limited to exclude any bill of lading made before the 30th June following, under a contract entered into before the 17th November. Probably the 17th November had been taken as the day when the Bill was introduced in the House; just as the 1st September was about the time the Bill under discussion was printed and tabled. When the Leader of the Opposition said that the amendment was unnecessary, it would seem that he had not taken into consideration the fact that our Northern ports could only be reached after a considerable voyage, and that the people in Wyndham would not be able to get a copy of the Bill until it was finally printed. Under this circumstance it was only reasonable that a certain time should elapse before the penal clauses of the Bill came into operation.

Mr. Bath: The Bill would not come into force until January.

Mr. DRAPER: Even so, in all probability it would be difficult to obtain from the Government Printer a copy of the Bill until a still later date. The Bill would probably not be assented to until December, which would give very little time for copies of the Bill to reach Wyndham before January.

Mr. Bath: The *West Australian* reaches there, I presume.

Mr. DRAPER: But the *West Australian* did not set out in detail all the Acts passed by Parliament. The people in the Northern ports would have very little opportunity of judging of the provisions of the measure until they received copies of it. He would remind hon. members that it had been found necessary in another Parliament to introduce a saving clause of this nature: and as the Bill carried a heavy penalty he would ask hon. members to waive any little prejudice they might have upon the matter and allow the amendment to be made.

Mr. ANGWIN: Ostensibly the Bill had been brought in for the express pur-

pose of protecting shippers. It was an exact copy of an Act already passed by the Federal Parliament, and shipowners were fully aware of the contents of that Act. The amendment, it seemed, was being pushed into the Bill for the express purpose of leaving the shippers at the mercy of the shipowners for another three months. Hon. members ought to protect their own people and leave the shipowners to look out for themselves. One Minister of the Crown in referring to the subject had said that the shipowners were not deserving of protection, and that they had certainly been guilty of wrong practices in contracting themselves out of their just liabilities. Were hon. members, by supporting this amendment, going to allow those practices to continue? The penalty clauses would never be enforced, except by some private person, and it was well known that no private person would take any such action. Every bill of lading issued in Western Australia to-day contained the very conditions which the Commonwealth Act declared illegal, and yet no private individual dared to take action. All Governments were at one in declaring that it was the duty of private people to enforce such measures as this; but private people who had shipping business in Australia knew sufficiently well that it was not to their interests to prosecute for any breach of an Act regarding shipowners. It was well known that the shipowners had Australia in their grip. Western Australia in particular had very little to thank the shipowners for. When we saw the splendid vessels trading here to-day, and remembered the old tubs in which passengers had to cross the Bight but a few years ago; and when we further remembered that it was Western Australia that had paid for the new vessels, it would be realised that there was very little room for sympathy with the shipowners.

Mr. UNDERWOOD: There was no doubt that the methods employed by shipowners were morally, if not legally, wrong. They had not treated the shippers fairly. Wyndham was 10 days' steam from Fremantle, and to give the shipping companies due time in which

to consider the effect of the Bill the member for West Perth desired a stay of three months. The chief company trading on our coast was the Adelaide Steamship Company; and the hon. member was in a hopeless case if he tried to persuade the Committee that Mr. Moxon did not already know everything that was in the Bill. All the ships trading to Wyndham were represented by agents in Fremantle, and there was no possible doubt that if they had it not already they would have all information about this Bill long before it came into operation. He hoped the Committee would not accept the proposed amendment which, in his opinion, had nothing whatever to recommend it.

Mr. WALKER: The Chairman's ruling on the amendment previously moved had been exceedingly direct and conclusive, and he (Mr. Walker) questioned very much whether the Chairman's reasoning then was not good now, despite the alteration in the verbiage. The schedule referred to in the Message from another place read—

“Clause 4.—Add the following sub-clause:—(2.) ‘This Act shall not apply to any bill of lading or document made before the 31st day of March, 1910, in pursuance of a contract or agreement entered into before the 1st day of September, 1909.’”

That addition did not contradict the first portion, or at all lessen the operation of the first portion of the amendment, which said—“This Act shall not apply to any bill of lading or document made before the thirty-first day of March, 1910, in pursuance of a contract *re* agreement entered into before the first day of September, 1909.” Clause 2 of the Bill sets out that the Act should commence on the 1st January, 1910. The whole application of the Bill was in Clause 4, and dealt with ships that should be covered by the operation of the measure. Clause 5, which was the real substance of the Bill, dealt with certain clauses prohibited in bills of lading. The remaining clauses were incidental and to all intents and purposes the fifth clause formed the whole of the Bill, and it dealt with nothing but bills of lading. If we were to exclude

bills of lading from the operation of the Bill until March, what was there to come into operation in January?

Mr. Draper: The exception only applies to bills of lading for contracts entered into before the 1st September.

Mr. WALKER: Clause 5 dealt with all bills of lading, and if that were not to come into operation on the 1st January there would be nothing left. As it was, three months' notice was provided and that was quite sufficient for the ship owners without their wanting another three months. If the amendment were to be adopted, Clause 2 would have to be altered.

The ATTORNEY GENERAL: The alteration was only in regard to certain bills of lading. Under it they were exempted from the operations of the measure until the 1st March, 1910, while all other bills of lading would come under the Act on the 1st January.

Mr. Walker: Would Clause 5 come into operation on the 1st of January?

The ATTORNEY GENERAL: Only in regard to certain bills of lading.

Mr. WALKER: Clause 5 dealt with nothing but bills of lading. If three months' notice was not enough to guard against unfair contracts on the part of shippers, to rid themselves of liabilities, he scarcely knew what was enough. Why should another three months be given beyond that term? The amendment was only to enable shipping companies to do practically what they liked with the goods they carried? When the Bill came in he had rejoiced, as the small traders would be saved hundreds of pounds. The companies in the past had time after time avoided their liabilities by means of bills of lading, and the sooner we put an end to that sort of thing the better. The amendment meant that the companies would have three months further in which to continue to swindle their customers. It was a case of protecting the rich every time, not the sufferer but the wrong-doer.

Mr. DRAPER: It was surprising that the member did not grasp the full purport of the amendment. He had alluded with righteous indignation to the custom which prevailed in many communities by which shipowners, by reason of cast-iron

clauses in bills of lading, had got out of almost any liability. The member was no doubt correct in assuming there was a necessity for limiting those clauses, but he had forgotten that before the Bill was tabled there might have been contracts entered into for shipping, and that bills of lading in pursuance of such contracts would not be made for several months. He had overlooked that point. The exception sought to be inserted only applied to bills of lading made in pursuance of contracts entered into before there was any possibility of the public having notice of the Bill. As regards other bills of lading made in pursuance of contracts entered into after the 1st September the Act would apply in its entirety, and the second clause of the Bill had therefore full operation. If the member were correct in saying that legislation of this kind was irregular, there would be no provisos to any section or exceptions to any Act of Parliament. To drive the member's argument to its logical conclusion it must apply generally and without exception to any Act.

Mr. BOLTON: When the amendment was introduced in another place, the representative of the Government said in a decided manner that members should not agree to it, as the shipowners were not deserving of the protection claimed for them. He also said they had been guilty of wrong practices in contracting out of their just liabilities. He was always willing to be led by members who had more experience. In the other House there was a nautical gentleman by the name of Mr. Laurie, who, when the Bill was under consideration—

The Chairman: The hon. member was out of order in referring to a debate in another place.

