

## AYES.

Mr. Angwin	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Munsie
Mr. Corboy	Mr. Pantou
Mr. Coverley	Mr. Steeman
Mr. Hughes	Mr. A. Wansbrough
Mr. Lamond	Mr. Withers
Mr. Lutey	Mr. Millington
	(Teller.)

## NOES.

Mr. Angelo	Mr. James Mitchell
Mr. Barnard	Mr. North
Mr. Brown	Mr. J. H. Smith
Mr. Davy	Mr. Taylor
Mr. Denton	Mr. Teesdale
Mr. Griffiths	Mr. C. P. Wansbrough
Mr. Lindsay	Mr. Wilson
Mr. Mann	Mr. Richardson
	(Teller.)

Mr. SPEAKER: In conformity with the rules of the House I give my vote for further consideration of the Bill and vote with the ayes.

Question thus passed.

Bill read a second time.

*In Committee.*

Mr. Lutey in the Chair; Mr. Hughes in charge of the Bill.

Clause 1—agreed to.

Progress reported.

# BILL—PRESBYTERIAN CHURCH ACT AMENDMENT.

Received from the Council and read a first time.

*House adjourned at 10.48 p.m.*

## Legislative Council,

*Thursday, 18th September, 1924.*

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## QUESTION—RAILWAYS, KALGOORLIE.

Hon. J. R. BROWN asked the Colonial Secretary: 1, How many men were employed at Kalgoorlie on the salaried and wages staff of the Railways in 1914 and 1924, respectively? 2, What were the salary and allowances paid for the same years to the district engineer in that district, and what are his duties? 3, Is it a fact that the chief clerk, Permanent Way Office, Kalgoorlie, pays men working along the line, which means a large amount of "away from home" allowance for him. Could not that work be done by the inspectors of permanent way? 4, Will the Minister inquire into the overhead charges in the Kalgoorlie district?

The COLONIAL SECRETARY replied: 1, 1914, salaried 44, wages 331, total 375; 1924, salaried 35, wages 175, total 210. 2, (a) Salary and allowances: 1914, £194; 1924, £374. (b) Responsible for the efficient maintenance of all railway lines, also construction and supervision of new works in his district, which extends from Booran to Laverton, Leonora, and all branches (602 miles of main line and 40 miles of sidings), and the control of all Way and Works staff, salaried and wages, stationed in such district. 3, For one section only, viz., Southern Cross to Bullabulling, which involves away from home allowance of 15s. 7d. per fortnight. Inspectors of permanent way pay the remainder of staff, but it is more convenient for this section to be paid by clerk in charge. 4, Overhead charges are under review throughout the whole year.

## QUESTION—SOLDIER SETTLEMENT.

Hon. W. H. KITSON asked the Colonial Secretary: 1, On what date was the soldiers' settlement inquiry committee appointed? 2, What has been the cost incurred by such committee from its appointment up to the present time? 3, What useful work has it carried out to date?

The COLONIAL SECRETARY replied: 1, 24th December, 1923. 2, £760 8s. 7d. 3, 344 cases have been reviewed by the committee to date, and recommendations in connection therewith made to the Hon. Minister for Lands. The committee has inspected most of the repurchased estates and has also inspected the clearing carried out by unemployed returned soldiers in various localities, and submitted recommendations dealing with the adjustment of prices.

## QUESTION—HORSESHOE BRIDGE TRAMWAY.

Hon. A. LOVEKIN (for Hon. J. Nicholson) asked the Colonial Secretary: 1, Has the Commissioner of Railways, or other person, obtained a provisional order or other

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

statutory authority as provided for in "The Tramways Act, 1885," authorising the construction of tramways over the horseshoe bridge. If so, when was such authority obtained? 2, If no such authority has been obtained, will the Government give instructions to defer the operations for the construction of a tramway now proceeding over the above bridge? 3, Are the Government aware that the general public views the construction of such tramway with grave misgiving as being calculated to impede traffic and to lead to accidents, if not loss of life?

The COLONIAL SECRETARY replied: 1, Order in Council was obtained on the 30th July, 1924, as provided for in Section 3 of the Government Tramways Act, No. 58 of 1912. Under Section 23 of this Act the Government Tramways are exempted from the application of the Tramways Act, 1885. 2, Answered by No. 1. 3, The Government are aware of a certain amount of opposition, but when alterations are made to the bridge there will be no danger whatever in the running of trams across same.

