The ATTORNEY GENERAL: No doubt. But this Bill is to be supported by members opposite only on the grounds that it is an insult to Labour. The leader of the Opposition says, "My worth is higher than £1,300 or £1,500 or more per annum." The House can please itself about it, but what was our plain duty if we were to believe that we were tricked into having to vote for an increase of Ministerial salaries? It was our duty to see when we met the House that we would submit the matter to them again, and that is the position we are in at the present time. We are giving the House now the opportunity to separate these matters; when they were before the House on the previous occasion they were not separated. We voted for the increase to the payment of members and we were compelled, by the way the matter was submitted to us, lest we should lose the Bill, to vote for the increase to Ministers' salaries as well as to members. Now members shall vote again upon the subject, and if they vote for the reduction of the salaries to their previous level, good and well; if they vote for the continuance of the increased salaries which have been paid, good and well again; and now the matter is being submitted to members in order that they may vote once more. There is no distinction between the payment of salaries to the Speaker and the Chairman of Committees and those who are Ministers. If the salaries of Ministers were surreptitiously raised, then also the salaries of the Speaker and the Chairman of Committees were surreptitiously raised. If it was wrong to take advantage of the payment of members to increase Ministerial salaries, it was equally wrong to take advantage of the opportunity to raise the salaries of the President and the Chairman of Committees in another place. It is for that reason that the Government have introduced this Bill in its present form. It is not that the Government believe that the Speaker is worth less than he is now receiving. Privately, I am of the opinion that he should receive more. It is an insignificant sum which we pay to the first Commoner of our land. It is not sufficient, but to be consistent, if we are to submit the salaries of Ministers—introduced in the way that I have explained—for a reduction, we must also submit that of the Speaker, the President, and the Chairmen of Committees for a reduction. At all events the position of the Government is that they have protested as to the way the salaries in question were increased, and the Government say before they can honourably continue in the receipt of those sums the matter must be decided by the Legislature; they must have a genuine and independent vote on the issue thus clearly submitted.

On motion by Hon. W. C. Angwin, debate adjourned.

House adjourned at 10.45 p.m.

Legislative Council,

Friday, 15th December, 1911.

The PRESIDENT took the Chair at 3 p.m., and read prayers.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Copy of proposed indenture between the Government and the W.A. Whaling Company for an exclusive license to take whales. 2, Audit Act, amended regulations. 3, Zoological Gardens and Acclimatisation Committee, annual report.

QUESTION—ESTIMATES.

Hon. W. KINGSMILL (without notice) asked the Colonial Secretary: Will the Minister have copies of the Estimates of Expenditure for the current year distributed among members during this session?

The COLONIAL SECRETARY replied: I shall arrange to have them distributed.

BILLS (2)—THIRD READING.

1, Police Benefit Fund (transmited to the Legislative Assembly).

2, Collie Rates Validation, *passed.*

BILL—HEALTH ACT AMENDMENT.

Report of Committee adopted.

BILL—INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. J. D. CONNOLLY (North-East): After the lengthy speeches delivered on this matter I have not a great deal to say. Undoubtedly it has been found from the working of the Act that there are many defects in the law, but I am afraid the Bill before us does not remedy them in any sense. There are only three clauses—Clauses 4, 12, and 13—remedying defects in the principal Act. Clause 4 makes it easier to bring cases before the court, and Clauses 12 and 13 provide machinery for which there is no provision now, except in certain circumstances, for appeals from the registrar's decision to the president of the court. The Bill provides, among other things, that there shall be created a new president of the court. I totally disagree with that proposal. I consider there is no need to create this appointment at all, as it is well known the present judges have not enough to do.

Hon. J. W. Kirwan: All the judges would be glad to have a president appointed as is proposed, because they all object to taking the position.

Hon. J. D. CONNOLLY: I do not know whether they object, but I think I am safe in saying that they have not enough to do now, or at any rate that they could do more than they do now; and I think the judges will admit it. Therefore, it would be waste to appoint another gentleman. The present president of the court could well continue to ac and carry on his work as judge of the Supreme Court also. There are very grave objections that have been pointed out by previous speakers in regard to the manner in which this proposed appointment will be made. We do not know whether it will be a judge, a lawyer, a layman, or a member of Parliament, but we know whoever is appointed can only be removed by a vote of both Houses, and that goes for very little when the salary is at the will of the Government of the day. The salaries for all other appointments of this nature are fixed by statute and cannot be interfered with in any way, except by the wish of Parliament. It is true the Act has been found wanting in many respects, but it cannot be denied that the persons who were instrumental in having the measure brought forward, the workers, have of all persons given it the least consideration. When an award suits them they accept it, but, with few exceptions, when an award does not suit them, they do not accept it. True, there are provisions in the Act for the enforcement of awards, but they are quite useless, and if the Act is amended at all it should be in the direction of amending the penal provisions of Section 98, as they are quite unworkable. Penalties are provided to inflict a certain punishment on employers or employees taking part in a strike or lockout, or doing anything in the nature of a strike or lockout; but while punishment can be inflicted on the employer by a fine, that cannot be done in the case of the employee. If he refuses to pay the fine what is to be done? We cannot send a number of employees to gaol because they say they will not work, and, as the Act is now, it is almost impossible to prove a man has gone on strike. We had the instance only the other day of the plumbers who did not go on strike, but said they would meet in conference every

day. Unless a union go openly and say they will strike it is quite impossible to prove it is a strike. There was also the case of the engineers at Kalgoorlie, where, through the good offices of Mr. Dodd, a strike was averted. If an amendment were made in the direction of bettering that portion of the Act and providing something that would stop strikes or lockouts, something would be achieved; but in the Bill before us there is no improvement in that direction. Mr. Doland said the Act had been amended in this direction in New Zealand. I have taken an interest in this legislation, having had to administer the Act for a number of years, and have followed all the amendments in the other States, but I do not know of any amendment in New Zealand in this direction. I know that three years ago a Bill was introduced in New Zealand which was certainly a very sincere and genuine effort to avert strikes. They did not merely put in the Act that anyone who went on strike or lockout was committing an offence and could be fined, but they went further and showed a practical way in which the prohibition could be enforced. And they made it easy to define a strike. If a man left his employment and he was engaged in the butchering trade, or as a baker or anything that the public depended upon for the existence of life, without due notice—I think it was two months—that constituted a strike and the offender was brought before a court and the court could fine him up to £50. If the offender refused to pay the amount it became a charge on his wages until the total amount was paid and every employer throughout New Zealand who employed that man had to return to the Treasurer one half of the man's wages until the fine was paid off. That was an earnest attempt where compulsory legislation was enacted to make the men observe it. It is worse than a farce to have compulsory arbitration without making an earnest attempt to enforce it. I think Section 98 of the Act is wrong and should be repealed. If you have a penal section it should be one that can be enforced equally against the employer as against the employee; it is ridiculous to have a penal section in any Act that cannot be enforced. That has been the experience during the last ten years. In other respects the Act has failed; no doubt it has settled a number of disputes, at the same time it is the one Act more than another that has tended to separate the employer and the employee. Wages boards to my mind would be infinitely better. If there is a dispute about wages under the Act both parties are taken before the court, there are witnesses brought on either side, and it is like fighting an ordinary case in a civil court and the parties stand as far apart as possible. Each side brings witnesses to prove his case; instead of conciliation it is fighting all they can. It is rather much to expect the parties to come amicably together. In the case of wages boards there is no court. A wages board might consist of from three to nine persons on each side. If there is a bootmakers' dispute there are three or five employers and three or five employees; they would take a seat round a table; they are practical men, and they have a resident magistrate as chairman. Both sides talk the matter over, they do not have to call evidence as to wages because both sides know what they are talking about. In talking the matter over they generally come to an understanding. That is briefly the system of wages boards as they exist in Victoria. There is an appeal from the decision of the board to a judge of the Supreme Court. That system has worked very well indeed in Victoria and I venture to say it would work very much better in the interests of industrial peace than an Industrial Conciliation and Arbitration Act. There is another great mistake in the present Act which one would like to see remedied. The court consists of a judge of the Supreme Court and two repreesntatives, one for the employers and one for the employees. These two representatives sit on every case and they cannot have a knowledge of every trade: mining, sawmilling, bootmaking, tailoring and so on. I think it would be much better if the two representatives were changed to two assessors, and whenever a dispute occurs in any trade representatives from that trade should

be called in to act as assessors in settling the dispute. It would shorten the cases very considerably and be of more assistance to the judge than the present system. There is one thing in the Bill that I regret very much to see and that is the opportunity the measure gives for unionists using their funds for political purposes. In that respect may I say I regret to see the present Attorney General has overridden a decision which has stood for a number of years and has ruled that it is quite legal for unions to use funds for political purposes.

Hon. J. E. Dodd (Honorary Minister): That has been so ever since the Act has been in force.

Hon. J. D. CONNOLLY: It is not so. I remember some years ago, and I think Mr. Dodd was on the deputation that came to me, it was on the 16th January, 1907, when I said that I would submit a case to the then Attorney General, Mr. Keenan, and the Crown Law Department and both the Attorney General and the Crown Law Department ruled that it was quite illegal for unions to use their funds for political purposes. Some time ago the registrar, Mr. Owen, who is now Commissioner of Taxation——

Hon. M. L. Moss: There is the Osborne case.

Hon. J. D. CONNOLLY: Yes, there is the recent Osborne case as the hon. member says, and the Taffe Vale case. It is quite improper for unions to use their funds for political purposes. A trades union is a very proper thing and I think there should be trades unions and every workman who has any sense should belong to a trades union. A union is formed, not for political purposes, but for the protection of the workmen, just as a friendly society is formed. Mr. Dodd knows that until recent years there were a number of men very prominent in the labour movement who held the view that unions should not use their funds for political purposes. I know of prominent labour men in the Kalgoorlie district who hold that view and I am not sure if Mr. Dodd did not take that view himself.