Mr. BOLTON: It was not his intention to quote from *Hansard*. In the *West Australian* of a certain date there appeared a report in the name of Captain Laurie, who said that the amendment was fair though it would not much matter if it failed to pass, and the same gentleman added that shipowners would cheerfully accept the measure when it became the law of Western Australia, as it had become the law of the Commonwealth. There

was another report in the same paper of a speech made by a gentleman who represented the North province, and his remarks were to the effect that the sooner the Act was brought into operation the better. If he (Mr. Bolton) wanted any arguments to make him come to a decision as to how to vote, he would take the arguments of those gentlemen who understood the position more thoroughly than he did.

Mr. JOHNSON: What he desired to have was the opinion of the hon. members who represented the north of the State. Having sat in the Chamber for a considerable time he had repeatedly heard complaints against the actions of the ship-owners in connection with the development of the North-West, and had heard it urged in the House and outside that the shipowners were not dealing justly with the people of the North-West. The agitations raised in the House and outside had influenced the Federal Government to take action not only to protect the settler in the North-West of this State but of other parts of Australia. As had already been pointed out by the member for North Fremantle when that action was taken the shipping companies realised that the practices which they had been carrying on were going to be put an end to, and they prepared accordingly. They knew well before the Bill was brought into the House that action would be taken, and that Western Australia would follow suit. Supposing there was a doubt as to whether this State would follow suit the very day notice was given to introduce the Bill, the shipping companies had an intimation that we were adopting the example set by the Federal Parliament, and then they were not likely to enter into further contracts.

Mr. Butcher: They may have entered into contracts before.

Mr. JOHNSON: The Bill was first introduced on the 29th July, and the shipowners were thus given notice from that date. As a matter of fact there was no need to give them any notice because they had been warned by the action of the Federal Parliament. It was not with the intention of going into this question that he rose to speak. What he desired was

to hear the views of the members for the North-West part of the State. Speaking of his own experience with the ship owners trading with the North-West, he had no complaints to make. Having made special contracts with them he was quite satisfied as to the manner in which they were carried out, but his experience was not the experience of others who had contracts, and he looked to these people to say whether we should by legislative action protect them.

The ATTORNEY GENERAL: An importance had been attached to this subclause by hon. members opposite which was not warranted by the facts. At the most there would be very few contracts affected by this subclause, but assuming that the operation of the Bill was entirely suspended until the 31st March, would any hon. member say that after waiting four years for this Bill we could not wait another three months. He had not advocated this proposal when the Bill was before the House, and there was no intention on his part to advocate any special time. He was there to get the Bill passed, and hon. members were well aware that it was often necessary, to make some sort of compromise, and this was such a small compromise that it might very well be agreed to. As to the objection of the member for Kanowna regarding the contradictory nature of the clause, that had been disposed of by the member for West Perth.

Mr. Walker: It was certainly not consistent.

The ATTORNEY GENERAL: At any rate it could be pointed out that we erred not altogether in bad company, because the Commonwealth Act contained precisely the same provision. The second section of the Commonwealth Act provided that the Act should come into operation on the 1st of January, 1905. Then Subsection 2 of Section 4 said: "This Act shall not apply to any bill of lading or document made before the 30th of June, 1905, in pursuance of a contract or agreement entered into before the 17th of November, 1904." Hon. members would see that the subclause proposed by the Legislative Council was

copied absolutely from the Commonwealth Act. The matter had been debated at some length, and he appealed to hon. members to look at it in a reasonable light and agree to the small compromise. Members should not do anything that might imperil the Bill, especially when the concession asked for was such as small one.

Mr. FOULKES agreed with a great deal of what the Attorney General had said, especially the last few words, that the concession was very small. To an extent that was correct, but when one considered the great wrongs that had been perpetrated by shipowners not only along the West Australian coast but throughout the whole of the British Empire on account of the enormous demands they had made for freight for carrying British goods, one felt a certain amount of prejudice and one was impressed with the necessity of doing all that was possible to protect the various traders. If hon. members looked at Clause 5 it would seem astonishing that shipowners should try and contract themselves out of what was a reasonable provision made for the carriage of goods. The clause stated that where any bill of lading, etc., contained any clause, etc., whereby the owner or master or agent of any ship was relieved from liability for loss or damage to goods arising from the harmful or improper condition of the ship's hold, etc., that clause should be illegal. That seemed to be a reasonable proposition. Then further on obligations were cast on the owner to properly man and equip his ship and keep it seaworthy. We should see that these provisions were carried out, and it was astonishing that an attempt should be made to give any time or grace to anybody. All the clauses contained in the Bill were most reasonable, and we were asked now to stay our hands for three months to relieve these people from certain obligations. The Committee should not agree to the amendment suggested by the Legislative Council. In South Africa some years ago there were such bitter complaints on the part of traders that Lord Milner said that if the shipowners were not more reasonable in their demands for freights, that although the

Transvaal was an inland State and had no seaboard, he would advise the Government to run a line of ships themselves. That would only show there were other countries besides Western Australia that had suffered much from the demands made by the various shipowners.

Mr. BUTCHER: If we had been robbed to the extent the member for Guildford showed there was no reason why we also should continue to rob. Though quite willing that the Bill should pass, he had a certain amount of respect for those contracts made before the Bill was introduced. There were always two parties to contracts, and if a man was not willing to enter into a contract he would not sign it or ship his goods by the company's steamers. Contracts had been entered into, and would certainly be continued after January, and we were bound to respect them, and should not provide legislation that might cause a huge loss to one side or the other.

Mr. JACOBY: The amendment would not affect an ordinary bill of lading. It merely applied to a contract that might have been entered into, say, by a cattle-owner for the transport of stock.

Mr. Bolton: Stock are exempt.

Mr. JACOBY: Well, for other goods! A man might have a special agreement. His experience of shipping goods to the North-West was that he had received excellent consideration and had nothing to complain about, but it was possible contracts had been made for many months ahead.

Mr. OSBORN: Members should have sufficient common judgment to agree to this slight amendment so as to enable the Bill to pass. Members pretended to be friends of people in the North-West: if so, they should pass the amendment else the Bill might be lost. The very injustice members complained about would continue if the Bill did not pass another place. The terms of bills of lading were unjust, but during his 14 years' experience of shipping to the North-West he had suffered no losses. One could not understand what the member for East Fremantle meant by protecting "our own people." Were not the shipping companies our own people? Because they

came from the Eastern States were they to be wiped off the face of the earth? The amendment should be passed so as to get the Bill through and ensure to the people of the North those rights to which it was admitted they were justly entitled.

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

Ayes	19
Noes	18

Majority for	..	1
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AYES.

Mr. Butcher	Mr. Male
Mr. Cowcher	Mr. Mitchell
Mr. Davies	Mr. N. J. Moore
Mr. Draper	Mr. S. F. Moore
Mr. George	Mr. Nanson
Mr. Gregory	Mr. Osborn
Mr. Hardwick	Mr. Price
Mr. Hayward	Mr. F. Wilson
Mr. Jacoby	Mr. Gordon
Mr. Layman	(Teller).

NOES.