#### MOTION—WATER SUPPLY, HILLS SCHEME.

*To suspend operations.*

Debate resumed from 9th September on the following motion by Hon. A. Lovekin:—

*That in the opinion of this House no further work should be proceeded with in connection with the proposed Canning River and Wongong Creek reservoirs until—(a) an engineer having experience in masonry and concrete construction has been appointed and placed in charge of the undertakings; (b) proper plans, specifications, and estimates have been prepared; (c) public tenders have been called for the construction and carrying out of the works.*

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [4.35]: All will agree that when the Government embark on any public work of great magnitude the utmost care should be exercised to ensure that those who design and control the undertaking shall be qualified to perform their respective tasks. Neglect in this respect might mean the sacrifice of a considerable sum of money without achieving the full object in view. Mr. Lovekin is of opinion that there is no engineer in the Public Works Department having the necessary experience in masonry and concrete construction to justify his being placed in charge of the Canning River and Wongong Creek reservoirs, and he asks the Government to stay their hand until a qualified officer has been appointed. I am somewhat at a disadvantage in dealing with this matter. I have been for some years out of political life and there-

fore out of close touch with what has been going on in the Water Supply Department and other departments of State. I cannot speak from personal knowledge or as a result of interested observation, but I have some information as to the qualifications and experience of the different officers connected with these water schemes. The officer in charge is a member of the Institute of Civil Engineers, England. He was admitted after passing the test set and after his application had been referred to the New South Wales Advisory Committee. He is a member of the Institute of Mechanical Engineers, a member of the Institute of Engineers, Australia, a qualified engineer under the Local Government Act, New South Wales, a member of the Royal Sanitary Institute, England, a member of the Faculty of Engineering, University of Western Australia, and lecturer in water supply, sewerage and drainage. He was employed in the Water Supply, Sewerage, Drainage and Irrigation branch of Public Works Department, New South Wales, for many years. He was assistant to the principal assistant engineers. During his connection with this department many large and important works for the augmentation of the Sydney water supply were designed and under construction. Since his employment in this State he has visited the Cataract, Cordeaux, Avon, and Burrenjack dams in New South Wales, Maroondah and O'Shannessey dams, the Melbourne water supply whilst in course of construction, and seen all stages of operations and obtained all information as to plant, costs, etc. During his service with the Australian Imperial Forces this officer was in charge of the whole of the water supplies for the Australian troops in France, and for the work done was mentioned in despatches and received from the General commanding the A.I.F. a personal letter of commendation for the work done. The inspector in charge of the Churchnan's Brook dam, Mr. Walton, has had considerable experience in all classes of construction. He was in charge, under the engineer, of the work at the Naval Base, Cockburn Sound, and did excellent work there. Before coming to Australia he had, I understand, wide experience in England and was connected with many large and important undertakings. Here is a list of the works on which he was employed in England:—

In the contractor's office, on Hury & Blackton reservoirs; as assistant engineer on Lartington conduit and pipe track, and Dunston railway; as chief engineer, on central station alterations at Newcastle-on-Tyne, Dean-street bridge, Newcastle-on-Tyne; Dean-street to Manors railway, Haswell railway widening, graving dock, Hartlepool, Vittoria Dock, Birkenhead, Honey Hill, filter beds, Hisehope reservoir; as superintendent civil engineer, on Henderson Naval Base, Fremantle; as inspector, on Mt. Eliza reservoir, Perth.

The resident engineer, Mr. Cavanagh, in charge at Churchman's Brook, joined the Public Service in 1909, as a cadet and has been, in recent years, in charge of many important works, which have all been completed in a satisfactory manner. Some of the more important are: Mt. Hawthorn Reservoir No. 1, costing £14,118; King's Park Reservoir (contract) costing £46,626; Bickley Brook dam (day labour) costing £36,639. This officer also had nearly four years' service with the Australian Imperial Forces, holding a commission in the engineers. His work in France was of a highly technical nature, and he was awarded the Military Cross. The Engineer-in-Chief has confidence in his officers, for, in a report he has written on the subject he says:

There are engineers in the service well qualified both to design and construct any works that are contemplated for improvements to the metropolitan water supply. This has been borne out by the many works undertaken and carried to successful completion. I have myself been associated with such works for upwards of 30 years in this State, including the Goldfields Water Supply undertaking, and must say, without fear of contradiction, that our results compare favourably with those obtained by engineers in other parts of Australia.

But I can give the House the assurance that the Government have no intention of going on with the construction of the Wongong and Canning River dams for some time to come. No provision has been made on the Loan Estimates 1924-25 for the actual work of building those dams, and when provision is made Parliament will have an opportunity to discuss the items. At the present time only tests are being conducted. When the actual construction is undertaken the Government will ask the Engineer-in-Chief to nominate a suitable officer, and there is no reason to fear that there will be any difficulty in obtaining an officer within the State who has the requisite knowledge of mass construction to come with the work required. In this connection it may be appropriate to recall what took place during the construction of Mundaring Weir. The work was commenced under the supervision of an engineer with experience of construction, but upon his leaving the work his successor was a gentleman whose main qualification was mechanical engineering. Plans for the Wongong Brook scheme are now in course of preparation. The work there will not be commenced until the whole of the plans and specifications are completed, and a detailed estimate has been made and submitted to the Engineer-in-Chief. The information now in the possession of the department is sufficient for the preparation of plans, and, if necessary, further information will be obtained before the final working drawings are completed. Similar information in connection with the surveys has been obtained for the Canning River dam, but