Hon. J. E. Dodd (Honorary Minister): I did not.

Hon. J. D. CONNOLLY: I know men who were associated with Mr. Dodd and who took that view. In Victoria until recently they took that view. It is necessary to-day for every man to join a union. A man may not be a labourite in politics, but a supporter of another political party; yet, in order to obtain work and other privileges, it is necessary for him to join a union. As soon as he joins a union for that purpose the funds of that union, he finds, are used for political purposes. I know of men in Kalgoorlie, not one but dozens, who belong to unions and a levy is made for political purposes to oppose certain men at elections. These men desire to support the men who are opposed by the unions, yet the funds are used to support a political movement they do not approve of. There is no objection to a man belonging to any political society he may elect, but let it be open and let the men join voluntarily. It is unfair and improper and quite illegal to take a union's funds for political purposes. To my mind it would be just as improper for a friendly society like the Oddfellows, which is a mutual benefit society, to use their funds for any political purpose.

Hon. F. Davis: That is not a parallel case.

Hon. J. D. CONNOLLY: I think it is. In 1905 there were a number of unions registered that had a clause in their rules that they could use their funds for political purposes and the registrar refused to register any unions that had this clause in their rules. At the time of which I speak I was a member of the Government and this position arose. Mr. Owen said he would refuse to register these unions because he did not think he had the power to do so under the Act, and at that time there were quite a number of them, I am not certain but I think the Amalgamated Miners' Union of Western Australia did not want this clause in their rules, and were quite willing to leave it out; I am not certain whether it was that union or one of the branches of the miners' union, or whether it was the head branch, but there was one union just as much in fav-

our of leaving it out as others were of getting it in, and consequently the registrar refused to put the clause in. A deputation waited on me at that time and I have here a letter which I wrote to Mr. Bath in reply to the deputation and it is as follows:—

> In reply to the deputation which waited upon me on Tuesday morning relative to the registration of unions on the goldfields, I have the honour to inform you that having fully considered your representations I have decided to recommend that the Registrar of Friendly Societies as administering the Industrial Conciliation and Arbitration Act be supported in his action in refusing to register unions under the Act, which include in their rules provision for using union fees and levies for political purposes. At the same time I do not wish in any way to invade on the legal rights of any union which desires to include such a provision in its rules, and in view of the statement that under the provisions of the Industrial Conciliation and Aribtration Act it is open to any union to include such a provision the Registrar of Friendly Societies will be requested to facilitate a legal decision of the point at issue. For this purpose and in order to comply with the technical requirements of the Act, I invite application for cancellation of registration of a union having in its rules provision for using union fees and levies for political purposes. On such application being heard and determined by the registrar, an appeal will lie to the president of the Court of Arbitration and every effort will be made to have such appeal heard at the earliest possible date.

The unions at the time had not seen fit to avail themselves of that opportunity, that is why Clause 4 is put in the Bill in order to have an appeal from the registrar to the president, but an appeal could have been held then in the way I suggested in the letter. The unions accepted the ruling and did not take the opportunity I afforded of contesting the registrar's action. On the advice of the then Attorney General and the Crown Law Department the action of the registrar was upheld in refusing to register any union whose funds were used for political purposes and no union has been registered while having such a clause in the rules. But the other day I noticed a ruling by the present Attorney General that the registrar could register these unions.

Hon. J. E. Dodd (Honorary Minister): Your Government registered all the rules, you held it up for three years and then backed down.

Hon. J. D. CONNOLLY: There was no backing down. We may not have cancelled a few that we registered previously, that was in 1905, probably the registrar did not cancel the registration of the unions, but no unions have been registered since that time if they had that clause in their rules. Now I maintain that this Bill also provides for preference to unionists. I do not understand any person who calls himself a democrat or a liberal supporting a principle of that kind. I have pointed out already that the using of their funds for political purposes constitutes every union a political Labour body. Now give preference to unionists and we give preference to political Labour bodies, or members belonging to the political Labour party. What would be said if a law were enacted by which preference was to be given to Liberals, or Oddfellows, or some other body of that sort? If ever there was a Conservative measure put on the statute book—

Hon. M. L. Moss: Tyrannical.

Hon. J. D. CONNOLLY: Preference to unionists is all that. There must be something very weak in the cause of unionism, or very weak in the members who form the unions if they cannot stand alone and get work on their own ability, but must have a law made by which they are to get work, while other men go idle, irrespective of their ability. If that decision of the Attorney General is upheld, and preference is given to unionists, it is simply giving preference to men who support the Labour party in politics.

Hon. F. Davis: Which clause in the Act gives that power?

Hon. J. D. CONNOLLY: Where is there any power? Under a similar law the judges in England decided in the Osborne and Taff Vale cases that unions could not use their funds for political purposes.

Hon. F. Davis: What particular section in the parent Act gives that power?

Hon. J. D. CONNOLLY: There is no section in the Act which gives that power.

Hon. F. Davis: Then what section prohibits it?

Hon. J. D. CONNOLLY: I do not know what the hon. member means. Certainly there is no section in the Act that gives the unions power to use their funds for political purposes. If we say that a friendly society can use their finances for funeral funds, sick pay, or other benevolent purposes, and they apply those funds to political purposes, they are using their funds and their position wrongly. There is the opinion of the late Attorney General, Mr. Keenan, and other legal men, that under the present Arbitration Act it is illegal for the unions to use their funds for political purposes. And why do the unions want to use their funds for this purpose? Why do they not form a political labour council outside the industrial unions altogether? Instead of doing that they seek, by preference to unionists, to force every man into a union —and I say every man should belong to a trades union—but when he is in there his funds are used for political purposes, although he may not believe in that direction at all. I will vote for the second reading of this Bill because there are some amendments in it which are very necessary, but there are very many other provisions that I do not think can be justified by any fair minded body of men. There are indeed amendments wanted in the Conciliation and Arbitration Act, and those are the ones I have touched on. I say again that the Act after having been in operation for eight or ten years have been found wanting; it has not proved a success except to a limited extent, and it would be far better to repeal it altogether and substitute a system of conciliation or wages board. That system could not work out worse than the present Act is doing.

Hon. E. McLARTY (South-West): I have only a few words to say on this question, which has been pretty well debated. I have listened with a good deal of attention to the speeches that have been made, I have read the Act with much care, and I think it tends to be one-sided in many respects. I am not going to deal with the various clauses because we will have an opportunity in Committee of doing that. I intend to support the second reading, but there are two or three matters I desire to refer to before we go to a vote. In the first place, I quite agree with the previous speakers that a judge of the Supreme Court should preside in the Arbitration Court, and I also agree that when we have four paid judges in the State, with the amount of work they have to do, there ought to be one of the four available for this purpose. A very important provision is that this Arbitration Act is to embrace all industries, and I regret to see that that is the case. I am not aware that there has been any demand or outcry by the employees in the farming or squatting industries, and I think that very amicable relations have existed between employer and employees in the agricultural industries throughout. As one engaged all my life in agriculture, I am utterly at a loss to know how any man could carry on farming operations under this union system. If men are only to work eight hours per day, it is obvious that we must have two sets of men to do the work. It has been pointed out by Mr. Patrick and other speakers that farmers are in a different position to most other people who are carrying on an industry. If we have to pay double wages and keep a double staff of men, we have not the privilege of adding a couple of pounds a ton to the price of our potatoes, a shilling per bushel more to the price of our wheat, or £1 per ton more to our chaff; we have to face the market and accept the ruling rate, and we are not in the same position as those in a manufacturing industry, where, if the cost of production is more, they raise the price of the article accordingly. Then we have had some little experience of the

shearers' union. We have to pay 25s. per 100 to get our sheep shorn and the men very generously allow the squatter 15s. a week for their board. I am not a very big sheep-owner, and therefore it does not affect me very much, but I should be sorry indeed to keep shearers very long at 15s. per week. They dictate their own terms, their own conditions, they can earn splendid wages, from 15s. to £1 per day, and they allow the squatter the sum of 15s. per week to feed them. They have the time of their life when shearing; they have to be attended to six times a day, and for all this they pay 15s. per week. That is one instance of unionism in connection with the rural industries. This clause is going to militate against the employees, because as soon as it comes into force there will be no alternative for the farmer but to do as little cultivation as he can. A large number of men will be out of employment, there will be less cultivation done, and people will utilise their land for running sheep and carrying on with as little labour as possible. We hear a lot about the prosperity of the farmer, but I cannot make the profits out of farming that some people talk about: perhaps it is my bad management, or that I have not as good land as some people have, but if I were dependent on the land I should have very little over, after I had paid wages and expenses. Like Mr. Marwick, I have men who have been with me for years, and who, though they sometimes leave, come back again. I have a big objection to changing men, and the fact that they stay with me is a proof that they are satisfied. I admit that the hours are long and the work is tedious, but most masters recognise that, and do not expect the men to work without receiving due consideration. It is true the men receive less wages in the farming industry than in other industries, but that is because the industry will not pay higher wages; but the men get a good deal of consideration. I know that the weekly men I have get their firewood for nothing, in season they can go into the garden and get as many vegetables as they want for the use of themselves and their families; I charge them nothing for milk, and they get a good deal of meat also, and in that way any deficiency there may be in wages is made up. I should be sorry indeed to see this Act extended to the farming industry, because I am sure it would not be in the interests of the men themselves. There is one other clause of the Bill which strikes me as being an exceedingly remarkable one. It has been referred to by other speakers, and it is difficult to follow all the speeches that have been made without reiterating what has already been said, but Clause 11 seems to be a most remarkable clause. It says—

> No minimum rate of wages or other remuneration shall be prescribed which is not sufficient to enable the average worker to whom it applies to live in reasonable comfort, having regard to any domestic obligations to which such average worker would be ordinarily subject.