Mr. Angwin	Mr. O'Loghlen
Mr. Bath	Mr. Swan
Mr. Bolton	Mr. Taylor
Mr. Collier	Mr. Underwood
Mr. Foulkes	Mr. Walker
Mr. Gill	Mr. Ware
Mr. Gourley	Mr. A. A. Wilson
Mr. Holman	Mr. Heltmann
Mr. Johnson	(Teller).
Mr. McDowall	

of real and personal property vested in or acquired by them. It would be undesirable to give to the trustees the right of sale unless the proceeds were so invested that the income derived should be devoted for the purpose of State education. The proviso to the proposed new clause set out that the proceeds might, with the approval of the Governor, be applied by the trustees in the improving of any property vested in them. The reason for that was that a great deal of land in various parts of the State would be vested in the trustees as an endowment, and it might happen that it would be advisable to sell blocks, say, in one township, and, in order to make the blocks in another township, or even in the same one, rent or interest producing, the trustees should be allowed to apply the proceeds of the sale of one block to put up buildings and otherwise improve another. If by that means income were produced the trustees would have a property, although not the same quantity of actual land, still, a property just as valuable, if not more valuable for the purpose of endowment, than the land, which was probably a dead investment.

Question passed; the clause struck out.

New clause—Investment and application of rents and profits:

The ATTORNEY GENERAL moved—

That the following be added to stand as Clause 9:—"The rents, issues, profits, and proceeds of sale of all real and personal property vested in or acquired by the trustees, after payment of the expenses of and incidental to the administration of the trust, shall be paid into the Treasury, and may be invested in the names of the trustees in such securities as trustees are authorised by law to invest trust funds in their hands, or, with the approval of the Governor, in the purchase of other land to be held on the trust hereby created. Provided that the annual income of all such real and personal property and investments may be applied by the trustees towards the improvement of such property, and the payment of salaries and other expenditure in carrying out the provisions of the Acts in force for the time

Question thus passed: the Council's amendment agreed to.

Resolution reported, the report adopted, and a Message accordingly returned to the Legislative Council.

BILL—PUBLIC EDUCATION ENDOWMENT.

In Committee.

Mr. Daglish in the Chair; the Attorney General in charge of the Bill.

Postponed Clause 9—Investment of rents and profits:

The ATTORNEY GENERAL moved—

That the clause be struck out.

As would be seen by the Notice Paper, he intended to substitute a new clause for Clause 9. When the Bill was previously under discussion exception was taken to the method provided in the clause by which trustees could invest rents, issues, and profits, and the proceeds of sale

being relating to public education. Provided also that the proceeds of sale of any property or any moneys received by the trustees as premiums for the granting of leases, or raised by way of mortgage, may, with the approval of the Governor but not otherwise, be applied by the trustees in the improvement of any property vested in them."

Mr. BATH: In speaking to the second reading of the Bill attention had been drawn to the clause, because he found it did not clearly define the powers of trustees in the direction of utilising capital for current expenditure. The new clause, as drafted, met the case, and much more clearly expressed the desire of the Government than the old one.

New clause put and passed.

New clause:

Mr. ANGWIN moved—

That the following be added to stand as Clause 16—"Any land exempted by Section 10 shall be ratable property while the same is leased or occupied for any private purpose."

The trustees might be in possession of land on which buildings were already erected, and if such properties were let to weekly tenants it would be almost impossible for the municipal or local governing authorities to collect rates on them. Under the new clause just inserted power was given to the trustees to erect buildings which would be revenue producing. Surely rates should be paid on such properties. Under the Municipal Corporations Act various lands belonging to religious and educational bodies were exempted from rating, but it was specially provided that rates could be collected on such land which was occupied or used for private purposes. The same provision should be included in this measure.

The ATTORNEY GENERAL: While agreeing to the proposed new clause, he would suggest that it could be more conveniently inserted as a proviso to Clause 10. If the proposed new clause were withdrawn he would see that the provision was inserted when the Bill was dealt with in another place.

Mr. ANGWIN: There was no objection to that, but would it not be better if

the Bill were recommitted, and the amendment inserted then?

The Attorney General: Yes.

Mr. ANGWIN: With the permission of the Committee he would withdraw the proposed new clause.

New clause by leave withdrawn.

Bill reported with amendments.

BILL.—AGRICULTURAL BANK ACT AMENDMENT.

Second Reading.

Resumed from the 14th September.

Mr. BATH (Brown Hill): The Minister for Lands, in introducing this further amendment to the Agricultural Bank Act, 1906, gave a glowing account of the good results which have accrued from the operations of the bank, and one can compliment that hon. gentleman on the way in which he developing into an out-and-out socialist. Members on both sides of the House will agree that the Agricultural Bank has done excellent work in the development of the resources of Western Australia. I think it is a great evidence of the good results which accrue from what may be termed the co-operation of all the people of the State, when we find the savings of the people, placed in the Government Savings Bank, utilised and expended locally in the development of the soil, and producing goods not only for their own consumption but also for the markets of the world. We have to recognise, however, that we have not an unlimited amount of capital available in the Savings Bank, and we also must remember that the Agricultural Bank is not the only institution which depends upon the Savings Bank for the necessary capital to carry on operations. I think the Minister, in introducing a measure of this kind, should deal with the amount of capital utilised, in its relation to the amount available from the Savings Bank, or at least the remarks of the Minister for Agriculture should be supplemented by information from the Treasurer on the question. We find this application to increase the capital by another £500,000 will mean that the Agricultural Bank has taken from the Savings Bank funds a

total of two millions, or at least it will have available this amount, because it has not yet utilised the whole of its present capital. We have to remember that the extensions and reticulations in connection with the goldfields water scheme are also carried out from Savings Bank funds, and on looking at the annual report which has recently been submitted I find that the amount that has been expended is at present £333,000. Then again I think the metropolitan water scheme is authorised to utilise Savings Bank funds; I do not know to what extent. Further, we have the purchase of estates for closer settlement, also advanced out of Savings Bank funds. According to the last report of the Savings Bank, the total amount due to depositors was £3,128,000, and if we take two millions for the Agricultural Bank, and £333,000 for the goldfields water scheme, the capital required for the metropolitan water scheme, and the capital also for the purchase of estates for closer settlement, we will find that we must have drawn almost or within a very small figure of the sum available in the Savings Bank. Under existing arrangements we must have a reserve in the Savings Bank in case of emergency. If it were given the status of one of the private or incorporated banks, with the provision that in the time of a crisis their notes became legal tender, there would be no danger of the good name of the institution being affected, even if we utilised its funds up to £100,000 of the amount available. I recognise if we wish to continue to pay interest on the Savings Bank deposits, fixed as it is at 3 per cent., we have to find methods of investment in order that the depositors may receive this interest, but at the same time it should always be deemed necessary to maintain a reserve in the event of a "run." I say this in order that the Minister for Agriculture in his zeal to assist the agriculturist may also recognise the necessity for consulting the Treasurer with reference to the funds of the Savings Bank. I have said before, and I say now, that the time has arrived when these two institutions, the Savings Bank and the Agricultural Bank should be amalgamated. At the present time

we have two separate managements, and we have no definite or systematic policy guiding the government of the two institutions. Why should we maintain them as two institutions? Why should we have double expenditure for administration, when their interests are so intermixed? The time has arrived for the Government to take into consideration the advisability of merging the two into one institution on lines similar to those of the State Bank in South Australia. And were such a policy carried out the management would have to take into consideration the safety of the institution and the amount of funds available. Coming to the question of the objects for which this amendment is regarded as necessary, we find that it is proposed to increase the total amount which settlers can borrow from the Bank. If the funds were available, I would have no objection to this amount being raised, but I am not one of those who say that this institution should be regarded as peculiarly designed for the advantage of those who have very little money and who depend upon assistance to carry on their work. I am so far socialistic that I believe, if we have an institution everyone in the community should have a right to utilise it. But I say that in deciding the amount we shall lend, we must be guided by the probable number of those who desire to utilise the institution, and the amount of capital available. If by increasing this capital, we are likely to deprive intending settlers of the opportunity of securing loans, then we will be doing a bad thing by increasing the total amount which can be borrowed, because it will be much better to let every applicant for a reasonable claim have the right to borrow up to £500 rather than say that a certain number shall be able to borrow £750, while others will not be able to get anything at all. In this connection the Minister must be aware that in spite of what he said with regard to the management of the institution—and I want here to endorse his tribute to the careful work of the managing trustee—there are many complaints from different districts in the State as to difficul-