the plans are not so far forward. The plans prepared to date are, firstly, contour plans of holding basin; secondly, catchmen area plan; thirdly, the preliminary type section, and fourthly, the preliminary estimate. It is not intended to push on with the completion of plans for the work until the drawings in connection with the Wongong Brook dam have been completed, as additional assistance would be needed in drafting. Suitable officers will be available when the Wongong Brook designs have been finished. It is not proposed to call for tenders for the work, in view of the experience of the other States, and particularly in view of the experience gained during the construction of the Mundaring Weir. The experience of the Eastern States with this class of work is in favour of day labour. I will quote a few instances: Sydney water supply—the Cataract dam was carried out by contract after the foundations were put in and the main plant placed in position. The Cordeaux dam is now in course of construction by day labour, after the experience of contract work on the Cataract dam. The Avon dam is also being constructed by day labour. The Newcastle water supply and Chichester dam are being carried out by day labour. With regard to the Burrenjack dam, the Water Conservation Department constructed and operated all railways, provided all plant, cement, ironwork, and called tenders for the balance of the work, which practically meant the operation of the plant and the provision of labour. Melbourne water supply—the Melbourne and Metropolitan Board of Works are constructing the O'Shannessey dam by day labour after the experience of contract work at Maroondah dam. It is the consensus of opinion amongst engineers in New South Wales and Victoria that it is preferable to construct large dams by day labour, as it avoids claims for extras and deductions in quantity of work to be done. Such claims are inevitable where it is impossible to ascertain with certainty the exact nature of the foundations on which the proposed dam is to be erected. Mundaring Weir—this work was carried out by day labour. In view of the extra work required through the faults disclosed by excavations, there is no question that a contractor for this work would have had substantial claims for extras. The late Government approved of the Churchman's Brook dam being constructed by day labour.

Hon. J. Ewing: Of course!

The COLONIAL SECRETARY: There is one aspect of the position that requires to be stressed. The various branches of engineering are more or less allied. It does not follow that because an engineer has never built a large masonry dam, or supervised its construction, he is not qualified to undertake the work. If that principle held, no engineer would ever attempt anything new, or anything he had not previously seen. If an engineer's experience has been along lines of general construction, and he has kept

himself abreast of the times by studying engineering literature and reports of works that have come to hand, and in his travels inspected works of large magnitude, and discussed them with the engineers responsible for them, he should be certainly qualified to undertake such work himself, although during the course of his studies he may not have particularly studied that work. There is a tendency to under-rate the local man, and to welcome the outsider. If past experience goes for anything we should be very chary in following that line of thought. The Fremantle Harbour Works were most successfully carried out through the design of the late C. Y. O'Connor against the opinion of the outside expert Sir John Coode. The graving dock at Fremantle was undertaken on the advice of the English expert, Sir Whately Elliott, although our present Engineer-in-chief, knowing the local conditions, advocated the purchase of a floating dock. The graving dock had ultimately to be abandoned. In view of my statement, Mr. Lovekin should withdraw his motion. I have clearly indicated that the Government do not propose to proceed with the construction of the Canning River and Wongong Brook reservoirs this year, and are making no provision on the Loan Estimates for the work. With regard to public tenders being called for the work, the policy of the Government is for day labour. Apart from that, the Government think all such undertakings as the construction of large reservoirs, involving heavy responsibility as to stability, should be carried out by their own officers and their own men. I suggest that Mr. Lovekin should postpone the consideration of this question until next session, when it can be further considered. In the meantime no action will be taken in the direction feared by him.

Hon. J. DUFFELL (Metropolitan-Suburban) [4.52]: I had not intended to offer any remarks on this motion seeing that the whole question is being considered by the select committee. After the speech of the Leader of the House I realise that the Government have gone very fully into the matter. They have had the same data before them that we have before us. If any mistake is made we know that the responsibility will fall upon the Government. On the information at his disposal Mr. Lovekin was justified in bringing forward this motion. I do not think it was his intention to reflect upon the credentials of the Engineer-in-Chief, or any of his officers. His action originated from a desire to safeguard the interests of the public and the ratepayers generally, and to see that every precaution was taken and that all available information obtained before the work was commenced. He had in mind the error of judgment, or something of that nature, that was committed in connection with the Mt. Hawthorn filter beds. It is only a few months since they were completed

and put into use. I regret we have had such an unpleasant experience with that work. The credentials that the Leader of the House has placed before us are already in the possession of the select committee. All the circumstances connected with the water supply of the metropolitan area are being inquired into. There is room for doubt that the bed of the proposed dam is not altogether as satisfactory as we would like it to be. On Friday members of the committee visited the site. Men were engaged in drilling and testing for the foundation, which, as revealed at present, consists of a clay called kaolin. It is questionable whether that bed will be sufficient to withstand the pressure of water that will be brought to bear upon it when the wall is erected.

Hon. J. CORNELL: You trust the surgeon's skill in the use of his knife; why not the engineer's?