I do not know how any Arbitration Court is going to carry that out. If we are to have regard to a man's domestic obligations, we may have one man with no family, another with one or two children, and another with five or six. Perhaps the man with the biggest family is the least valuable on the farm, and is the employer to provide for all these? And as to the degree of comfort, that is a very broad definition. I do not know what "reasonable comfort" means, I am sure. Some people are very extravagant and require a great deal to keep them in what they consider reasonable comfort, whilst others are contented with much less. It will be a very difficult clause to carry out. However, I agree with hon. members that some alteration is wanted in this Arbitration Act, which has certainly not been a success in the past, and, as was pointed out by Mr. Moss and other speakers, the great fault in this present Bill is that there is no provision to enforce the Act after a decision has been given. It will always be a dead letter, for while it suits him to abide by a decision he will do so, but if it does not suit him he will do his best to ignore it.

Hon. F. Davis: Can you suggest a remedy?

Hon. E. McLARTY: I think a remedy should be suggested and I think it should be rigidly enforced because it is simply a waste of time to have an Act on the statute-book if its provisions cannot be enforced. That is all I have to say on the matter. I am prepared to give my vote in favour of the Bill.

Hon. C. SOMMERS (Metropolitan): I have listened with a great deal of interest to the many speeches that have been made on this Bill and it is my intention to support the second reading. I will strongly insist on the president of the court being either a Supreme Court judge or a police magistrate, certainly not a layman. Some of these clauses have not been sufficiently explained, Clauses 9 and 12, for instance, and I shall want more light thrown on them when the Bill is in Committee. In regard to the word "industry" its definition is very sweeping and probably it will be made to include domestic servants; if so it will be interesting to see how it will work out if it is carried. Mr. Davis, I think, referred to the minimum wage question and said that the minimum wage generally became the maximum and that the employers rarely gave more than the minimum wage. A man may belong to a union and although he may be an expert worker he generally has to level down to the quality of the most inferior workmen on the job. The unions will not encourage men to excel and under these circumstances they cannot expect the employers to pay a higher rate than the minimum. I might give one instance which I think is very well known. In connection with the bricklaying industry the general practice has been for the foreman to give an order that a certain number of bricks should be laid in a day. A bricklayer I know well, and who has been in the habit of laying 800 or 900 bricks a day, told me recently that he joined the union and when he went to his job he found an instruction had been issued that the men were not to lay more than 350 bricks in one day.

Hon. F. Davis: I have been for years in the trade and I have never heard of that.

Hon. C. SOMMERS: That was such a staggerer to me that I interviewed a prominent contractor on the question and asked him whether such a thing was true and he replied that it was. If that is what unionism is going to do for the rising Australian workman I do not know where it will end. If a man is competent to lay even a thousand bricks in a day why should he not be allowed to do so; why should he be asked to slow down? It is a scandalous state of affairs, and if Mr. Davis will take the trouble to inquire for himself he will find that what I have stated is true.

Hon. J. W. Kirwan: Mr. Davis has been in the trade and the hon. member has not. Mr. Davis ought to know.

Hon. C. SOMMERS: Has the hon. member been in the trade lately?

Hon. F. Davis: Not recently.

Hon. C. SOMMERS: I am speaking of the present time, not of past years. I am glad to say that a few years ago such a thing was not the practice and it was the usual thing to get a fair day's work for a fair day's pay. Unfortunately, however, that is not the position at the present time, and the result is that the cost of building has gone up considerably during the last few years. The brickmaker too has to charge more for his bricks. If these people take on a contract for themselves they will take good care to lay the maximum number of bricks. I have had some experience in this direction; I am building a house and I know all about it to my cost. I will have something to say about the clause in Committee. Like other speakers I regret that awards are only accepted by the unions when it suits them and that there is no power to make them abide by the court's decision at all times.

Hon. T. F. O. BRIMAGE (North-East): I am very glad to see that there is a general desire among members that there should be an alteration to the existing Aribtration Act. I think we are to be congratulated because we have not had many labour troubles on the goldfields. There is no doubt that the fact that we have had so much industrial peace is due to the good sense and

straightforwardness of the general secretary of the Miners' Union, and at this juncture it might not be out of place for me to pay a tribute to Mr. Dodd who is now a member of the Legislative Council. I should like to refer to the introductory remarks of Sir Edward Wittenoom who mentioned that the present Government represented one class only, and that this Council should be very careful in considering the legislation sent to them. I maintain that the present Government were not sent here by one class only. I think that the majority of the electors voted for this Government and one only has to bear in mind the tricks of the late Government, and I think in that respect we can regard what they put before us as class legislation, especially when we bear in mind that iniquitous measure the Redistribution of Seats Bill.

Hon. R. D. McKenzie: Who sent you to this House?

Hon. T. F. O. BRIMAGE: I think I was well supported by a good many of the labouring class.

Hon. R. D. McKenzie: You opposed a labour man.

Hon. T. F. O. BRIMAGE: I can look after my own electors; let the hon. member look after his. At any rate I can get a hearing on the fields which is a good deal more than the hon. member can do. What I maintain about the present Government is that they have undoubtedly been returned to power with a view of providing legislation such as we have now. As a matter of fact, the last Government should have submitted this measure to Parliament. They knew that the Arbitration Act was faulty, yet they never attempted to make the necessary alterations. I think that Sir Edward Wittenoom might have been a little more generous to the party in power by giving them credit for what they have done, and not state the present Government belong to one class only. That is scarcely just.

Hon. Sir E. H. Wittenoom: You cannot deny it.

Hon. T. F. O. BRIMAGE: I can deny it. What I say about the present administration is that the last Government did their best by tiddliwinking with the boundaries to secure a return to power of the Liberal party, but instead of that the Liberals in the State turned round and supported the Labour party. Therefore I say that the present Government have not been returned to power by the Labour party but by all lovers of political honesty.

Hon. J. W. Kirwan: There is no doubt about the truth of that.

Hon. T. F. O. BRIMAGE: I do not intend to labour the question. I think we will have the opportunity of speaking further in Committee, but I am very pleased that the measure has been brought down and I trust that the Council will be generous towards it and will carry the measure through in such a way as will prove profitable to the employers as well as the employees. There is no doubt about it that in this country complaints have been made about the high wages paid but that has been brought about by the high cost of living and I cannot see any possible opportunity of lowering the wages in a country like this where the expenses are so very high. Anyhow a measure like this should be passed so that we might preserve that peace which we all desire. A good deal has been said with regard to the appointment of a judge of the Supreme Court as president of the Arbitration Court. I cannot see that this is a very great point. For my part I think we have just as honourable men outside the judiciary as we have in it, and there is no doubt about it if we had some able man as president of the court who thoroughly understood industrial matters it would be so much the better. In clause 9 provision has been made that the court may prescribe rules for the regulation of any industry to which the award applies as may appear to the court to be necessary for the peaceful carrying on of such industry. That particular clause deals more with regard to apprentices. There have been instances in this country where masters who have had disagreements with their artisans have thought fit to fill their establishments with apprentices to the

detriment of the skilled workers. I think that this has had a good deal to do with the inclusion of the clause in the Bill. I have no doubt, however, that every explanation regarding this clause will be given by the leader of the House when the Bill is in Committee. I shall support the second reading, knowing that the Bill will do a great deal of good to the country.

Hon. T. H. WILDING (East): I have been very much interested in the discussion on this measure and possibly in connection with some of the industries of the State it is necessary that the Act should be amended. Whether the amendment is acceptable as placed before us remains for the Chamber to say. I cannot speak with a personal knowledge of many of the industries as other members can, and therefore I shall say but little about them. I think it is absolutely necessary that we should have a judge of the Supreme Court as president of the Arbitration Court, because owing to his training and experience he is better qualified than a layman for dealing with the cases which come before the court, more especially when it is remembered that there is a partisan sitting on either side of him. To this extent some alteration is necessary in the Bill, and I hope an amendment will be made. I do not think the agricultural industry should be brought under the Bill, because the conditions under which we work are entirely different from those obtaining in any other industry. In other industries you can have someone to see that you are getting value for your money. Moreover, in most of the other industries the work is far more laborious than is farm work. To-day, the farm hand spends most of his time riding behind the horses and, taking the year round, we do not get more than an average of 8½ hours' work per day; very often it is not more than seven hours. In farm work there must aways be a certain amount of give and take. We do not harass a man; he goes his own pace and, as a rule, gives us a fair deal. So it will be seen that the conditions of employment in this industry are very different from those in other industries. It has been argued that the conditions under which the rural workers, including the farm hands, live are wretched. I do not think the gentleman who made that statement could have known anything at all about those conditions, because, as a rule, it will be found that when a farmer has been sufficiently long on his holding to acquire a comfortable home, he provides comfortable quarters for his men. In another place it was stated that farm assistants had had to sleep in pigsties. I am quite sure that is not correct. I am about a good deal from one farm to another and I have never seen any suggestion of the sort.

Hon. Sir E. H. Wittenoom: I cannot believe that any employer would do that.