ties and obstacles placed in the way of settlers securing a loan. I have in my desk now a letter I received from a settler who has taken up an area with a view to going in for mixed farming, and he, after receiving a loan of £125 for the purpose of ringbarking and fencing, was refused a further loan of £100 for the purchase of stock—the very object for which he sought the land. By purchasing stock was the only way in which he could utilise the area for which he had been granted a loan to ringbark and fence, and it seems to me an illogical proposition that one loan should be granted and the other refused. I want to make certain before we endorse the proposal to increase the capital, that we can be positive that every settler within an area on which loans are given shall be able to secure a loan from the bank, that is of course with the necessary safeguards. There is a new proposal in the Bill which provides for an advance for the purchase of machinery, and it is hedged round with restrictions that the machinery shall be manufactured in Western Australia. As far as the State is concerned it would be an advantage if by this we were able to encourage the local manufacture of machinery. I want to point out to the Minister and perhaps it is not necessary to point it out, that the difficulty with the settler to-day is not so much that he cannot get extended terms for the purchase of machinery, but that he has to pay such a high price for it. It is a question we should face, and a difficulty which this proposal will not get rid of. We find that as soon as the settler has thirty or sixty, or even a hundred acres of land cleared, he is pursued by machinery agents who want to sell him a four-furrow plough and a drill, and later on a harvester or a stripper and winnower, and the inducements held out are that he has a certain time in which to pay, and that the time-payment price is so little in advance of the cash price. It is not surprising, therefore, that in so many instances we will find men possessed of machinery and practically tied down in their efforts to pay for that machinery when they have not the

amount of land cleared to justify its purchase.

Mr. Butcher: These agents are the biggest curse of the agriculturist.

Mr. BATH: It merely comes to this, as "Sam Slick" would say, that by the art of "soft sawder" they have been persuaded to go in for these articles. My object is to cheapen the cost of machinery to the agricultural settler, and I believe we will be failing in our duty unless we apply ourselves to that object. The manager of the Newport workshops, a responsible man, and one who knows his business, in his evidence before the Harvester Commission declared that he could make a harvester—I do not know which one, but I believe it was the "Sunshine" harvester—that he could manufacture it and turn it out at the Government workshops for £45 at the outside. Yet, if we want to buy that harvester in Western Australia we have to pay, I believe, something over £100.

The Minister for Lands: About £80 cash.

Mr. BATH: Even if the amount is £80, there is a very big difference between that and £45 which a responsible man declares the harvester can be turned out for.

Mr. Jacoby: The selling expenses are very heavy.

Mr. BATH: If the Government were to undertake the manufacture of that machinery on the same lines as they manufacture at present the requirements of the Railway Department, there would not be the same need for the payment of an army of agents and therefore there would not be the same need for such an increase in price. The mere statement of the fact that the difference between £45 and £80 is eaten up in the cost of selling is an indication that there is a screw loose. That is the direction in which we should turn our efforts. There are those who say this should be left to private enterprise, but we have an object lesson in Western Australia in the workshops at Midland Junction. We have only to travel to the Goldfields by express to see at once the difference between the carriages that were imported and those that were built at the

workshops to note the superiority of those turned out at Midland Junction, and remember, too, the fact that the price of the locally produced article was no greater than that of the imported article.

The Minister for Mines: They cost less.

Mr. BATH: I wanted to be within the truth when I said that the cost was not greater. That is an object lesson, and while of course the workshops at Midland Junction as at present constituted cannot manufacture agricultural machinery without alterations, and perhaps while it would not be advisable to make them do the two entirely different kinds of work; still I believe the object lesson in the one direction should spur us on to undertake the other. I believe this is the best solution of the difficulty, and I hope to be able to have a further opportunity of dealing with this question of the manufacture of agricultural implements at greater length on the motion to be moved by the member for Cue. But I repeat my statement that we will not be doing very much for the settler by this provision by which we lay it down that the machinery must be manufactured in the State. It will not relieve him of the difficulty presented at the present time, the obligation which ages men before their time in their efforts to pay off their liability. Now, the Minister for Agriculture when he outlined what can be done with this amount loaned by the Agricultural Bank had everything cut and dried; and I have no doubt that the Minister for Agriculture, being possessed of the necessary funds and not having to scratch for his living, can go straight ahead and do these things. But it is a different proposition altogether for the man on the land handicapped, as he is at first, by the want of money. I have known and have come into contact with many such. No doubt the position is right enough so long as they are receiving the money in regular amounts for the purpose of carrying out the work of ringbarking or clearing as the case may be. If the man be willing to work he can earn very fair wages on the amounts advanced by the Agricultural Bank, and he goes along swimmingly. He

has enough to maintain himself and, if his family be with him, to maintain the family also. After he has got beyond that stage and the land is ready for cultivation, he at once gets into difficulties. He has to find the machinery, or he has to pay some neighbour to plough the land and seed it under contract. And even if he be able to obtain someone to do that, he cannot get it put in when he desires, when the time is best; but he has to wait until his neighbour has put in his own land, after which in all probability the proper time has passed. Then supposing things go along all right, that we have plenty of rain and a good season; when the time comes for his crop to be taken off he is faced with the same difficulty again. Either he has to go and mortgage himself up to the hilt in purchasing machinery on extended payments or go to his neighbour and pay a contract price to have the crop taken off; and once more he has to wait until the neighbour has finished his own crop. Now, I have had a little experience myself, and I can speak feelingly. I managed to get a hundred acres of land cleared, and when I wanted to get the area put in I found it was absolutely impossible to get it done by anyone in the district. They were all too busy putting in their own crops. They told me they might be able to do it later on, which might mean anything in June or July. Ultimately, I was able to have a small portion of it put in in May. This is merely an indication of what the settlers have to go through. One has only to pay a visit to these agricultural districts to find out that the settlers have many real difficulties to overcome. And, although the Agricultural Bank can point to the fact that it has had an insignificant percentage of losses in the loans advanced, the Minister for Agriculture must bear in mind that in many instances the area on which the money was loaned, together with the loan, have been transferred to someone else who has stepped in, while the man who originally got the loan has had to pass out. I understand that at the present time if anyone desires to go on the land, rather than chase through the State inspecting various areas it is much better to go along and find out

what properties the Agricultural Bank has which it is desired to transfer. As a plan of getting on the land, that is much better than facing virgin areas. Under these circumstances, the administration and the extension of this Act require watching with a great deal of care. And I hope the Minister, before he finally asks us to consent to an increase in the limit of advance to £750 will be able to give us an assurance, backed up by the word of the Treasurer, that there will be still sufficient money in the Savings Bank available for those who have claims upon that bank. And I further ask that the Minister will go into this question of lending money for the purchase of machinery, and will seriously tackle the question of providing that machinery at prices cheaper than those at which it is available from the agents of Eastern and foreign manufacturers.