Hon. J. DUFFELL: It is too late to lock the stable door after the horse has gone. People in the metropolitan area are in dire distress for an adequate domestic supply of water during certain months of the summer, and it is necessary to augment this present supply. It was with this end in view that the work was being pushed on. I hope the estimates and conclusions of the Engineer-in-Chief will be found accurate, and that the work will not be hung up. It is one of great importance, and when completed will be welcomed by every person in the metropolitan area. If the work turns out a success the officer-in-charge will be deserving of all possible credit, just as credit was accorded to the engineer in charge of the Mundaring scheme and the works at the Fremantle harbour. We revere the memory of the late C. Y. O'Connor and esteem the man for his aptitude and skill, and for the manner in which he carried out his work. Even to-day we regret the loss of so valuable an officer as he was. I trust the work of the Engineer-in-Chief at Churchman's Brook will redound to his credit just as the work of the late C. Y. O'Connor stands to his credit to-day.

Hon. J. CORNELL (South) [4.58]: The object of the mover of this motion has been attained.

Hon. F. E. S. Willmott: I do not think so.

Hon. J. CORNELL: There may be some doubt as to the bona fides of Mr. Lovekin regarding some of the matters he brings before the House, but I have yet to learn that in anything he has done, he has been actuated by any motive other than to benefit the State. I listened carefully to his speech and that of the Leader of the House. In the circumstances I think the purpose of the motion has been served, except perhaps regarding the debatable question of day labour versus contract. If we are going to fall into an acrimonious

debate on that subject, we shall be beating a dead horse.

Hon. F. E. S. Willmott: This is a very fitting time and opportunity.

Hon. J. CORNELL: I can remember that this House took the bit in its teeth on the subject of the authorisation for the construction of a railway, and it went so far as to defy another place. The Premier of the day had no alternative but to call a special session of Parliament, in order to again submit that Bill. That special session came about, and whatever may be urged against the previous Government on many other matters, it must be said of them that in regard to that particular matter they showed determination. We have a Government in power now that intends to carry out its policy, irrespective of how the Legislative Council resolves. When that special session was being held, some of those members in this House who had taken the bit in their teeth, declared that the House was going to stand for contract as against day labour. But when the crucial test came, they found that the mouthpiece of the bridle was made of rubber only and bit it in two. This House was divided on the question.

Hon. F. E. S. Willmott: What check have you on the estimates of the Public Works Department if tenders are not called?

Hon. J. CORNELL: If I had a check on the people who were going to do the job, it would be a different matter, but here is the position as it presents itself. The work we are now discussing can be authorised by administrative act and you have about as much chance of altering the decision of the Government as you had on the question of the 44-hour week. There is a time when we ought to reason together and come to some conclusion as to whether or not it is in the interests of the people who sent us here that we should take a stand.

Hon. F. E. S. Willmott: The motion merely suggests that tenders should be called. If tenders are not called, what check have you on the department's officers?

Hon. J. CORNELL: The Minister has ably pointed out that it is the policy to-day, not from pique or party motives, but from sheer actual experience, that it is infinitely better in the general interests to carry out works of this description departmentally. It cannot by any stretch of imagination be said that the Government of New South Wales is analogous to the Government of Western Australia in the political party world, nor can it be said that the Government who decided to construct the O'Shaunessy dam in Victoria by day labour had anything in common with the Prendergast Government now in power. It is a general tendency, not only in Australia, but throughout the British Empire and America, to carry out works of public utility on the day labour system. It is

known that all the big contractors of Australia, in days gone by, did not derive great profits from their contracts. They got their profits from the extras. We have only to look at a concrete case of simple engineering—I refer to the tunnel constructed through the Darling Ranges in this State. I have been given to understand, on the authority of a foreman who was on that work, that after the tunnel was constructed it was not possible to run an engine through it. If, for the sake of argument, the House resolves that what is suggested in the motion can be done, that will not amount to saying that it must be done. It was tried in our Public Works Department by a Labour Government a few years ago, and it has been tried by all other Governments and even those that never had anything in common with Labour, and, invariably, scrapping was the result. I do not pose as an engineer, nor as an ordinary construction expert, but I endeavour to use the little common sense the Almighty has given me, in the process of reasoning. Assume that the method sought was in operation to-day. What would be the actual position? Tenders would be called from outside and the Public Works engineers would be asked to put up an estimate and their estimate and the tenders would be compared. Then what would be done if the tender from outside was more favourable than that submitted by the Public Works Department? It would remain for the Government to say which tender would be accepted. Assume that the Government accepted the outside tender and that all the difficulties associated with contracts again presented themselves and it was found that the engineering skill—which after all resembles the profession to which Dr. Saw belongs, in that day after day the work carried on is in the nature of exploration—

Hon. A. Lovekin: How can there be progress if there is no exploration?

Hon. J. CORNELL: If it was found that all the engineering possibilities had been taken into consideration and that circumstances warranted an alteration, would the contractor be asked to effect that alteration? No. The work would be done as it had been done before. Take the converse position and assume that the Works Department's tender was the most favourable submitted, and that it was being carried out and that an exactly similar set of circumstances presented themselves. What would happen? Would you do as had been done in the case of the contractor? The test as to which of the two systems is the most advantageous is not determined by the contract price.