Hon. T. H. WILDING: Nor is it easy to believe that a man would submit to it. Mr. Doland referred to the girls working for 7s. 6d. a week in Foy & Gibson's; but why should they remain there when they can go into the country and get £1 a week, and board and lodging, which means a total of £2. I should say their wages ought not to be raised with a view to inducing them to remain where they are; because if you increase the pay you are likely to bring more girls into competition in the shops, and we do not want that sort of centralisation; it is much better to have the people spreading over the country. If these girls were to go into the country, into good homes, their calling would then fit them to be good women, good wives and good mothers, which cannot be said of their employment in the city shops, while in the case of weak boys or girls the life in the country would serve to build up their constitutions beyond all common risks of ailment. A good deal has been said of the reasons why the wages should go up, and the cost of living has been pointed to as the chief reason. Men working on a farm are "found" both in board and lodging, and the lowest wage I know of is 22s. 6d., which is for a rouseabout, who can still save money on that in the country, and in the end acquire property. But most farm hands are getting 30s., 35s., and up to 42s., and their keep. Where, then, is the necessity for a measure calculated

to induce these men to become unionists, and by that means set them against their employers, and perhaps the employers against the men? On the farms at the present time the men and the employers work in harmony. It is a common experience to find men who have been with their employers 10, 20, or even 30 years. Manifestly if conditions were as bad as some hon. members would have the House believe it is not likely that these men would have stayed so long. There is no necessity for a measure like this, so far as the agricultural industry is concerned. For the last 12 months a man has been going through the country trying to induce farm hands to join a union. He has not been successful, unless it be among the casual hands on the chaffcutters. It is safe to say that that canvasser has not got one permanent agricultural employee to join him. There is no necessity to set men against the employer, and the employer against the men. If the measure be carried in its present form, and the maximum wage become the minimum wage, what can the farmers do with two-thirds of the men employed to-day? Those men could not earn the minimum wage, perhaps not one-fourth of the men on the land at the present time are capable farm hands; nearly all have been in some other class of work, and they are not yet experienced farm hands. Can you expect the employer to pay the minimum wage to a man who knows nothing about the work? It will mean that thousands of men will be out of employment within a few weeks of the passing of the Act, men who to-day are contented, comfortable, and well provided for. We had an instance a little while ago, when a man who had been for years with his employer went down south, relying upon his splendid powers as an axeman to better his position. In the timber country he found it necessary to join a union, and he stayed with them for some months. At the end of six or eight months he came back again with the explanation that one was better at work on a farm at 35s. than working for higher wages among the timber hewers. For, he said, although one received a bigger wage it was paid away to the unions; there were constant demands for strike pays and other objects, with the result that a man was not nearly so well off working down there as on the farm at 35s. a week and his keep. This was a most reliable man, and if there are any representatives of timber workers here, and they feel incredulous in regard to this case, I am prepared to give the man's name. However, the incident does not show that our rural workers are living under such bad conditions after all. If the wages of the rural workers were to be raised as suggested, how would it be possible for farmers to carry on? It is well known to every man on the land that it takes a crop of 11 bushels per acre at 3s. per bushel to put in and take the crop off. I am giving you that price as being the contract price paid in the different centres. This is the contract work which was looked upon by the Labour party as yielding only a sweating wage; therefore it may be regarded as the lowest possible price at which the work can be done. The cost of putting in and taking off runs into about 32s. per acre, and that is at the very lowest rate.

Hon. W. Patrick: That is where you pay labour.

Hon. T. H. WILDING: By contract, yes. The average for the State this year is hardly 11 bushels and our best average is not more than 11 bushels for the State. It takes at least three bushels to put in the wheat and take it off and to cart it. Some have to cart the wheat about 15 miles, and it costs about 1d. per bag per mile to cart it. Certain farmers get good yields and make some money, but this measure is to apply to everyone, and it will be found that every farmer who employs labour will lose money. The man who works the farm himself may get something out of it, but the man who will need to employ labour will lose, taking the average for the State. The usual wage paid to farm labourers is 8s. a day, but for an exceptionally good man 9s. is paid. For the man to whom I give 9s. I provide a six-roomed house and a cow; he can keep as much poultry as he likes and feed them on my wheat, he

has also a garden where he can grow vegetables and the use of a horse and trap for himself and his wife. Are these undesirable conditions for the man on the land? It only goes to show that some hon. members do not know what they are talking about in talking of undesirable conditions; and the instance I have quoted in connection with myself is not standing by itself. It is a general thing in my district that the men are well paid, well housed and well looked after. The man who goes on the land to make a home for himself has first to live in a tent, and no doubt his employee, if he has one, would have to do the same. Surely no man would object to doing that which his employer is doing. As a matter of fact some men prefer tents; they are used to them and prefer them. Surveyors do not build houses on every piece of land they have to survey. If they did it would be a splendid thing for the settler. The farmer has also to contend with the tariff that has been built up around Australia, and it means that the primary producer has to pay every time. On nearly everything the farmer requires he has to pay a heavy duty. We are asked to pay these duties and high wages, and yet the product we get from the land we have to sell on the markets of the world at the price at which that same produce is got in other countries of the world where low rates of wages are paid. In the circumstances how is it possible to make the present maximum wage on the land the minimum? The result would be that if a man could not earn the money he would not be employed, and our farms of to-day would become sheepwalks in the future. As I have said, we have to pay a high duty on nearly everything that we use on the farm, such as ploughs, ploughshares, harrows, chaffcutters, drills, winnowers, cultivators, horse and other power, and harvesters. We pay £12 duty on a harvester and £6 freight, which is £18 more than otherwise we would have to pay if there was no duty. We are paying from 20 to 25 per cent. duty on all the articles we use. If we have so many different things to contend with we cannot continue to employ labour. It must be evident that if a blow is struck at the primary industries of the State it means settling the secondary industries. It is the primary industries that give the wages to the secondary industries. No doubt mining has had a great deal to do with the success of our secondary industries, but during the last three years farming and settlement on the land have had more to do with it and will continue to do so if things are let alone without measures being brought forward to prevent it. If the men on the land are to be harassed by measures of the kind now before us it is not very likely they are going to continue employers when they can do without employing labour. There is no reason why rural workers should be brought under the Act. The men on the land have not asked for it. There have been agitators around endeavouring to get these men to join; but what for? Not to better their conditions, but to strengthen the unions' finances and gain more political power. That is at the root of it, and it is not that they want to better the conditions of the men. That is unnecessary. However, as I have heard from members that the Act needs amending in connection with other industries, I shall support the second reading, though in Committee I hope it will be so amended that the agricultural industry shall not be interfered with.

Hon. R. D. McKENZIE (North-East): To one who has followed the course of the debate on the Bill in this Chamber it is quite evident that practically every member has given a great deal of consideration to it: and that is just as it should be, seeing the great importance of the measure. Whether members are individually in sympathy with the Labour party or in sympathy with the Liberal party I think every member of the Chamber is at one in the desire for industrial peace in the State. The lockout and the strike are brutal methods of settling industrial disputes, and they are far-reaching in their effect. They bring misery and suffering in their train to the wives and children of the workers, and financial loss to those who find the

capital for the industries ; and in addition to the workers suffering, there is also a very large section of the community who have entered into business pursuits and put their capital into businesses and spent the best years of their lives in working up these businesses, and if a strike or lock-out takes place the whole thing goes in a few weeks, ruination stares them in the face and the work of years disappears in a few hours. We have only to consider the strike at Broken Hill a few years ago to see the force of my remarks. Everybody in the place suffered, capitalists, storekeepers, butchers, and bakers, every tradesman, every worker, the workers' wives and unfortunately the workers' children. It should be the earnest endeavour of every legislator in Western Australia to try to avert such a terrible thing as a strike or lockout. The Industrial Conciliation and Arbitration Act of 1902 was placed on the statute-book for that purpose ; the intention of the Act was to do away with those crude methods of settling industrial disputes, and with some amendments that Act has been in force since 1902 and apparently has done good work. Some good results have been obtained, but the Act does not appear to have given satisfaction to all sections of the community. The Liberal Government who gave place to the present Government intended, had they been returned to power, to repeal the Act, believing it did not give the satisfaction it was thought it would give when it was first placed on the statute-book, and their idea was to substitute a system of wages boards. This has been explained by Mr. Connolly so there is no need for me to say anything about it, other than that as a member of the late Government I was quite in sympathy with their views in that respect. I believe if we had repealed the Industrial Conciliation and Arbitration Act and substituted wages boards we would have done something to make it less possible for industrial disputes to occur; but when the elections were held the question of the amendment to the Arbitration Act was frequently brought up and advocated from the platform of most of those standing in the interests of the Labour party, and for that reason I consider it is the duty of every member of the House now to make up their minds to assist in passing the second reading of this Bill and make the existing law and the amendments now proposed as reasonable and acceptable to both parties as is possible. I feel sure every member of the House has come here with the intention of being reasonable and of adopting a give and take policy and of trying to make the Act workable to prevent serious industrial troubles taking place in Western Australia. But to do this it is an absolute necessity that we should have an Arbitration Court whose decisions will be accepted by all parties and whose decisions, having been given, can be enforced. If one side or the other treats a decision of the court with contempt some method of punishment should be provided so that, once having offended and committed contempt of court, they will be served with such a salutory lesson that they will not attempt to do it again. As at present constituted under the Act and also the amendments of the Act, the president is practically the court ; the other two members of the court are really partisans, one is elected by the Labour party and the other is elected by the employers. You have two parties and an umpire sitting between them. Practically the whole of the decision rests with the president, he is the umpire, he has to decide on all matters brought before the court. Under these circumstances how necessary it is that the gentleman who holds the position of president should have an unbiassed mind. Up to the present the position has been filled by a judge of the Supreme Court. A judge certainly is put in that position by the dominant party of the day, but in making that appointment, the selection by the Government of the day is only with a limited number of gentlemen. He can only be selected from those trained to the law. The gentleman who is trained to the law is taught right from the beginning of his career how to read, analyse and weigh evidence, therefore a