Mr. JACOBY (Swan): I welcome in this Bill the extension of the work of our Agricultural Bank, and although it does not by any means go so far as I should like to see it go, still it is some little advance on the road which we shall have to travel before we ultimately place that bank in the position I hope to see it occupy. The hon. member who has just spoken expressed some doubt as to whether the funds of the Savings Bank would be sufficient to meet the drain put upon that institution by these increased advances. I presume the Treasurer and the manager of that bank have taken the safeguard which all individuals in charge of financial institutions take, namely, the keeping a safe reserve inviolate. And, in any case, I trust that the great extension agriculture is making in this State will lead the Minister to look for some means of raising money other than through the Savings Bank, because I anticipate it will not be very long before the funds of that institution will prove absolutely inadequate to meet these extraordinary demands made upon it. It is fortunate that the position of finance, so far as the farmers in the State are concerned, is very much improved as compared with what it was two or three years ago. There has been quite an alter-

ation of opinion as far as large financial institutions are concerned regarding the value of our lands, and we find to-day banks that previously would not look beyond mining and commercial business are falling over each other to secure a share of the farmers' business. And instead of the farmer having the difficulty he had previously to get the ordinary banks to finance him, we have a different state of affairs which must ultimately be to the very great advantage of the farming community. But we have to recognise that the present limitations of the Agricultural Bank make it absolutely impossible for a farmer who has a few hundred acres under cultivation to continue with the Agricultural Bank. The Agricultural Bank served a purpose in taking him through the initial stages, but when a man has any degree of cultivation he is absolutely forced to leave the Agricultural Bank and go to other financial institutions.

Mr. Heitmann: When he has a few hundred acres in should he not be all right without a bank?

Mr. JACOBY: Sometimes when a man gets into a larger way he wants to get into a still larger way. We see it continually. They are deserting the Agricultural Bank and going to private institutions. I hope we are going to develop the Agricultural Bank to such an extent that it will be the bank of the farmer right through. In this matter we shall have to be careful to see that whatever advance we make is a safe step forward. I feel sure that Parliament will not be satisfied until we have an Agricultural Bank that will be able to serve the whole needs of the farmer right from start to finish. However, it is to be recognised now that we cannot serve a certain class of farmer: and in that respect the Government have an opportunity to considerably help farmers by making it a little bit easier for the banks to lend on C.P. holdings. There is at present some hesitancy in this regard owing to legal difficulties which, I believe, exist in connection with these leases. And as there is an increasing amount of money being made available, not only within the State

but from outside, to place at the disposal of our farmers, if there be any legal obstacles in the way of the farmers getting a sufficiency of cheap money under the C.P. conditions I hope these legal difficulties will be removed—in such a way, of course, as still to secure the object for which those legal difficulties were first instituted. Whatever conditions may be offered by private institutions there is this great advantage in connection with the Agricultural Bank which must make it appeal beyond all other institutions to the farmer, namely, the easy repayment extended over a long term of years. It is to be remembered that the ordinary banks cannot give anything like extended terms. They have to let out their money practically at call, and therefore the Agricultural Bank has this great attraction for the farmer: That he is not likely to be called upon at an instant's notice to pay the amount due, but knows positively that he has an extended term of years over which to make his payments. So if we could retain that system of extended payment and still make the bank a farmers' bank from start to finish, it would be a splendid thing for the community. In this measure we have two propositions which are new as compared with the existing statute. First there is the increase from £500 to £750. Even this latter amount is paltry as compared with the needs of the ordinary farmer: because when it comes to a question of buying machinery, he cannot get sufficient machinery to make a start under £225, and any other requirements fully run him to £558. His absolute requirements will take £558, provided he pays cash, before he can get a profit. He cannot put any area into corn until he has machinery, and he cannot reap anything until he has machinery. He has first to get a drill, a harvester, and a cultivator, and he will require horses and harness. To start with he cannot get along without committing himself to a cash expenditure of at least £225, or a credit expenditure of very much greater. It appears, therefore, in the circumstances, that to lend a man £100 only will get him into greater difficulties. I cannot understand what

utility £100 is going to be to the farmer for machinery, for to start with he cannot possibly do with less than the machinery I have mentioned: and on the figures framed by the Minister he will, on a cash basis, have to spend £225, and that is not taking horses into consideration, but merely machinery. It is a pity the Minister did not ask the House to increase the amount to a sufficient sum to enable the farmer to be placed in possession of all the necessary machinery. I listened patiently to the Minister with the hope that I might hear some proposition that he was going to finance the purchase of machinery in such a way that he could place the farmer in a far better position than the farmer would be in if he had to purchase his machinery in the ordinary commercial way. I see no reason why the bank should not make contracts with the manufacturers of machinery, and buy at contract prices.

Mr. Angwin: Why cannot the Government make the machinery?

Mr. JACOBY: It is questionable whether the Government could not buy cheaper than making it themselves. We know that certain machinery costs £45 at the factory, but it is after that the major portion of the expense comes in. We know it costs double the price of nearly every article to sell it, and that the cost of manufacture is no guide to what the cost is to the consumer. We must go a step at a time. I am not prepared to go the whole way some members would advocate, but at least I want to see the Government purchasing from the factory in large quantities, and thus being in a position to save considerable cost to the farmers. Instead of giving the farmer £100 to buy a harvester, a cultivator and a drill, it would be far better for the Government to give him the machinery and charge him with the cost price of it. It would result in a total saving, I believe, on the first necessary machinery for settlement, of £75. These suggestions I commend to the consideration of the Minister, and I trust he will find something practicable to do.

Mr. Heitmann: I would like to know how you are going to save £75.

Mr. JACOBY: I am cutting off the ordinary commercial expenses which may run from one-fourth to one-third. It would be a big saving and the intervention of the bank in making contracts for this machinery would save a large amount to the farmer. There is another point on which I think the bank could reasonably exercise its power for the benefit of the farmer, and that is not to lend any money for the purchase of machinery until the farmer has a respectable area cleared. All over the State we see the spectacle of men with 50 acres cleared committing themselves to an enormous expenditure for machinery to put their area under crop, which area, even at a 10-bushel average of wheat, would not give the farmer more than £75 worth of crop, while the value of the machinery to which he has committed himself would amount to three times that sum. It would be a good thing for the customers of the bank if a regulation were made that no crop was to be put in until there was a sufficiently decent area available, or that there must be a sufficient area cleared before machinery was purchased. It would be wise for these people, for I am sure many of them get into difficulties because, as soon as they get a small area cleared, they commit themselves right up to the neck for machinery, horses and horse feed. It should be one of the regulations of the bank that no money should be advanced for the purchase of machinery to put in a crop until there was sufficient land cleared to be able to return gross in the first year something near the total expenditure that would be laid out for machinery. I notice that in dealing with the South-Western portion of the State the Minister said that only £10 per acre was to be allowed for clearing. This land is utilised for fruit-growing and for intense farming, and I would ask the Minister how many acres of land in the South-Western portion of the State he can show me that he could have cleared for £10 an acre. I think it would be far better, if we want to encourage these men to go in for intense culture, to give them the full cost of clearing; and the average cost of that