Hon. F. E. S. Willmott: Would you regard the Mt. Hawthorn reservoir as a test of efficiency?

Hon. J. CORNELL: I have heard of someone looking down the barrel of a gun to see whether it was loaded, and an accident resulting. Whilst I could condemn the Mt.

Hawthorn reservoir episode on hearsay evidence and presume that I knew something about engineering, I do not propose to do so. It would be ridiculous if I were to do so, when we know that in all branches of life men have made mistakes. But it is not a proper test of the qualities of those people who have made mistakes to tear out one illustration and condemn them on that. The proper method of reasoning would be to put the whole of their work together and arrive at a decision on a broad standard. I rose merely for the purpose of expressing the opinion that in the interests of all concerned the purpose sought by the motion has been achieved, and on that account the mover might see his way clear to withdraw it.

On motion by Hon. A. Lovekin debate adjourned.

# BILL—PRIVATE SAVINGS BANK.

## *Second Reading.*

Debate resumed from the 16th September.

Hon. J. EWING (South-West) [5.15]: Since the House was good enough to agree to an adjournment of this discussion I have had an opportunity to read the Bill, and it seems that the measure should commend itself to the House. The object is to protect savings bank money and ensure that the business is carried on in an efficient and proper manner. The important point is that no private savings bank will be able to start operations without the authority of the Government, and it will be necessary for those desirous of engaging in such business to put up a deposit or security to the value of £10,000 as evidence of their stability and bona fides. The aim undoubtedly is that all the money that can be secured for the Government savings bank shall be at the call of the Government. There is a private bank carrying on savings bank business to a limited extent, and it will be necessary for that institution to put up a deposit of £10,000. We know what happened with regard to the Commonwealth Savings Bank. Two millions or more of money has been lost to the State that should have been available for public works and other activities within the State. No fight has been put up against the Commonwealth Bank, and thus the Commonwealth has made a serious encroachment upon State business, just as it has done in the matter of land and income taxation. Some months ago it was said an arrangement would be made whereby 75 per cent. of the money deposited in the Commonwealth Savings Bank would be available to the State Government. That arrangement has not been made. I hope the Government will endeavour to get the Commonwealth to relinquish this branch of banking.

Hon. F. E. S. Willmott: Is not the position exactly the opposite, that if the State

run the savings bank they have to pay the Commonwealth £75 out of every £100?

Hon. J. Cornell: That is so in Queensland.

Hon. J. EWING: It is not so in Western Australia. All the money deposited in the Government Savings Bank can be used by the State Government under certain conditions. If the Commonwealth do not go out of the savings bank business, I hope arrangements will be made whereby the State will get 75 per cent. of the money. It is a serious matter for the State that we should be losing the use of so much money, and that such great inroads should have been made into our savings bank business.

Hon. J. R. Brown: The Commonwealth pay half per cent. more interest than does the State.

Hon. J. EWING: The State bank should keep pace with the Commonwealth in that respect. The Commonwealth are getting their tentacles around the whole of the States and squeezing them.

Hon. J. A. Greig: Would you make the Commonwealth Savings Bank put up £10,000 deposit?

Hon. J. EWING: The Commonwealth Savings Bank is not a private savings bank and therefore would not have to put up a deposit. A member in another place mentioned that a Primary Producers' Bank had been started in Western Australia with the object of lending money, not on city or suburban property, but for the development of the country and the encouragement of production.

Hon. T. Moore: Are they out for philanthropic purposes?

Hon. J. EWING: I daresay they are out to make money. The Primary Producers' Bank, however, is largely a co-operative bank, which its advocates claim will be able to assist the man on the land.

Hon. T. Moore: They are out to assist themselves.

Hon. J. EWING: If the object of the Primary Producers' Bank is as I have mentioned, some amendment might be made to the Bill in order to give that institution time to build up its funds and find the necessary deposit. If we put a pistol to the heads of the directors now, I doubt whether they would be able to find the deposit.

Hon. J. Duffell: But they are associated with similar institutions in the Eastern States.

Hon. J. EWING: Yes, and they have a working capital of £200,000. The Government might consider the advisableness of giving this bank time to find the deposit.

Hon. J. J. Holmes: Do you think they should be allowed to take the small savings of the people?

Hon. J. EWING: I should keep them out of the business and have no private savings banks at all. The Government Savings Bank should deal with all the small savings of the people. The Minister for Education must appreciate the thrift of the school

children numbering over 43,000 who, through the school savings bank section, have deposits amounting to £72,662 to their credit. It is gratifying to know that the efforts to encourage the children to save their pence has resulted in the accumulation of such a large sum.

Hon. G. W. Miles: Do not you think the State Savings Bank should increase the rate of interest.