judge, I should say, to the minds of all fair thinking people, is the right kind of man to have as chairman of the Arbitration Court. It is proposed in the amending Bill to leave it open to the Government of the day to make their own selection from among whom they please. They can appoint anybody to this position. It may be they may select a gentleman who has the power of analysing and weighing evidence, but I say the chances are a thousand to one against them getting a man who will be able to do so in the same satisfactory way as a Supreme Court judge can do it. Moreover, we have the choice in this State of four judges. Our judges are not overworked, it has been possible to allow one to go away on 12 months leave of absence, and the other three judges have been able to cope with the work in a satisfactory manner. They admit themselves that they are not overworked and they have been doing the work of the Arbitration Court in addition to the Supreme Court work. We have four gentlemen to select from and if we find one judge unsuitable for the work of the Arbitration Court it is an easy thing to transfer the duties from that judge to another. We have four to select from and among the four there would be no difficulty in giving satisfaction to every section of the community. On the other hand, under the Bill the Government have the right of appointing anyone they like to the position, and the position is practically one for life. There are certain reasons for which the president can be disqualified from sitting, that is if he becomes a bankrupt, or is convicted of any offence, or becomes a lunatic, and one or two other things, but the position is practically for life. We are not told what the salary of the president will be, but we are told that the appointment will be at the will of the two Houses of Parliament, and, as Mr. Moss has pointed out, only once in the Commonwealth of Australia have the two Houses of Parliament removed a Supreme Court judge. I say what a temptation it is to place in the hands of any party the power to make an appointment such as this. There are two parties in this State; the dominant party wish to carry certain legislation and with all good intentions to appoint somebody, and they may be biassed. It is only human nature that they should lean to their own side in the appointment, and it may go that way. It is a temptation that is placed in the hands of any Government and I am sure Mr. Dodd, when he has gone fully into the matter will quite agree with me when I say the appointment should go to a Supreme Court judge. I would just like to say a few words on one or two clauses of the Bill. The measure has been so well debated that it is almost an impossibility not to reiterate some of the remarks and arguments of other members during the debate, but there are one or two points I should like to express an opinion upon. Clause 2 deals with the definition of "industrial disputes." This clause to my mind is an absolute dragnet; it drags in everything, every industry, every action, every employer, every employee in every industry and every occupation. There is no work carried on in the State that would not be brought under "industrial dispute." There is no employee or employer who would not be dragged in under this definition. The clause says—

> Section two of the Industrial Conciliation and Arbitration Act, 1902 (hereinafter called the principal Act) is hereby amended by the addition to the definition of "industrial dispute" of the words following:—"and includes any disagreement or difference of opinion between an industrial union formed or existing for the protection of the interests of workers in any industry, and an employer, in relation to any industrial matters connected with any workers engaged in that industry;

You see how far reaching is the effect of the clause. It is going to bring in every industry and every worker. We have been told by the agricultural members of this Chamber the probable effect if the rural workers formed unions and came under the Bill. It has been pointed out to us what it would mean to the farming industry, and we must take cognisance

of what is said by those members who have been engaged in the farming industry all their lives and are capable of saying what effect it will have. It would be appalling to the State at the present time if the agricultural industry stood still, let alone fall away. In the mining industry we are in the unfortunate position to record a falling away, and as one who resides and has great interests in gold-mining districts the present position is anything but bright for the people on the goldfields. If the conditions of mining are made worse than they are to-day by this legislation, and extra expenses put on to the production of gold, the result will be appalling. Most of the large producing mines have reached that stage where the last straw, as it were, will break the camel's back. We are told distinctly that they cannot bear any further cost placed on the working. Apart from the large producing mines, what is to happen to the struggling mines if any additional burdens are placed on them after the carrying of this legislation, it will be a disastrous thing for the mining industry. If after the mining industry, the rural industry suffers, what will be the result to Western Australia. We should pause and consider before making alterations that are not fair to the primary industries of the State. Clause 8 takes away the power of appeal against decision of the court. Clause 8 deals with the jurisdiction, settlement, and termination of any disputes. Under the parent Act there was an appeal against the decision of the court. Now we are to have an outside president, a man who is not trained in the law, and perhaps not trained in weighing evidence, yet the Bill does not allow an appeal. In almost every instance, as I have pointed out, the president is the court. This clause requires consideration and amendment. Clause 11 has been referred to by several members, and I think this clause will probably need a good deal of explanation from Mr. Dodd. I was not present when Mr. Dodd was making his second reading speech, and I do not know whether he explained the clause fully, but it has been agitating the minds of most people who have read the Bill carefully, and they require some very full explanation from Mr. Dodd when speaking in reply. There are many other alterations and amendments required in the measure before it is placed on the statute-book. I am very glad that the measure is in the hands of Mr. Dodd. I have known Mr. Dodd for many years on the goldfields and I have absolute faith in him. I have always found him a broad minded and reasonable man, and I believe to Mr. Dodd, and probably to Mr. Dodd alone, and not to the Arbitration Court, is due the fact that we have had such long continued industrial peace on the goldfields. I believe Mr. Dodd's influence—he said the court was at the back of him—has been the reason for this industrial peace which has reigned so long. I hope when Mr. Dodd is piloting the Bill through Committee he will accept all the liberal amendments that have been suggested. I believe it is his intention to put a measure on the statute-book that will be equally just to the employer as to the employee, and when he is piloting the measure through Committee I trust he will allow every reasonable amendment to be placed in the measure. There is just one other thing I wish to say, that is I was very much interested in the admirable speech which Mr. Doland made yesterday. I was interested because he dealt largely with the manufacturing industries in Western Australia, industries in which I have not much knowledge. On the goldfields we are not able to carry on manufacturing to any extent, whereas in Perth manufacturing is largely carried on. Mr. Doland drew the most harrowing scene of distress that sweating was creating among the operatives in the clothing industry. Mr. Doland said there were young women 20 years of age working for wages as low as 7s. 6d. This seemed to me such a terrible thing that I interjected that I thought that, having made that statement, he should name some of the parties who employed people at those wages. Mr. Doland mentioned the name of one firm, and I have no doubt he has studied his figures before making his remarks and that he is quite satisfied about the truth of them; but I say, that in fair-

ness to the firms paying high wages it is his duty to mention the other firms who he says are paying the same low rate of wages. Publicity should be given to the fact if sweating is going on in any of these industries.

Hon. J. D. Connolly: It is all in the log fixed by the Arbitration Court.

Hon. R. D. McKENZIE: Whether the wages are fixed by the Arbitration Court or not——

Hon. J. A. Doland: There is no award in the tailoring industry.

Hon. J. D. Connolly: I will give you a copy of it.

Hon. J. A. Doland: You may, but it is not in existence.

Hon. R. D. McKENZIE: I was saying that if there are other firms paying these low rates of wages, in justice to the firms that are paying higher wages, their names ought to be given. I trust that the second reading of this measure will be carried, and that before the Committee stage is brought on members will have ample time to consider the amendments, because it is certain that the Bill is going to be amended in many directions. Before resuming my seat, I would again ask Mr. Dodd to use his best discretion in order to allow amendments of a reasonable description to pass. I want to see a measure produced which will be fair to all parties, and I hope that will be the case with this Bill when it emerges from this Chamber.

Hon. C. McKENZIE (South-East): This is a measure that affects the whole of the people of the State, and I shall be pleased if we can place on the statute-book an Act that will be fair and just to all concerned. This question has been well and thoroughly ventilated on all sides, and there is no occasion for me to speak at any great length. It is my intention to support the second reading and I trust that we shall be able, as I said before, to put on the statute-book a measure that will be acceptable to all sides, and which will help to keep industrial peace for all time. I do not desire to discuss the clauses, because we can do that in Committee, but I certainly think that the president of the Arbitration Court should be one of the judges of the Supreme Court. We all hope, indeed we know, that these gentlemen are above suspicion; they are trained in all the points of the law, and they are more fit for the position than men who have not had that training. I intend to support the second reading but reserve the right to vote against some of the clauses in Committee. The measure is one that deserves fair and reasonable consideration, and if we were to consider it for the whole of this week and next week and we could get a Bill fair and acceptable to all parties, it would be time well spent. However, I do not think there is much chance of that, but we can do our best.

Hon. J. E. DODD (Honorary Minister in reply): I cannot complain of the interest that has been awakened in this Bill, but I was certainly hoping that in this my initial attempt in this House at introducing a Bill it would have received a little more friendly criticism. I do not complain of members exercising their right of criticism; in fact, it is a good thing at all times to discuss every Bill as far as we can, but I would have liked to have had a little more friendly criticism of the measure. After hearing the criticism of some of the members, especially those who spoke on the first day, I began to think as to whether I was a party to introducing this measure which comprised so many enormities within its clauses. I did not think it was possible for me to introduce a Bill having so many so-called bad clauses in it, but after going home and looking into the matter I must candidly confess that I could not see any reason for the fears that have been expressed in regard to the Bill. Sir Edward Wittenoom made the statement that I had said the Act would abolish all conflict. I did not make that statement; I made a contrary statement. I know as well as any other man that the Act will not abolish conflict, and we never will so long as human nature is what it is. From the time of Moses, who, I may say was a great Labour leader, up to now we have had strikes. One of the first

strikes of which we have record was when the Israelites objected to making bricks without straw.

Hon. D. G. Gawler: Moses did not legislate against it.

Hon. J. E. DODD (Honorary Minister): Moses had infinitely more powers than we have to-day. If we had the powers of Moses we would very soon get over the difficulty. I, like a great many others, deprecate the remark of Sir Edward Wittenoom in regard to class legislation. I do not think it was fair, and I did not think it was a remark which should have been made. If we went on the same lines we really might say in reference to a judge, from what class does he come? As a rule he certainly does not come from the working class, but it is not a matter I intend to pursue, because I have always looked upon a judge as absolutely impartial, despite the fact that he had not come from the working community. A good many speakers, including Sir Edward Wittenoom have dealt with the position of the farmers, and have seemed to fear that under the Act farmers are going to be put right out of existence, although Mr. Wilding and Mr. Marwick drew attention to the fact that farm labourers are well satisfied and that their conditions are good. If that is so, why should there be any fear of the operation of the Act in reference to farmers. I do not see why we should discriminate between any class of workers in the Act; if it is good for one worker it is good for another, and if it is good for one industry it is good for another industry. I cannot see why it should not apply to all. In New Zealand the farmer has been brought under the operation of the Act.