is nearer £15. I want to know why there have been these absurd restrictions in force ever since the commencement of the bank. The bank says that it will give help to every cultivator, the Act says it, but those in control of the Bank make regulations and contract themselves out of the responsibility under the statute law. The Minister must be beginning to recognise the great value of these fruit lands and lands devoted to intense culture in the South-Western District, and I would ask him whether some regulation could not be made so that the people could get the full value of their clearing, and not two-thirds of it as is now the case. There are one or two other things I hope to deal with in Committee, but I trust that in whatever direction the Bill takes a step forward the House will not hesitate to agree to it. I regret that we have departed from the Act of earlier days, when we allowed the bank to lend up to £1,000. It would have been far better for the cultivators of the State had we gradually progressed from that sum instead of going backward. The difficulty of our farmers was expressed to me the other day by a gentleman whose business takes him to hundreds of farms every month. He says that the difficulty of the farmers is, not that they are wanting in ability, because 90 per cent. of them are men who could make a success in any other line they went into, but that they want money; and if they could have had earlier the cheap money we are now likely to have for our farming areas, the amount of land cleared in the State would have been twice that available to-day. At any rate these are conditions we are not likely to hear of in the near future because we have a promise of cheap money next year. In Australia we are going to have a harvest that, from all appearances, is going to give us £12,000,000 worth of exportable produce available more than we had two years ago, the last figures I have; and the statistics in the old country show that money is likely to be very cheap there, so it looks as if we are going to have the advantage in this State of a large amount of money being available for investment in our farms. In these

circumstances I look forward to seeing a tremendous development in the crop of our State. The State is going ahead in the development of agriculture. Last year we alienated a wheat area equal to one-fourth of the whole of Victoria, and Victoria was the greatest wheat-producing State in Australia during last year. We hope to go in for dairy produce, and if we give facilities to those who take up the land and give them cheap money, it cannot be long before Western Australia becomes, not only a large producer of wheat for the State, but I hope she will be producing wheat equal to the whole of the producers of the other States. I support the Bill, and trust the suggestions I have made will commend themselves to the Minister, and that something will be done to follow them up when he comes to administer this new law.

On motion by Mr. Heitmann, debate adjourned.

BILL—INFLUX OF CRIMINALS PREVENTION.

Second Reading.

The ATTORNEY GENERAL (Hon. J. L. Nanson) in moving the second reading said: I desire to point out that the main principle of this Bill, the only principle on which there is likely to be debate, is contained in the provision that if a person who has been convicted in any State of the Commonwealth, other than Western Australia, of offences either against the Commonwealth Restriction Act, or of offences for which in such State he is liable to suffer death or be imprisoned for two years, or a longer period, if a person who has been so convicted, and has served a sentence, comes to Western Australia before the lapse of three years after the termination of such imprisonment, he shall be liable to imprisonment and to deportation. I am well aware that a provision of that kind is possibly open to criticism: for it may happen that a person who has been convicted in another State, and has served the sentence of imprisonment passed upon him may wish to make a fresh start in another portion of the

Commonwealth. I am prepared to admit that there is a possibility of inflicting a very considerable degree of hardship on such a person if when he comes to this State he is liable to be arrested and to be sentenced to a further term of imprisonment, and then be deported. If this Bill were an entirely novel one, so far as Australia is concerned, it is probable that I should not be asking the House to assent to the second reading. The position in which we find ourselves is that this Influx of Criminals Prevention Bill is already the law in three of the Eastern States, New South Wales, Victoria, and South Australia, and the effect of the legislation passed by those States is a very serious thing to Western Australia. It means that habitual criminals in those States are being driven here and we are compelled for our own protection to ask the House to assent to the Bill. It is one of the numerous class of measures, the justification for which must be sought for in its reasonable administration. We have the Commissioner of Police pointing out that the Influx of Criminals Prevention Act being in force in other States of the Commonwealth has had the effect of driving here the most desperate characters in the Eastern States, and that those persons coming here inflict not only severe personal losses on members of the community but also saddle this State with the cost of their apprehension and trial as well as their maintenance in our gaols. There can be no doubt that if an Act of this kind were enforced it would do much to prevent the influx of these criminals. However, I do not disguise from hon. members that it would be possible for this Bill, if it were unwisely administered, to inflict a hardship upon a person who had been convicted in one of the Eastern States, and who, having suffered his punishment and wishing to make a fresh start in life, wanted to come here, for it would enable proceedings to be taken against such person and to drive him out of our State. The Act as it has been administered in South Australia, Victoria, and New South Wales, has not, so far as I understand, been ad-

ministered in any harsh fashion, and the question we have to ask ourselves is whether those States of the Commonwealth having passed legislation of this kind, we are not compelled in self-protection to arm ourselves with the powers they have considered necessary. Had they not passed legislation of this kind we might have been content to allow the law to remain as it is. I submit that while the other States of the Commonwealth are protecting themselves against the influx of habitual criminals from the neighbouring States, we are justified in adopting the same course. I hope, therefore, that members will agree to the principle of this Bill and will support the second reading. Then, when we come to the Committee stage, it will be possible for members to subject the clauses of the Bill, which are those in operation in the other States, to a very close scrutiny, and if it be considered necessary, and to suggest such amendments, if any, as they may think necessary. I beg to move—

That the Bill be now read a second time.

On motion by Mr. Balfour, debate adjourned.

STANDING ORDERS REVISION.

Report of Committee.

The report of the Standing Orders Committee having been brought up previously by Mr. Speaker, the recommendations were now considered seriatim.

Recommendation—Objection to Speaker's Ruling.

Mr. DAGLISH: I presume it will suit the convenience of members if the different recommendations in the report are considered seriatim. There is but one recommendation, and that the final one, on which I think there may be room for discussion. The first alteration is with regard to Standing Order 141, which says—

"If any objection is taken to the ruling or decision of the Speaker such objection must be taken at once."

The committee recommend that there shall be added to the Standing Order the

words "and stated in writing." I do not think any member will desire to object to that proposal, the sole object of which is to enable the House, when a point of order is raised, to know absolutely what that point of order really is. There may be cases where in stating a point of order a member fails to put his point with such clearness that its effect is obvious to members, and, therefore, it is impossible for them to come to any conclusion in regard to it. The Speaker himself might even experience that difficulty if he is asked to put to the House a question not stated to him, and upon which he may not be absolutely clear. The procedure now recommended is that required where any member submits a motion or amendment, namely, he must reduce it to writing so that the Speaker, and through him the House, may know exactly the motion or amendment submitted for consideration. It is even more important that on a point of order the information before the House should be absolutely explicit and beyond doubt, or else it is impossible that any conclusion whatever can be arrived at or that the House can express any opinion with intelligence. I doubt whether any member will raise any objection to this alteration.

Mr. Walker: I shall.

Mr. DAGLISH: I am at a loss to understand any valid ground for an objection. The Standing Orders Committee were unanimous with regard to this alteration, and agreed to it, not without consideration but after the fullest discussion. I hope that in the same way members will see the wisdom of amending Standing Order 141 in the manner proposed. I move—

That this amendment be agreed to.

Mr. WALKER: What kind of disorder are we to have in the House if this alteration is agreed to? Mr. Speaker gives a ruling when a certain member is out of order, the House immediately perceives the position and understands the ruling without further wording; yet, before any objection can be taken to the ruling, the formula has to be gone through of, perhaps, writing out the question or words upon the subject, and

quite a little document has to be prepared before the statement can be made, "That this House objects to the Speaker's ruling." The way is clear to members of the House. It is not necessary to put it in writing. Mr. Speaker's ruling is objected to, the ruling is known to Mr. Speaker, the House knows what it is, and Mr. Speaker has already stated it or it would not have been a ruling. The ruling is to be put in writing, and I cannot understand what it is that has to be put in writing.