Hon. J. EWING: Yes, and the ex-Treasurer contemplated doing so, but that does not get away from the wretched position created by Commonwealth competition. It is wrong for the Commonwealth to interfere in such matters, and so long as they are permitted to interfere and thus reduce the income of the State, the effect on the State must be bad. I regard the opening of the Commonwealth Savings Bank as one of the worst acts perpetrated by the Commonwealth. On its advent all the post offices were closed against the State bank, and we had to get storekeepers and others to undertake the work. Such people were not keen to take agencies, and the State had to make it worth their while. Thus the State is terribly handicapped. I support the second reading, but I would much rather no savings bank outside the State Savings Bank were allowed to operate here.

Hon. F. E. S. WILLMOTT (South-West) [5.27]: I would not have spoken on this Bill but for remarks by Mr. Ewing and an interjector on the opposite side of the House. I interjected that in Queensland £75 of every £100 collected by the savings bank has to be handed over to the Commonwealth.

Hon. J. Ewing: Did not you put it the other way round?

Hon. F. E. S. WILLMOTT: No. My statement was denied by the hon. member and pook-pooked by an interjection from one of the opposite benches.

Hon. J. Ewing: I did not deny it.

Hon. F. E. S. WILLMOTT: It is a fact that that is the position in Queensland. The Queensland Government could have run in opposition to the Commonwealth, but they thought it better to keep the Commonwealth out altogether and they made the arrangement with their eyes open. Here the Commonwealth run in opposition to the State Savings Bank and for a long time offered half per cent. more interest than the State institution.

Hon. C. F. Baxter: Absolute brigands!

Hon. H. Stewart: Are not they still offering a higher rate?

Hon. F. E. S. WILLMOTT: Since then we have brought up our rate of interest to their original rate, but we are again below their rate. The only way to catch trade is to tempt people, and if the Government want some of the money at present being deposited in the Commonwealth Savings Bank, they must hold out greater inducement. To do that they must be a little

more equitable than they are to-day. If one is fortunate enough to run an overdraft in one of the Associated Banks—I was not fortunate, because there have been times when I tried to get an overdraft and could not—he will find that his balance is made up from day to day. That is a fair and equitable way of doing business. In the Savings Bank, however, the interest is made up on the minimum amount to the credit of the depositor from month to month. If one pays in money on, say, the 2nd of the month and draws it out, six months later, on the 28th of the month, one gets four months' interest only. That is one of the tricks of the savings bank trade.

Hon. H. Stewart: The Primary Producers' Bank is run on the basis of the interest being from day to day.

Hon. F. E. S. WILLMOTT: In the ordinary banking business, yes; but in the savings bank department from month to month.

Hon. H. Stewart: They do not run a savings bank department.

Hon. F. E. S. WILLMOTT: Pardon me; they do.

Hon. H. Stewart: That is news.

Hon. F. E. S. WILLMOTT: It may be news, but it is the truth. What strikes one with regard to the Bill is that the Governor may by proclamation exempt any private savings bank either wholly or to any special extent from the operation of the measure. People talk about Acts of Parliament through which lawyers can drive a coach and four; but here, by the decision of Cabinet, any pet savings bank to which the Government may be especially friendly can be exempted from the operation of an Act of Parliament. That seems to me very extraordinary. No doubt the Government, in their wisdom, have good reasons for the provision; but the Leader of the House did not give us those reasons. Probably he will do so before the Bill passes the second reading. I am not a shareholder in the Primary Producers' Bank, and have no interest whatever in it; but I must say that the institution is setting a good example to some other financial institutions here in that it lends money on broad acres in the country districts, instead of seeking to invest all its funds in bricks and mortar in the cities and towns. Our associated banks have undoubtedly helped the country districts in the past; but had it not been for the Agricultural Bank our agricultural industry would long ere this have been in a sorry position. Many people without funds, or with command of only very small funds, have gone on the land here, and through the Agricultural Bank have made good. The £10,000 deposit is nothing—a mere guarantee; and every insurance company has, similarly, to put up several thousands of pounds as a sort of forced loan to the Government. But to take £70 out of every £100 deposited, and perhaps spend the £70 unwisely, is quite another matter. I do not believe the present Government would spend that money un-

wisely; but the future Government, of which I shall be a member, may perhaps spend the money unwisely. My belief, however, is that the future Government would spend that money more wisely than the present Government.

Hon. J. J. Holmes: "It's a long way to Tipperary!"

Hon. F. E. S. WILLMOTT: To me it seems that the Bill will affect only one bank in this State at present, namely, the Primary Producers' Bank. It is most unlikely that any other private savings bank will be started here if this Bill passes; that is, unless some people can get on the soft side of the Government and induce them to apply the exemption clause. I should like some information as to how the £70 out of every £100 of deposits is to be utilised. Will it be employed in helping the Agricultural Bank? If so, that would remove the sting which exists in the minds of those who know that the Primary Producers' Bank is helping the agricultural industry. Mr. Moore seems to think that the people running that bank are a set of brigands out to take everything they can get.

Hon. T. Moore: Not at all.

Hon. F. E. S. WILLMOTT: The bank is a co-operative company; and I understood Mr. Moore favoured co-operation. However, he seems to have changed his mind during the last two hours, and now apparently opposes co-operation. I cannot follow the vagaries of the hon. member's mind.

