

papers, as his colleagues did. I hope the next time the Colonial Treasurer takes a trip round the country he will make his speeches before instead of after dinner. I am glad to see that the Government intend to create a Civil Service Board. The present Civil Service Act I can only call an abortion. It is of no use whatever. It simply leaves the service in the same position as in the past. I hope that the proposed Board will consist of independent men, outside the official circles altogether. I trust that henceforth anyone who wants to enter the public service will have to get in by examination, and that the service will be thrown open to rich and poor alike. Entry into it should not remain, as it has been in the past, a matter of favouritism or nepotism. I am pleased to see that the Government intend to enlarge the lunatic asylum at Whitby. There is no question this should be attended to immediately. We have, for a number of years, had complaints with regard to the condition of the asylum, both from the late Dr. Barnett, and I believe from Dr. Hope, who has been in charge until within the last few weeks. The complaints are that the buildings are not large enough for the requirements of the institution, and that thus no classification whatever is possible in connection with it. There can be no question this is a matter requiring immediate attention, so that there may be proper classification of patients. At the present time, I believe chronic and incurable cases are mixed up with curable cases. The result is that the curable cases do not recover, and that the chronic and incurable cases get worse. The Premier informed us yesterday that the Government intended spending £25,000 on the Royal Visit. I am very pleased to know that they intend spending this sum; but I would have been very much more pleased to see it expended on something in the shape of a permanent memorial, which His Royal Highness might have had some pleasure in opening, and which would have enabled him to feel when he left this State, that his visit had done some good. At present the intention appears to be to spend the whole of the money on temporary, trumpery arches. Twenty-five thousand pounds seems to be an enormous sum to expend in this way.

I should have liked to see it devoted to the erection of a memorial which would have afforded some permanent enjoyment to the public. I notice a committee was appointed to consider the plans in connection with new Houses of Parliament, but I hope the members of this House do not intend to spend money on that object. There is no question that this Chamber, which was quite good enough when we were practically an independent colony, is quite good enough now when we are a mere State, and I hope this Parliament will not spend money on new Houses of Parliament; but if, as I believe, it is necessary to get some rooms for offices, those rooms should be erected over the refreshment room. I also noticed that recently a number of gentlemen waited upon the Colonial Treasurer (Hon. F. Illingworth) asking if he would give a sum of money towards the Children's Hospital. I am glad to say the hon. gentleman refused. There is no reason whatever why this Children's Hospital should be constructed at the present time. If erected, it can only be for those who are able to pay and those who cannot pay. As to those who can afford to pay, there are a number of private hospitals in Perth, and I do not think it right that the Government should give money to an irresponsible board to enable such board to compete with private hospitals. If people are not able to pay, all I can say is there are 15 or 16 beds in the Government Hospital, and there are hundreds of other beds as well which can be used, if they are required. I am glad the Government intend cutting this session as short as possible, for I do not think it advisable for them to stay here, but they should become thoroughly acquainted with their position, and as soon as they are they can come down to the House and submit their proposals to us. I must thank hon. members for the kindness with which they have listened to me.

MR. W. F. SAYER (Claremont): The member for the Moore (Dr. O'Connor) touched on a subject which is of interest to me, but except perhaps for an observation by the member for East Perth (Hon. W. H. James) the other evening I might not have taken any part in this debate. That observation, however, is one that I

cannot afford altogether to ignore. There is a paragraph in His Excellency's Speech in which we are promised an amendment of the Industrial Conciliation Act of last session; and in referring to that subject, in view of the lamentable strike which was then impending, the member for East Perth thought fit to allude to that Act as useless and waste paper, in which connection he was pleased to speak of Mr. Burt and myself as responsible for the drafting of that measure. I wish to say at once that in so far as the Conciliation Act of last session has been found wanting to avert the present strike, it is directly the consequence of the mutilation that Bill received at the hands of Parliament. The Bill as it left the hands of the draughtsmen was a consolidation of the Conciliation Acts of New Zealand as in force at that day; but when the Bill went into Committee in this House, an amendment was proposed by the then leader of the Opposition, now member for Cue (Hon. F. Illingworth), to which I will refer. The hon. member proposed this amendment:

All employees, other than clerical, of the Government in any capacity whatsoever, notwithstanding anything contained in any other Act of Parliament, shall be subject to and come under all the provisions of this Act in the same manner as though they were employed by private employers or public companies.

The member for Cue went on to say the object of the amendment was to place all employees of the Government other than clerical under the same provisions as would apply to the employees of private persons or companies. It was pointed out that clerical employees in the Government Departments could not suitably be brought under the operation of the Bill, and he therefore wished to give effect to that view by his amendment, which would exclude the clerical men.