Mr. Ware: It might be a certain portion of the ruling, and not the whole of it.

Mr. WALKER: Then it is not an objection to the ruling. The Speaker gives his ruling, and some member objects.

Mr. Daglish: He has to state the objection and put it in writing.

Mr. WALKER: Why? He might have to write half of *May*.

Mr. Daglish: Is the Speaker to submit the words of the hon. member from memory?

Mr. WALKER: The Speaker has given a ruling.

Mr. Daglish: It is the objection, not the ruling that has to be put in writing.

Mr. WALKER: The objection is merely the motion: "I move that this House objects to Mr. Speaker's ruling." That motion is supported by whatever argument is justified by the mover, and by others who may have to urge anything in furtherance of the motion. It is a simple motion, and then the reasons for it are given. These reasons may consist of a whole volume; they may consist of a chapter from *May*, or a number of works of reference or precedents. There may be a thousand reasons why one objects to Mr. Speaker's ruling, and to say that you are going to put this down in writing would mean to adjourn the House for about a week until you have got them all written out. This will be reducing the Standing Orders to a farcical position. I can understand that we like to assist each other, but to do what is proposed would make the position perfectly absurd. If any objection is taken to the ruling of the Speaker such objection must be taken

at once. The whole essence of the point of order is its emergency, its subtleness. A point of order constantly occurring wants an immediate decision in order that the debate may proceed regularly. But if we are to go to this formal mode of writing out reasons, then we are going to delay public business.

Mr. Daglish: You must show your grounds.

Mr. WALKER: That requires argument. Supposing I put my objection to the Speaker's ruling in writing, how long shall I be in writing it out?

Mr. Daglish: You are going to get over it very slowly by words.

Mr. WALKER: I want the hon. member to see that he has committed himself to a perfect absurdity. There is a difference between an objection and the reasons for the objection. The House disagrees with the Speaker's ruling. That is the motion that you must submit, and you cannot do more until you have given your reasons, and these reasons may be numerous. What more can be wanted than our usual form? Our Standing Orders are up to date, and have proved serviceable in every British Parliament. There may be a ruling which involves the whole scope of the privileges of the House, and how could you state them in writing there and then? It would not only be necessary to write out, "I move that this House disagrees with your ruling," but we would have to go further and write out the reasons for the motion. Why, it might mean a small essay.

The PREMIER: We give our reasons in writing when we do not agree to an amendment made to a Bill by the Legislative Council.

Mr. Bath: That involves a little delay sometimes.

Mr. WALKER: A respectful Message is sent back to the Legislative Council. It is a form of courtesy between the two Houses. The hon. member must not confuse the two issues. Let me give an illustration: the Speaker rules a motion for adjournment out of order at the beginning of the sitting of the House. An hon. member feels that the Speaker is mistaken and he moves that the House

disagrees with the ruling. Is that not sufficient? Would not his reasons for that disagreement be part of his argument? His objections to the Speaker's ruling would be reasons he had for dissenting from the ruling. Therefore it would be quite sufficient to say, "I move that the House disagrees with the Speaker's ruling." It is a matter of emergency to be decided at once, and there is no time to waste. The hon. member can surely see the difference between declining to agree with the Council's amendments or proposals, and anything that might come up in the House as a surprise. An hon. member might be called to order for repeating himself, or for any other violation of the rules of debate, and the member so offending might himself think he is right, and he moves to disagree with the Speaker's ruling. And in that respect the Speaker stands on an equality with all others. If the Speaker makes an error, it is within the province of any member of the House to draw the attention of the House to it, and have it there and then corrected; but this formality, this making of these corrections, is as ponderous as introducing a Bill or considering a Message from the Legislative Council. They are quite different. One is a matter of a moment, and the other a matter of the deliberate course of the regular and ordinary business of the House. They are quite distinct things, and I have most decided objections to adding these to a well-known and established rule tried and found successful and not objected to, so far as I am aware, in any other part of the world where they have British Parliaments.

Mr. JACOBY (Swan): If an hon. member is objecting to the Speaker's ruling it must be on one of two grounds, namely, that the ruling is contrary to recognised Parliamentary practice, or contrary to a distinct Standing Order of our House or, where we have not specifically provided, to a distinct Standing Order of the House of Commons.

Mr. DAGLISH: Under this he does not require to state his ground at all.

Mr. JACOBY: If his objection be that it is contrary to Parliamentary prac-

tice he puts that into writing, and he argues facts to support him in that view. If the objection be that the ruling is against a specific Standing Order he puts that down in writing also. But I do not see where the difficulty mentioned by the hon. member comes in. Because we have already provided in Standing Order 142 that where objection is taken to the ruling of the Chair, we must have that in writing. And if it be a good rule under that Standing Order, I do not see why we should object to it in any other instance.

Mr. Walker: Do you not see the difference between referring it to another who has to decide, and referring it there and then?

Mr. JACOBY: In some instances where we have been debating rulings here we have had such long debates that by the time we have got to the end we have not known where we started. On one occasion we were quarrelling for an hour or two as to what the original objection was. To get over difficulties of that sort the hon. member I think might see that it is well to make a distinct statement in writing as to what he objects to, and his reasons for so objecting; in other words, the grounds of his objection. Let him state the ground of his objection: Either that the ruling is contrary to the Standing Order of the House or, if not provided for by us, to the Standing Order of the House of Commons; or, if the House of Commons does not provide, he can say he objects to it because it is contrary to parliamentary practice. As we provide in Standing Order 142 that the objections taken in Committee must be in writing, I think the hon. member might withdraw his objection.

Mr. DAGLISH: May I be permitted to make an explanation?

Mr. WALKER: Without wishing to interrupt the hon. member may I suggest that in the consideration of these amendments, we ought to consider ourselves in Committee or go into Committee. One or the other is absolutely necessary, so that in a matter of this kind a member is not limited to one speech.

The PREMIER: I move—

That the Speaker leave the Chair for the purpose of going into Committee to consider the report of the Standing Orders Committee.

Mr. SPEAKER: Last year we treated the report in the same manner that we are doing to-night. But I will put the motion.

Motion put and passed.

In Committee.

Hon. T. F. Quinlan in the Chair.

Mr. DAGLISH: I do not intend to make a second speech, although my earlier remarks were short enough. I desire to say that the member for Kanowna apparently misunderstood me in the proposition, and so too did the member for Swan. The Standing Order as amended would provide, not that a member should show his reasons in writing, which might necessitate the lengthy statement the member for Kanowna fears, but that he should state his objection in writing. In other words, he would require to state that he objected to the ruling of Mr. Speaker that, say, the member for Mount Margaret could not speak again. But the member would write in the objection to the ruling of Mr. Speaker that a certain course could not be taken or that a certain course could not be taken. That is all that this proposed amendment would require the hon. member to commit to writing. And the only object is that there may be no confusion in the minds of members of the House when they have to vote on a question affecting Mr. Speaker's ruling. Now, if I disagree with Mr. Speaker's ruling I am anxious that every member may have an intelligent knowledge of the point of my disagreement. I rely on their knowledge in order to get the ruling upset. But there was a case, I think it was last session, in which there could be no doubt that of the members who were here, probably three-fourths held different opinions in regard to the point of order raised and the disagreement that took place afterwards in regard to Mr. Speaker's ruling. And the hon. member who took exception to Mr. Speaker's