Hon. J. D. Connolly: They have got a different Act from this.

Hon. J. E. DODD (Honorary Minister): I believe they have a different Act but I have not had the opportunity of seeing it. If more time was at our disposal I should take the opportunity of looking up the Act. I cannot see how this Bill is going to affect the farmer in the way that hon. members have said it would. The Hon. Mr. Patrick told a very pitiful story about the farmers.

Hon. W. Patrick: No, a truthful story.

Hon. J. E. DODD (Honorary Minister): Now I agree with Mr. Cullen that we cannot protect the primary industries, and to an extent I am with him in his fiscal views, but if we cannot protect the agricultural industry we can help it; and the Government I have the honour to represent have introduced into this House a Bill which is going to give the farmer more help and protection, although not fiscally. In addition to that there is a Bill in another place seeking to give the farmer more help in regard to water supplies, so that if he is not protected by our fiscal laws we do help him in every possible manner. It is to the credit of the late Government that they gave him all the help they could, and I think members will realise when we get our measures through, that this Government are also endeavouring to assist the farmers; therefore, I do not think it can be said that the primary industries cannot be protected, because the State certainly can come along and help in other ways. Regarding the remarks made by Mr. Moss, I could not help thinking while sitting here and hearing the manner in which he attacked the Bill, what a wonderful trades union secretary he would have made. He has all the attributes necessary for a trades union secretary, except one or two. He is militant, and in a conference between employer and employees that uncompromising attitude which Mr. Moss adopts would be worth something to some of our unions, and I am sorry he has not chosen some other profession and become a member of one of the trades unions.

Hon. M. L. Moss: There is hope for me yet.

Hon. J. E. DODD (Honorary Minister): If Mr. Moss had been a trades union secretary on the goldfields we would not have heard so many hon. members referring to the wonderful industrial peace we have had during the last twelve years. That uncompromising attitude, I am sure, would have brought him into conflict with the employers, and for that reason I am glad that he is not a trades union secretary. I might

say that there are other directions in which his talents could have been applied, which would have given him infinitely more fame than he has at the present time. If his fertility of imagination and ideas had only been directed to the cause of poetry, Australia would have had a poet who would have rivalled Shelley.

Hon. M. L. Moss: You do not understand me at all.

Hon. J. E. DODD (Honorary Minister): I want to make one or two remarks, with which I think hon. members will agree, as to the vivid imagination which Mr. Moss possesses. I might refer to the Mining Development Act, and to the Public Works Committee Bill.

Hon. M. L. Moss: On a point of order, must not the hon. member keep to the question before the House, instead of discussing the Mining Development Act and the Public Works Committee Bill?

The PRESIDENT: The hon. member must keep to the Bill before the Council; he is, however, only quoting these measures as an illustration; that is why I did not stop the hon. member.

Hon. J. E. DODD (Honorary Minister): I am very sorry the hon. member does not wish me to show in what way he could have secured more fame than he has already acquired. I wanted to show that his imagination with reference to these measures was such that if he applied that imagination to other directions he would have become famous. The picture he drew of the industries, and what would become of the employer, and what the worker would suffer by the employer being wiped out, almost rivalled the word picture of that famous poet of Italy who wrote "The Inferno." Mr. Moss, amongst others, drew attention to the fact that the Act had not accomplished what it set out to do. To my mind that is an unfair attitude to take up. Hon. members might give some regard to the Act, and what it has done. I say that it has done an enormous amount of good for Western Australia, and, further than that, like all other Acts, it is impossible to enforce it in its entirety. I think the late Government fully recognised that with reference to the measure in relation to betting—I think it is the Criminal Code—when they attempted to put down betting on whippet races, but would they apply that Act to the betting that takes place on other courses?

Hon. J. D. Connolly: What has that to do with it?

The PRESIDENT: Order.

Hon. J. E. DODD (Honorary Minister): The magistrates at Kalgoorlie ruled that it was wrong to bet on other courses.

Hon. J. D. Connolly: Do two wrongs make one right?

Hon. J. E. DODD (Honorary Minister): But the Government, of which Mr. Connolly was a member, did not enforce that Act. Why, therefore, do they draw attention to the fact that it is impossible to enforce the provisions of the Arbitration Act?

Hon. J. D. Connolly: Do you contend that you are enforcing the Police Act by giving permission to bet on the whippet courses?

Hon. J. E. DODD (Honorary Minister): I say you cannot enforce the Act with regard to other racecourses, and you dare not do so.

Hon. W. Patrick: Then if you cannot enforce it why not repeal it?

Hon. J. E. DODD (Honorary Minister): With regard to the Licensing Act, will any hon. member contend that that Act has been enforced? It is just as well to be honest by saying that we know it is not enforced. Although I am a teetotaller, I know that the Act is not enforced in regard to Sunday trading, and I know also that it is not enforced in several other respects. Why not be fair, and say that we cannot enforce these Acts?

Hon. M. L. Moss: These Acts are enforceable, and it is admitted that the Arbitration Act is not.

Hon. J. E. DODD (Honorary Minister): It is a distinction without a difference. Many members have referred to strikes; after all, what are they? During the past 10 or 12 years the timber strike, perhaps, has been the biggest which has occurred; the others were very small matters. A lot of trouble has

been brought about, during the past few years, owing to the difficulties in approaching the Arbitration Court, which was so hedged around with technicalities. I will give an instance in point. The engineers in this town cited a case before the Arbitration Court; they went on with that case up to a certain stage, and certain points were raised against their going on with it, which the president of the Arbitration Court ruled out. Now we find an appeal to the judge in Chambers, and a prohibition order obtained against them going on with this case, and it cannot be heard now until the 29th March. Suppose we had employers who would adopt that attitude on the goldfields, employers who desired to bring about industrial trouble, and I know of employers who have done that? The great Broken Hill trouble was brought about by the employers. Suppose the employers of Kalgoorlie were anxious to bring about a difficulty at a time like this? All they would need to do would be to go to the Court and hang up a question for something like three months. Human nature would revolt, and the men certainly would not wait to have the matter settled.

Hon. J. D. Connolly: Why do you not simplify the procedure, and let any body of men other than a union approach the Court?

Hon. J. E. DODD (Honorary Minister): It is all very well to say that, but you cannot get away from the fact that the Arbitration Act of 1902 set its seal on unionism in the State, and these unions have to bear the brunt of fighting the battle for better conditions and for better wages, and why on earth should unions not be the only parties in the industrial world to be allowed to approach the Court? Mr. Moss spoke of disfranchisement as a penalty for not observing the awards. Mr. Kingsmill has pointed out the absurdity of that, and all I desire to say is that it would not be a good thing for the opponents of labour. I cannot see that it would be any remedy whatever. I have no desire to say that you can enforce awards in every respect; I have not attempted to argue against that attitude regarding this matter, and I believe it is almost impossible, at all times, to enforce all the provisions of the Arbitration Act. Mr. Moss cannot see the references to victimisation. An employer may go outside an award by victimising a man who has taken a prominent part in taking a case to the court, and what remedy have we? If anyone can show me a remedy I shall be very glad.

Hon. M. L. Moss: Can you give us particular instances of what you call victimisation?

Hon. J. E. DODD (Honorary Minister): I mean that an employer will discharge a man.

Hon. D. G. Gawler: Is that not a breach of the award?

Hon. J. E. DODD (Honorary Minister): How can you prove it? An employer can only say that the man is unsatisfactory. I am, however, in this happy position of being able to say that in my general experience in this State I have seen very little of this victimisation. I do not know that I can prove one single case in the mining industry. There have been cases in respect to several things in which I believe victimisation has occurred, but I do not think in connection with any award of the court. Nevertheless, there are employers who have victimised their employees. In connection with judges and industries, in speaking on the measure the other day I gave the judges credit for the manner in which they mastered the details of all the industries which had come under their notice. There have been 49 different industries brought before the judges, and 310 disputes, and credit must be given them for the way in which they have mastered them, and I do think that a layman would be likely to master those different technicalities regarding the various industries in a better manner than even the judges. There have, however, been one or two cases in which most ridiculous awards have been given by the judges.

Hon. M. L. Moss: You are out to find a paragon of perfection.

Hon. J. E. DODD (Honorary Minister): We will never get perfection in this world, but we are out to do the best we

can. I do not believe any man acquainted with industries would have given the ridiculous awards to which I have referred.

Hon. D. G. Gawler: Can yo ufind men who are acquainted with every industry?

Hon. J. E. DODD (Honorary Minister): No, but what I say is that a judge has to be acquainted with all the laws, and when you saddle him with all other industries you are placing a big contract on his shoulders. A good deal of discussion has centred around the question of the appointment of a layman to the Court, and there seems to be an undercurrent of feeling that the Government are out to appoint a politician; I might give hon. members this assurance that so far as the Government are concerned they have no intention of appointing a politician as president; in fact, it may be that no one else but a judge may be appointed. The amending Bill gives the power to appoint a layman, if the Government so desire. I can say, on the assurance of Cabinet, that there is no intention whatever of appointing a politician to that position. A good deal of reference has also been made to wages boards. and, although in Victoria wages boards have been successful, in some degree, in settling differences, these boards have never been tried in connection with such work as shearing. mining, and seafaring.

Hon. J. D. Connolly: Were they not extended to mining lately?