THE COLONIAL TREASURER: Quote the place where I moved to put them in. I moved to put them all in.

MR. SAYER: The hon. gentleman will be able to refer to that.

HON. W. H. JAMES: Quote fairly.

MR. SAYER: I have quoted *verbatim et literatim*.

HON. W. H. JAMES: One part of it.

MR. SAYER: It is true the amendment was negatived; but although the

amendment was not carried, it was the first time the idea of the exclusion of the clerical worker had been brought into any proposed amendment, and that idea of the exclusion of the clerical worker found its way into the definition of "worker" which was ultimately adopted. The effect of this unfortunate amendment was that the West Australian Government Railway Association was unable to register as a union of workers under the Act, the result being the lamentable strike which has now come upon us. I have spoken thus far in defence of the draughtsmen of that measure. It is easy to visit the defects of legislation upon the draftsman, who is rarely here to answer for himself; but in my experience when we find defective legislation, it is often the result of hasty and ill-conceived amendments made in Parliament while the Bill is passing. The New Zealand Conciliation Act of last year, which consolidated all the legislation in force in that country, defined "worker" to mean:

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

This definition we desired to place in the Bill as the Bill was drafted; but without at this moment discussing the relations of the Government worker to the Bill, upon which I shall have perhaps something to say when the amending Bill comes before this House, I would like to state that, to my mind, the tribunal constituted by the Act is so admirably and excellently constituted — I am alluding to the Court of Arbitration — that any dispute might be confidently referred to it for settlement. I will pass now from that Bill in particular, and I must confess I am disappointed with the poverty of legislation that we are promised in the Speech. If it had been intended to sketch out the work of the present session only, we might perhaps have been satisfied for the time, but we find that allusions are made to amendments of the Constitution Act, which for obvious reasons cannot be undertaken during the present session. There can be no intention to introduce an amendment of the Constitution this session; and when I find allusions made to such amendment, I can only regard the forecast of legislation as not relating



to this session merely, but rather to the Parliament as a whole. In view of this I must confess to a feeling of disappointment that we have heard nothing of a Public Works Bill. The past experience of my life in the public service, coupled with many a consultation with the Engineer-in-Chief and others, has led me to recognise for years past the absolute need of a Bill relating to our public works. We have no legislation on the statute book bearing on the subject, and how those works are conducted without legislation I do not know. All I know is the urgent need of a Bill for public works. Then nothing is said as to bankruptcy reform. The administration of our bankruptcy law calls for the most immediate attention to my own knowledge. We have nothing said as to our antiquated statutes relating to convicted prisoners, which constitute the prison law even of to-day; and what perhaps is of even greater importance, more practical importance, not an allusion is made to the prison regulations that call for reform. It is nearly three years since a Royal Commission reported on this subject, upon the methods in use for the punishment of criminals, upon the classification of criminals, upon the remission of sentences, and other matters. It was the intention of the late Government to give immediate effect to the recommendations of that Royal Commission, and why the labours of that Commission are ignored and no effect is given to them passes my comprehension. We are promised an amendment of the Roads Act. I think I know in what direction. Doubtless there are some provisions of the Roads Act that need amendment.

MR. RASON: Many of them.

MR. SAYER: Many of them, but the subject is comparatively unimportant, and altogether unworthy of mention in the Speech. The flagrant defects of the Immigration Restriction Act are altogether unnoticed, for while we exclude, and rightly exclude, the indigent even of our own race, we find that the Immigration Restriction Act has no application at all to the Chinese.

HON. W. H. JAMES: A Bill is being drafted now.

MR. SAYER: I am very glad to hear it.

HON. W. H. JAMES: We do not tell all our intentions.

MR. SAYER: I think the question of such importance that it might have been referred to in the Speech, rather than a comparatively unimportant amendment of the Roads Act in some trifling particular. I say that while we are excluding the indigent of our own race, the Immigration Restriction Act has no application to the Chinese, who are altogether exempt from its provisions. I am delighted to hear that the Government intend to remedy this, and I wish I had known it before. We are promised a Bill to validate the Acts of last session. If such a measure is necessary, which I for one deny, it is scarcely a matter of policy to mention in the Governor's Speech. I for one must regret that any allusion was made to that matter, for if deemed necessary—and I have a suspicion that I can trace the hand of the member for East Perth in that part of the Speech—

HON. W. H. JAMES: You are entirely wrong.