ruling on that occasion stated his disagreement in different terms every time he rose to speak. I, myself, on that occasion was anxious to find out on what point Mr. Speaker's ruling was disagreed with, but I could not discover it. I did not understand, though I strove to understand the exact point on which disagreement was to be expressed. I was anxious to do my duty as a member of the House and come to an intelligent conclusion on the point at issue, but it was differently stated by the same member who raised it, and was stated in half a dozen different ways by at least half a dozen different members. There were all sorts of divergent opinions in regard to it. That may occur at any time, and we will not get an intelligent expression of opinion when it occurs. The member for Kanowna is anxious, like myself, that when a point does arise the decision taken upon it shall be an intelligent vote, and for that purpose he must desire the question to be properly stated from the Chair. How can it be so unless Mr. Speaker is fully seized of it, and how can Mr. Speaker be fully seized of it if he has to rely on the repetition of it once or twice by the hon. member who raised it? If it be expressed in different words each time Mr. Speaker must be at a loss to grasp it. I feel satisfied that there is no danger of any hon. member being required to write volumes if this be agreed to. There has been no time wasted in the past in my experience when the Chairman's ruling has been disagreed with. The member has written the words down, the Chairman has handed them to Mr. Speaker, and Mr. Speaker has given his decision, and the business of the Committee has been proceeded with. That is what is sought in regard to this point that is at issue.

Mr. BATH: It is difficult to appreciate what is required. Evidently the member for Swan (Mr. Jacoby), who formerly occupied the Speaker's Chair, has a different opinion from that expressed by the member for Subiaco. I have some instances before me. I do not intend to read them now, but I ask the hon. member to look into them and express his

opinion on them in writing, so as to give members some conception of what the Standing Orders Committee desire.

Mr. WALKER: The explanation of the member for Subiaco has not made the case any clearer. The hon. member instances a case where the Speaker may be wrong in closing the mouth of the member for Mount Margaret, but there are lots of points of order not so simple as that. Members must be ready to protect their privileges at the moment. Anything that curtails them or takes them away is a danger. On the one hand Mr. Speaker has to give his ruling. We must have it first before we can take objection to it. On the other hand there is the negative to the Speaker's ruling.

The PREMIER: It was argued by the member for Swan (Mr. Jacoby) that this would practically bring the Standing Order into line with Standing Order 142, which deals with the Committee stage. The reason the objection to the Chairman's ruling is put in writing is that Mr. Speaker may have an opportunity of deciding the point. On the other hand, the reason for any objection to Mr. Speaker's ruling being put in writing is that the House may have the opportunity of deciding the point.

Mr. WALKER: We do not insist on Mr. Speaker putting his ruling in writing, and why should I be compelled to state in writing my objection to Mr. Speaker's ruling?

The PREMIER: But you put in writing your objection to the Chairman's ruling.

Mr. WALKER: In that case we have to appeal to another judge. It is, therefore, necessary to have in writing the exact ruling of the Chairman and the objection to it, so as to submit it to Mr. Speaker when he takes the Chair.

The PREMIER: But in this case it is submitted to the House.

Mr. WALKER: The House is here all the time. The benefit of being able to dissent from Mr. Speaker's ruling is that we can do it at the time. There must be no lapse of time. We cannot revert to it. It must be taken there and then. It is the words that fall from Mr. Speaker's lips there and then that are objected to; and that is the only objection that can be

raised. It is to the ruling, whatever it is, and we may dissent from the ruling for many reasons.

The ATTORNEY GENERAL: But your objection would embody the ruling, would it not?

Mr. WALKER: I have no right to interpret the ruling, as the hon. member will see. The ruling is in the possession of the House the moment it is given.

The ATTORNEY GENERAL: It would fix the issue if you did.

Mr. WALKER: I may take it down wrongly. We can see the controversy that would arise if I interpreted Mr. Speaker's language in my own words. Mr. Speaker would at once say that he did not use the words. The difficulty is not that of stating the objection, but of stating in language the precise meaning of Mr. Speaker's own ruling. There is a dignity in the rule as it stands, and it is well there should be for there should be no wrangling between Mr. Speaker and the House. Mr. Speaker gives his ruling, and we then and there dissent from it. All subsequent reasons are stated by way of argument, for, after all, objection in this case is no more than argument. If the alteration is made it will lead to all sorts of controversy, for there would certainly be many disputes arising. For instance, a member in his objection might state what he thought to be Mr. Speaker's ruling, and then, possibly, Mr. Speaker will say that he did not give the ruling mentioned by the member: then, if asked to repeat the ruling, Mr. Speaker might say something entirely different from what he said before.

The ATTORNEY GENERAL: It would be an advantage to fix the issue.

Mr. WALKER: Mr. Speaker gives the ruling and a member has the right to dissent from it. The question of the dissent from the ruling might be submitted to the House without a single statement being made. It is hard to imagine such a case, but if Mr. Speaker were egregiously mistaken, the House, without any word being spoken, might proceed to vote on the question of the dissent.

Mr. Jacoby: The Federal practice is to put the objection in writing.

Mr. WALKER: That is due to the fact that the motion has to go over to another day. Notice of dissent has, therefore, to be given. An objection to that course is that it leads to controversy, trouble and disorder, as it is now doing in the Federal Parliament. As time goes on it will become more and more a source of disorder. In the Federal Parliament as the debate has to take place next day, notice has to be given in writing. Under the British rules a matter of dissent from Mr. Speaker's ruling is one of urgency that must be immediately settled. It is quite right that such a course should be followed.

Mr. WARE: A member has to put a point of order in writing, and he does it in three or four words. Why cannot the same course be adopted with regard to dissent?

Mr. WALKER: Cannot the hon. member make a distinction between a point of order and a dissent from Mr. Speaker's ruling? If he cannot see the distinction I am at a loss for words to reach his understanding. The alteration should not be made.

Mr. DAGLISH: The Leader of the Opposition seemed to imply that there was some difficulty in stating, in writing, objections reported in *Hansard* of last year in regard to two points of order and dissent by the member for Kanowna. I find that one of those points was taken on the 8th December, and it is dealt with in *Hansard* under the motion, "That this House dissents from Mr. Speaker's ruling." Those are the words of the motion, and the objection is obvious, relating as it does to the Speaker's words, "I rule that the Speaker has a right to say whether a motion is a matter of urgency or not." Those are his words, and, therefore, if this alteration were made, a member who desired to object to that ruling would say in his written notice that Mr. Speaker was not correct in saying he had the right to say whether a motion was a matter of urgency or not. There was a long discussion on that on the 8th December. On the 11th December the objection is stated by the hon. member himself when he moves, "That

this House disagrees with Mr. Speaker's ruling to the effect that on a point of order only the member who raised the point can speak, and he has no right of reply."

Mr. Walker: That was another point taken there and then.

Mr. DAGLISH: That does not affect the question of the length and the quantity of words required to state the objection. That is the point. The hon. member says it would take volumes to state the objection. There is his own objection stated in half a dozen lines.

Mr. Walker: It is a substantive motion.

Mr. DAGLISH: Exactly, but a motion can embody an objection. Both objections I have read are couched in the motion. The hon. member asked for concrete cases, and I have given him two, in which the hon. member himself gave his objections.

Mr. Walker: Were the motions written?

Mr. DAGLISH: I do not know whether they were written; they ought to have been written. The hon. member knows that every motion submitted should be written as required by the Standing Orders.

Progress reported.

House adjourned at 11 14 p.m.

Legislative Council,

Tuesday, 28th September, 1909.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Industrial Conciliation and Arbitration, 1902.—