Hon. J. E. DODD (Honorary Minister): I do not know. Mining is a big industry in Victoria, where the wages boards are in operation, and the miners there have not taken advantage of those boards; rather than that, they seek to come under the Federal Arbitration Act, and most big disputes in Victoria are settled by the Federal Arbitration Court. The wages board system was attempted in New South Wales in connection with the coal miners' strike. What was the result? disaster, and a big disaster, too. Speaking on the Public Works Committee Bill Mr. Cullen administered something of a rebuke to Mr. Moss for the way in which he considered he had belittled his case; yet we find Mr. Cullen doing precisely the same thing. He said it was only natural that a Labour Government would appoint as president of the Arbitration Court someone in accord with their own views; that there would be three partisans on the court instead of one impartial man and two partisans. I do not think that remark was justified. No Labour Government, nor anyone else, could look into the mind of any man. You may appoint a man, but you do not know what his mind is, or what it is going to be for the next three years. You are taking a leap in the dark, so I do not think that remark was justified. Further than than the hon. member stated that if ever an award were given against the men there was always a denunciation of the judges. I do not know that I have seen many such cases. But what do we find on the other side? Can we forget the remarks of Mr. Waddell in regard to Mr. Justice Higgins? That was one of the most scandalous remarks ever made under cover of privilege in an Australian Parliament. And in addition to that there was the criticism in the Hobart *Mercury*, also in reference to Mr. Justice Higgins. And further than that—and I regret to have to refer to one outside the House: I do not wish to be in any way ungenerous—I say the remarks of the late Minister for Mines in reference to Mr. Justice Higgins were entirely uncalled for, to say nothing further of it.

Hon. M. L. Moss: What about Mr. De Largie's criticisms in reference to the late Mr. Justice Moorhead?

Hon. J. E. DODD (Honorary Minister): They were in the same category as these to which I am referring. I would not condone those remarks or attempt to justify them in any way.

Hon. J. D. Connolly: What did the late Minister for Mines say in respect to Mr. Justice Higgins?

Hon. J. E. DODD (Honorary Minister): The implication he made was——

Hon. J. D. Connolly: It is an implication now. You declared he had said something.

Hon. J. E. DODD (Honorary Minister): He said Mr. Justice Higgins was interested in the Colonial Sugar Refining Company.

Hon. J. D. Connolly: Which Mr. Justice Higgins admitted.

Hon. J. E. DODD (Honorary Minister): But what was the object of the remark? Why was it made? I think the hon. gentleman understands full well. In addition to that, if we study the articles issued by the Chamber of Mines we freqeutnly find hostile criticism of some of the judges in this State in connection with the Arbitration Court. So, as I say, the denunciation of the judges is not altogether on one side.

Hon. E. H. Wittenoom: If a judge gets it, what would a layman get?

Hon. J. E. DODD (Honorary Minister): I come to the remarks made by Mr. Gawler and others in reference to the responsibility of a union for the acts of its members. For the life of me I cannot see any logic in the argument that a union should be held responsible for the individual acts of its members.

Hon. M. L. Moss: There are none so blind as those who will not see.

Hon. J. E. DODD (Honorary Minister): That applies to more than one. I desire to point out how impossible it is for a union to exercise control over the whole of its members. Take the Kalgoorlie and Boulder branch of the Federated Miners' Union, numbering 3,500 men. Before the union could be made responsible for the individual acts of all those members, it would be necessary to have a medical examination in order to determine that all were of sound mind, and you would require some means of looking into their emotions to see what sort of men they were. It would be impossible to make a union responsible for the individual acts of its members.

Hon. M. L. Moss: Why should they not be held responsible if the members upset an industry and disturb the business of the whole State?

Hon. J. E. DODD (Honorary Minister): A man may have some kink in his mind which causes him to kick up trouble, and yet you would make the union responsible.

Hon. R. Laurie: Mr. Justice Higgins made the Seamen's Union responsible for the strike on the "Koombana," and would not give an award until they put men on the ship.

Hon. J. E. DODD (Honorary Minister): The union would not stand by the strikers in that case, which shows that wherever possible the union endeavorrs to be just.

Hon. R. Laurie: There was something at stake though. They could not get the award until they put the men on the ship.

Hon. J. E. DODD (Honorary Minister): That might have had something to do with it. The statement has been made that the Bill means compulsory raising of wages. Nothing of the kind. It means the compulsory settlement of disputes; and although some members seem to think it means compulsory raising of wages, the workers do not think so.

Hon. W. Kingsmill: Will a dispute be settled if the wages are not raised?

Hon. J. E. DODD (Honorary Minister): Sometimes are question of wages does not come into the dispute. I can give one instance in which a union was penalised in connection with one matter, and in which I think, they acted very loyally. It has been said that they never accept an adverse award. Hon. members from the goldfields know in connection with the mining industry there has been from time to time immemorial the question of a short day on Saturday. Almost everywhere throughout the world this short day is given in the mining industry. By the late Mr. Justice Moorehead's award that was taken away. I am satisfied His Honour never intended to take it away. I do not want to say any thing more about Mr. Justice Moorehead; unfortunately he died soon after that decision. But here was a most militant class of men accepting that award and obeying it in its entirety. I confess I had great misgivings at the time as to whether they would do so. It shows that they do not always go out on strike when an award is given against them. I just want to say a word or two in reference to the question of preference. I have my own views on this question of prefer-

ence. It has been stated that the Bill is giving power to grant preference whereas the existing Act does not. On turning up the existing Act, however, we find in the interpretation clause that "industrial matters" means *inter alia* "The claim of members of an industrial union of employers to preference of service from unemployed members of an industrial union of workers." This, I think, quite disposes of the point that the existing Act does not provide preference to unionists. But the unionists do not ask for full preference. They merely ask for a preference which will protect them against being victimised. In all such legislation certain conditions are laid down which effectively prevent any tyranny being used by the unionists. In my own opinion "preference to unionists" ought to be stated as "protection to unionists." I would like to say a few words on what has been described as the bad feeling created by the existing Act, and in doing so, I wish to take hon. members back some twenty years, before arbitration was an accomplished fact. Probably all will remember the big shearers' strike in Queensland twenty years ago. What was the feeling engendered by that strike? On the one hand against the employers we had burning sheds everywhere. I was in Broken Hill at the time when the "Rodney," a river steamer, was burnt some 60 miles from Broken Hill on the river Darling, and I well remember the feeling created throughout Australia by that strike, a feeling which the employers have not yet got over. I also remember the feeling on the other side. I can remember some twenty or thirty strikers being brought down to Broken Hill for trial. One of them had a shot in his lung. He received a sentence of two years' imprisonment. He had been shot by what a unionist calls a scab, and with this shot in his lung he received a sentence of two years imprisonment. There is to-day a monument in a Victorian cemetery to this young fellow who was shot, and who, on account of his injury, had to be released from gaol only, however, to succumb. I have drawn attention to the feeling engendered among the employers owing to their property having been burnt. I ask, what was the feeling among these young people, some of whom were sentenced to three and some to five years' imprisonment, while this one I have mentioned died from the effects of his wound?

Hon. D. G. Gawler: What did the blackleg shoot him for?

Hon. J. E. DODD (Honorary Minister): The blackleg may have been perfectly justified—I do not like to use the term justified——

Hon. W. Patrick: Do you like to use the term blackleg to anyone?

Hon. J. E. DODD (Honorary Minister): As I said, it is a term used by unionists.

Hon. W. Patrick: It is a wrong term.

Hon. J. E. DODD (Honorary Minister): I do not think it is a wrong term. I do not think you can use a term too opprobrious to a man who will take the bread out of the mouth of another man.

Hon. W. Patrick: That is what preference to unionists means—taking the bread out of other men's mouths.

Hon. J. E. DODD (Honorary Minister): I went through the Broken Hill strike of 1892. I am one of those who believed in fighting so far as we could at that time. It was that strike which caused me to use whatever influence I possess to bring about industrial peace. I worked on one of the mines in Kalgoorlie for ten years after that strike took place. There was there a man who went in as a blackleg at Broken Hill, and not a solitary man on the mine would speak to him, not even his own mate working with him. What sort of feling is that to set up? It is not a right feeling, not a feeling I would like to see engendered again; yet it is there, and we cannot change it. That has been brought about by the old method of striking. Will any member dare to say that the aims of the Arbitration Act in this respect are of no good? We see very little of that now. We do not see property destroyed.

Hon. W. Kingsmill: What about the tram strike?

Hon. J. E. DODD (Honorary Minister): There was nothing in that in regard to the destruction of property.

Hon. W. Kingsmill: They tried to destroy the blacklegs.

Hon. J. E. DODD (Honorary Minister): There might have been one or two cases, but in all strikes you will have this feeling and that is what we want to avoid. As a matter of fact had the provision we now seek to bring about been in force that strike would not have taken place. The Court at present has no power for grading and classifying employees, and that is what we seek to do by this Bill. Some reference has been made to union funds in England and opposition towards arbitration. Do we want to bring about here the same result as was likely to take place in England a few weeks ago? I know from inside information with regard to strikes in England that never was England nearer to the verge of civil revolution than then, and anything we can do to stop that sort of thing we ought to do. I do not think this Bill will end strikes, but it must go a long way towards bringing about a mere peaceful solution of our troubles. I referred just now to the shearers in connection with strikes that took place. Here is a manifesto issued by Mr. W. G. Spence and Mr. T. White, Acting General Secretary of the A.W.U. Mr. Spence is a member of the Federal House and one of the oldest trades unionists in Australia, the first I heard speaking on trades unionism in Australia. The secretary of this body was the late Donald MacDonnell, late Chief Secretary of the N.S.W. Government, who recently died. In sending out a manifesto to the shearers to loyally abide by the award given, these gentlemen said—

> The court's award has been given. You should study it closely and acquaint yourselves with all the conditions. Members have to see it is carried out faithfully. The experience of the past four years has enabled you to judge the value of settled conditions. To maintain them it is essential to keep the organisation up to its fullest standard.

And they go on to say—

> It remains for members to show their sincerity towards arbitration by their actions with respect to this award.