Hon. T. Moore: You have never heard me say that I am in favour of co-operation.

Hon. F. E. S. WILLMOTT: Then I must have dreamt it.

Hon. T. Moore: Yes.

Hon. F. E. S. WILLMOTT: Unfortunately one is not allowed to discuss dreams here.

Hon. J. CORNELL (South) [5.52]: I agree with Mr. Lovekin's remarks on the Bill. Once the measure was enacted and proclaimed there would be no further private savings banks starting in this State. We all know how in Australia savings banks began and how they evolved. The position is that in Australia to-day savings banks are confined to the States and the Commonwealth. If hon. members will indulge in a retrospect they will find it hard to allege any serious fault against those institutions. The purpose of savings banks is that the frugal poor, if I may use that expression, shall have the opportunity of safely banking their money, and of banking it in very small amounts. There has been comment on the difference between the rates of interest paid by the State and Commonwealth Savings Banks, but I venture to say that 95 per cent. of the people who avail themselves of either institution do not trouble about the rate of interest at all. They merely look for a means of banking 5s. or 10s. every now and then. It has been pointed out that this measure

will affect only one savings bank. Probably it would in the long run serve the interests of the Primary Producers' Bank to leave the savings bank business alone. Parliament should definitely declare whether or not savings banks in this State are to be the country's savings banks, or whether private enterprise shall be allowed to enter a sphere that it has eschewed all these years. I know there are in this Chamber men connected with financial institutions, and I think I am safe in saying they are agreed that the savings banks are run fairly and should remain as they are. The Bill might well be amended to say that after its proclamation no private savings bank shall be started in Western Australia.

Hon. C. F. Baxter: That really is what the Bill does say.

Hon. A. Lovekin: It says that in effect.

Hon. J. CORNELL: Then why create a mass of verbiage that will probably require interpretation to attain an object which can be reached by the use of a few very simple words?

On motion by the Colonial Secretary, debate adjourned.

## BILL—TRADE UNIONS ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the previous sitting.

Hon. E. H. HARRIS (North-East) [5.42]: It was by the Imperial Trade Unions Act of 1871 that trade unions were made legal entities. Previously they were merely combinations of workers, and guilds. The Trade Unions Act was placed on the statute-book of the United Kingdom for the purpose of legalising trade unions and putting them beyond the orbit of the law as regards criminal prosecution for conspiracy. It was not until 1902 that a similar Act was placed on the statute-book of Western Australia. It seems safe to assume, therefore, that prior to 1902 any organisation of that kind which existed here was really an illegal body. The Arbitration Act of 1902 was passed before the Trade Unions Act had been put into operation. Apparently no great exception can be taken to the amendment proposed by this Bill, to transfer the registration of trade unions to the Registrar of Industrial Unions, in order that he may carry on the registration of both kinds of organisation. That seems all right. I followed closely the reasons given by the Minister in moving the second reading. He said the need for amendment arose from the circumstance that registration of a society can be obtained under the Trade Unions Act and that then the Registrar of Industrial Unions would by reason of that registration be compelled to register the society



as an industrial union under the Arbitration Act. I cannot make the Minister's statement fit in with my reading of the Trade Unions Act and with the Industrial Arbitration Act. It is in order to have the matter cleared up that I desire to quote the sections of the Acts relating to this matter. On reference to the Trade Unions Act we find that Section 8 reads as follows:—

Any seven or more members of a trade union may, by subscribing their names to the rules of the union, and complying with this Act with respect to registry, apply to the Registrar in the prescribed manner to register such union.

When we look at the Industrial Arbitration Act we find that "any number of workers not less than 15" may apply for registration. The one Act says, "any seven or more" and the other Act says "not less than 15." The Minister stated that immediately an organisation was registered under the Trade Unions Act the Registrar of Industrial Unions would have to register that organisation under the Arbitration Act.

Hon. J. Cornell: If that be so, no amendment is required.

Hon. E. H. HARRIS: I am merely dealing with the Minister's statement as I understand it. Further reference to the Trade Unions Act regarding registration shows that Section 31 reads as follows:—

A registered trade union may be registered under the Industrial Conciliation and Arbitration Act, 1902, by the same name as it is registered under this Act, with the insertion of the additional words provided for by Section 5 of the said Act.

The reference to Section 5 relates to the Industrial Conciliation and Arbitration Act. That was of importance when there was an Arbitration Act in 1902. Section 5 of the Act referred to dealt with the incorporation of societies, but Section 5 of the Act of 1912 refers to penalties. Seeing that an amendment is being made to the Trade Unions Act, possibly a further amendment will be required to make that clear. If the House is to seriously consider the Bill as presented to us, the Leader of the House should furnish us with further information and some authoritative statement so as to make the position clear and particularly to throw some light on his statement that if an organisation is registered under one Act, it can demand to be registered under the other Act. Various decisions have been given by different presidents of the Arbitration Court regarding the question of registration. The Acts definitely say that the organisations "may" be registered; it does not say that they "shall" be registered. Perhaps some hon. member will move the adjournment of the debate so that these matters may be looked into.