MR. SAYER: At any rate, I regret that allusion. I find a trace of spleen there, a desire to cast a reflection and to discredit the late Administration. If the Premier really does think that a measure is needed to validate the legislation of last session—

HON. W. H. JAMES: Did not one of the newspapers say so?

MR. SAYER: If the Premier really has a doubt as to the validity of the Acts of last session, I can only say that doubt is not shared by the best legal minds in Australia; for when the doubt was mooted as to whether, with the introduction of triennial Parliaments, our then Parliament ended its existence that year or came to an end by effluxion of time, the then Premier (Sir John Forrest) submitted the question for the opinion of Sir Samuel Griffith and Sir Samuel Way; and the opinions of those great lawyers most abundantly and absolutely justified the action of the Parliament in continuing till it expired by effluxion of time.

THE COMMISSIONER OF RAILWAYS: Why did not you publish those opinions?

MR. SAYER: They were published.

THE COMMISSIONER OF RAILWAYS: Where are they?

MR. SAYER: They have been published, and the present Premier has



them. There is only one other matter to which I shall allude. There is a passage in the Governor's Speech which states that Ministers deemed it advisable to revoke the regulations which prohibited the importation of certain kinds of fruit from neighbouring States; by which is meant the revocation of the proclamation made in 1889, prohibiting the importation of apples, pears, and quinces. A great deal has been said outside this House on this subject, a great deal of a claptrap kind; but it would have been more ingenuous if the Premier had frankly stated that this prohibition would necessarily be repealed as a consequence of legislation by the Federal Parliament; that so soon as the Federal tariff comes into operation, trade in the States is absolutely free. As I say, it would have been more ingenuous and frank if the country had been told this proclamation must go, as a necessary consequence of federation.

MR. GORDON: There would be no policy in that.

MR. SAYER: We should then, perhaps, have been unable to give to the present Government the credit of having removed that prohibition; still, we ought to agree in welcoming the regulations which have been framed for the inspection of fruit and other precautionary measures against the introduction of disease, which, in the circumstances, is the only protection the Government can give to the fruitgrower in this country against the ravages of those pests which have caused such great injury in the fruit-growing industry of the Eastern States. There are other matters in the Speech with which I might deal, but the ground has now been so well covered that I shall not trespass farther on the time of the House.

THE COLONIAL TREASURER (Hon. F. Illingworth): It was not my intention to take a part in this debate, and I should not have done so but for the remarks which have just fallen from the member for Claremont (Mr. Sayer). It is easy to cut out a portion of a speech for the purpose of making a member appear ridiculous; but, if we desire to be honest in our quotation, we ought to give the full quotation, or a full reference to the facts in connection with the particular question. In the first place, the Conciliation and Arbitration Bill, which was so per-

fect a Bill when presented, having been drafted by the hon member (Mr. Sayer), come down to this House without any definition of the word "worker." In the next place, this Bill was laid before the House in a form so perfect that, if altered at all, it would be destroyed; and we know now that the Bill was altered and was destroyed. The hon. member has told us that Bill was so altered by the member for Cue, meaning myself, that we have the present strike. That is a very grave accusation to make; and I want to call the attention of members to the report of my speech on the Conciliation and Arbitration Bill upon the second reading, as recorded in *Hansard* of last session at page 475:—

Now if unions are formed among the men in the Railway Department, how do the Government propose to deal with the workers in that department when any difficulty arises? The exclusion, I say, from the Bill of all Government departments, and especially of the Railway Department, is a very serious defect in the measure; and I hope the Attorney General will carry out the suggestion he made when I understood him to say he would be able to bring the Railway Department, at any rate, under the operation of the measure. It seems to me that may in some way be obtained; at any rate it may be done as it is done in Mr. Wise's measure, where "employer" is defined as including the Railway Commissioners in New South Wales, and where under the heading of "industry" are included the men working on the Government railways. Why should we not include all the Government servants? I do not know why; but, at any rate, the inclusion of the Railway Department is such a serious matter that I hope the Minister in charge of the Bill will give us some additions to this definition clause which will bring the workers on our railways within its scope.

That was my sentiment in that connection. Then speaking in Committee, I said:—

The principle under discussion was whether Government departments ought to be recognised, and it would be just as well to settle the question by a division at once. If the Opposition failed in getting recognition for all Government employees, the Committee would be free to deal with the railway aspect of the question farther on.

What took place in connection with this clause was, that a motion was moved either by myself or Mr. Vosper to alter the term "worker," and insert such a definition as would bring the whole civil service under the Bill. That is what we fought for on the floor of the House