Contrast this manifesto issued by these two gentlemen with what took place twenty years ago and see whether or not arbitration has been a failure. I think we should pause before making that statement, and if it is at all possible to bring about any method of settling these troubles we should do so. It is sad that many employers who are anxious to see all disputes settled by arbitration, and also many on the other side, socialist extremists and others who have ideals which some of us cannot reach, who are seeking to bring about the end of all disputes by arbitration, should when it comes to war within the nation, want to revert to the old method of locking out or the lockout or strike. That is one of the things I cannot understand. I know what industrial strife is. War at all times, as Carlyle says, is hell, and industrial war in the same way is hell not only to the employer but also to the employee and his wife and family and to the State. I trust members will not mutilate this Bill in a way that the Government cannot accept it or that will make it ineffective.

Question put and passed.

Bill read a second time.

Committee Stage.

Hon. J. E. DODD (Honorary Minister) moved—

> *That the consideration of the Bill in Committee be made an Order of the Day for the next sitting.*

The Government agreed to fall in with the wishes of the members to postpone the consideration in Committee until Tuesday on the understanding an effort would be made to finish it.

Hon. Sir J. W. Hackett: I hope if any amendments are to be moved they will be handed in.

Hon. J. E. DODD: It was understood that there were to be amendments from some hon. members and that they were to be handed in and printed on the Notice Paper. If this was not done an oppor-

tunity was not given to the Government to consider them.

Question passed.

AUDITOR GENERAL'S REPORT.

The PRESIDENT: I have received from the Auditor General his twenty-first report under the Audit Act to be laid on the Table.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Received from the Legislative Assembly and read a first time.

BILL—EARLY CLOSING ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair, Hon. J. E. Dodd (Honorary Minister) in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Substitution of new sections for Sections 3, 4, and 5:

Hon. J. E. DODD moved an amendment—

That in the proposed Section 5, Subsection 4, line 4, after the words "Government Gazette and" the words "(notwithstanding anything in Section 4)" be inserted.

The idea was to make it absolutely clear that the referendum was supreme over the choice of the shopkeeper.

Amendment passed.

Hon. J. E. DODD moved a further amendment—

That in the proposed Section 5, Subsection 8, line 2, the words "Electors entitled to vote on a poll" be struck out and the following inserted in lieu:—"duly registered electors who would be entitled to vote at an election of a member of the Legislative Assembly."

Hon. M. L. MOSS: What was the object of this amendment? Would persons entitled to vote be only those on the roll, or would those with claims submitted but not yet enrolled be entitled to vote.

Hon. J. E. DODD: The alteration was to bring the clause into line with the other parts of the Bill with reference to the Legislative Assembly electors.

Amendment passed.

Clause as amended put and passed.

Clause 4: Chemists and druggists' shops:

Hon. J. E. DODD moved an amendment—

That the following be added, to stand as Subclause 4:—"A public or private dispensary shall be deemed to be a chemist's shop within the meaning of this Act."

Some doubt was expressed as to whether a dispenser was a chemist or druggist; the amendment was inserted to make the position clear.

Amendment passed; the clause as amended agreed to.

Clause 5—Substitution of new clause for Clause 8—Closing of shops carrying on other trades:

Hon. M. L. MOSS: Members should vote against the clause as it contained a bad principle. In a chemist's shop, in order to get the benefit of the later closing, the chemist would only be entitled to dispense medicine, or sell drugs. In all parts of Australia, chemists sold a variety of articles. In regard to newsagents, there was no shop which was confined entirely to the selling of newspapers. Tobacconists, also, sold a variety of articles and would in consequence have to close at 6 o'clock. We had to look at the effect of the clause from the point of view of what the business people sold in their shops. The idea of the Legislature was to allow chemists, tobacconists, and newsagents to keep open after 6 o'clock, but by the clause this benefit would be taken from them.

Hon. D. G. GAWLER: Newsagents would be unable to carry on their business, so he was informed, without the aid of a side line, which was fancy goods, and if newsagents wished to keep open they would have to carry on the newsagency business only. The difficulty might be overcome by the particular line intended to be closed down being barricaded off.

Hon. F. DAVIS: The difficulty might be overcome by providing that tobacconists should close at 6 o'clock. There was no particular reason why tobacconists' shops should be kept open after 6.

Hon. M. L. Moss: If a man wanted to buy tobacco after 6 o'clock he would have to go to a public house.

Hon. F. DAVIS: Those who wished to procure tobacco should do so in the day time.

Hon. R. D. McKENZIE: Nearly every shopkeeper supplied goods that were outside his province, that was the difficulty. The trouble might be overcome if Mr. Gawler's suggestion were carried out.

Hon. J. E. DODD: There had been a lot of dissatisfaction in regard to newsagents keeping open until 8 o'clock, as they sold fancy goods: perhaps the difficulty might be overcome by adopting Mr. Davis's suggestion to close tobacconists' shops at six.

Hon. C. SOMMERS: The particular business that was not allowed to be carried on could be barracaded off, then the other portion of the shop would remain open. There was a good trade in newspapers after 6 o'clock; chemists ought to be allowed to sell their fancy goods, if they were allowed to remain open after 6 o'clock.

Hon. A. G. JENKINS: The present principle seemed to be a good one, to allow shops to barricade off that portion of the shop which was not allowed to remain open. His only desire was that men who sold these little side lines should not come under this clause; they should be allowed to barricade those goods off and not sell them.

Hon. J. E. DODD: There had been keen dissatisfaction expressed in reference to newsagents, particularly in regard to the sale of fancy goods. The newsagents were allowed to keep open until 8 o'clock, and at the present time they were selling Christmas goods, and that was unfair to the fancy goods shopkeepers who were compelled to close.

Hon. J. D. CONNOLLY: The difficulty in connection with the early closing law was to define what fancy goods were. It was true that newsagents, who also stocked fancy goods were allowed to erect a substantial partition between the fancy goods and a newsagency, but the unfairness lay in the interpretation as to what fancy goods were. Drapery shops sold fancy goods, but they were compelled to close.

Hon. M. L. MOSS. With regard to chemists, the idea of partitioning off part of the shop was quite impracticable considering the variety of articles the chemists in Australia sold; they were not druggists pure and simple, but amongst other things sold fancy goods, soap, perfumery, brushware and many other lines.

Hon. R. LAURIE: In Melbourne chemists' shops kept open until 8 o'clock, and there seemed to be no difficulty there in regard to fancy goods. In regard to newsagents, it would be a hardship if those who kept small shops were not to sell some side lines such as fancy goods. It would not be worth while to keep open newsagencies at night unless there was the right to sell other things, and that would be to some extent a hardship on the public. The quantity of fancy goods sold by newsagents after hours was not considerable enough to affect other tradesmen, and it seemed that the amendment which Mr. Gawler had in view would meet the case.

Hon. M. L. MOSS: Perhaps it would be wise to amend the clause by striking out of the Subsection (1) of the proposed Section 13, the words "during the whole of that day," and substituting in lieu the words "after the general time of closing of shops," and by inserting in Paragraph (a) of proposed Subsection 3 between "the" and "business," the word "customary." If that amendment were carried chemists' shops could be kept open, and it could be contended that the chemist was only selling goods which formed part of the customary business of the shop. If the clause as printed were allowed to pass it would mean that after 6 o'clock chemist's shops would have to be closed, because it would not pay the chemist to keep open until 8 o'clock merely for the dispensing of prescriptions. In regard to newsagents, they did not trench on

other people's business to any extent, but the small sale in side lines gave them just enough business to justify their keeping the shop open. If the Minister would report progress those two suggested amendments could be placed on the notice paper.

Hon. J. E. DODD: There was no objection to reporting progress provided there would be some effort made to put the Bill through in time.

Progress reported.

House adjourned at 6.12 p.m.

Legislative Assembly.

Friday, 15th December, 1911.

The SPEAKER took the Chair at 2·30 p.m., and read prayers.

QUESTION—CHINESE FURNITURE AT ROTTNEST ISLAND.

Mr UNDERWOOD (without notice) asked the Minister for Works: Has any Chinese furniture been sent to the Government Hostel at Rottnest?

The MINISTER FOR WORKS replied: Unfortunately furniture of Chinese manufacture has been sent to the hostel and cottages at Rottnest Island. I discovered it after the furniture landed there. I have issued instructions that it shall be immediately returned. The officer responsible has been suspended.

QUESTIONS (2)—RAILWAY DEPARTMENT.

Cost of boilers.

Mr. CARPENTER asked the Minister for Railways: 1, What was the total cost per boiler of the 10 Class O boilers recently imported by the Railway Department? 2, Has the department any record of the cost of similar boilers constructed locally, if so, what is it? 3, Is it the intention of the Government to continue the further importation of such work? 4, If so, why?

The MINISTER FOR RAILWAYS replied: 1, £679. 2, £720. 3, Yes. 4, Insufficient shop accommodation and machinery at Midland Junction. The department is doing its utmost with the facilities at present at its disposal and will continue to do so, so long as the local cost compares favourably with that of the imported article.

Tickets for Long distance Trains.

Mr. BOLTON asked the Minister for Railways: 1, In view of the nature of the reply given to a question relating to an instruction issued by the Railway Department, will the Minister cause inquiries to be made as to whether Mr. Bolton tendered the money for a ticket to Coolgardie at 9·20 a.m on Wednesday, 6th inst., and was refused a ticket, being told that he must obtain the ticket between 3·30 and 3·55 p.m. or take out a single ticket to Perth? 2, Did the said passenger ask to see the station-master, who also refused to supply the ticket, owing to an instruction issued to him (the station-master)?

The MINISTER FOR RAILWAYS replied: 1, Yes, money was tendered and ticket refused on the grounds that the passenger would have to break the journey within the suburban area, which is contrary to regulations. 2, Yes, and the regulations were pointed out to Mr. Bolton. No instructions have been issued other than the printed regulations.