Hon. J. E. DODD (South) [3.50]: I can see no objection to the transfer of the administration to the Registrar of Industrial Unions, but I am rather inclined to think that the Minister made a mistake in his statement to which Mr. Harris has referred. I think the statement the Minister intended to make was possibly that if unions were registered under the Industrial Conciliation and Arbitration Act they could also be registered under the Trade Unions Act. If that were the position I could understand it. The Trade Unions Act confers a status upon unions by setting out what they are and what they can do. The Arbitration Act is more for the settlement of disputes. As Mr. Harris has pointed out, before the Trade Unions Act became law, the Industrial Conciliation and Arbitration Act was passed. All those unions were practically illegal at the time and if that were so, I presume they would be illegal now unless registered under the Trade Unions Act. I cannot think that the position is that because a union is registered under the Trade Unions Act then the Industrial Registrar is compelled to register that body under the Arbitration Act.

Member: That is not so.

Hon. J. E. DODD: As has already been pointed out, a union may be registered under the Trade Unions Act if it has seven members, but the organisation must have 15 members before it can be registered under the Industrial Arbitration Act. In any case, the matter does not seem to be a particularly grave one.

Hon. W. H. KITSON (West) [5.53]: Too much importance has been attached to the Bill.

Hon. E. H. Harris: It is a most important issue.

Hon. W. H. KITSON: The object of the Bill is merely to provide that the present Registrar of Industrial Unions shall be the Registrar for Trade Unions.

Hon. E. H. Harris: No one objects to that.

Hon. W. H. KITSON: If that be so, there is no need for argument. The points raised by Mr. Harris when he quoted certain sections may be dealt with at some future time. If we can deal with them now, well and good. At present many organisations are registered under the Arbitration Act, but not under the Trade Unions Act.

Hon. E. H. Harris: They should be.

Hon. W. H. KITSON: I do not agree with that statement.

Hon. J. Cornell: They could be.

Hon. W. H. KITSON: That is a different matter. Many organisations have been registered under the Trade Unions Act for many years before registering under the Arbitration Act. They have come to the conclusion that there is no necessity to continue registration under the Trade Unions Act because it simply means duplication of work.

Hon. E. H. Harris: Some of them are registered to-day.

Hon. W. H. KITSON: Some continue their registration under both Acts.

Hon. E. H. Harris: Then they have special reasons for doing so.

Hon. W. H. KITSON: Perhaps so. But the opinion of the majority of those who have had anything to do with the two Acts is that there is no real reason why they should continue the double registration. The object of the Bill is really to allow the one registrar to transact the business under the two Acts.

Hon. J. Cornell: The Bill will not get away from the necessity for duplicate forms.

Hon. W. H. KITSON: No. But it will avoid the necessity of rendering separate returns to two separate registrars working in different offices.

Hon. E. H. Harris: That is not the point and you know it. It is only one of them.

The DEPUTY PRESIDENT: Order!

Hon. W. H. KITSON: At present the Trade Unions Act is administered by one Minister and the Arbitration Act by another. If there is any necessity for the two Acts then both should be controlled by the one Minister. Nothing has been said in this Chamber against such a contention. On the other hand, the organisations of both employers and employees are desirous of making this procedure more simple and easier than it is at present. The Bill will accomplish that.

Hon. J. Cornell: No, it will not. It will simply mean a difference in the address on the envelope.

Hon. W. H. KITSON: That is not so. If the secretary of a union registered under both Acts desires to carry out some business with the registrar, relating to the appointment of a new set of officers or the presentation of balance sheets and so forth, it is far better for him to be able to deal with one officer than to have to deal with two separate registrars. That is all there is in the Bill. I have not looked into the anomalies referred to by Mr. Harris who may be quite correct. It may be that when the Arbitration Act was amended last that point was overlooked. The Bill represents the effort of the Government to make this procedure more simple.

Hon. E. H. Harris: Do you agree with the contention that if a union is registered under one Act, it must be registered under the other Act by the Registrar?

Hon. W. H. KITSON: No; that is not so. A union can be registered under the Trade Unions Act and not be registered under the Arbitration Act and vice versa. On more than one occasion cases have arisen when organisations have endeavoured to secure registration under the Arbitration Act and have not succeeded. They have endeavoured to secure registration under the Trade Unions Act and have succeeded. Unless an organisation is registered under the Arbitration Act, it cannot approach the Arbitration Court.

tion Act, it cannot approach the Arbitration Court.

Hon. E. H. Harris: Are you sure of the legal position?

Hon. W. H. KITSON: I think so; the court would have no jurisdiction. Any organisation desiring registration under the Industrial Arbitration Act can obtain that registration. The same thing applies to registration under the Trade Unions Act. If an organisation registered under that Act does not qualify for registration under the Industrial Arbitration Act, it cannot be registered under the last named Act.

Hon. V. HAMERSLEY (East) [6.1]: 1 move—

*That the debate be adjourned until Thursday, 9th October.*

Motion put and negatived.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central—in reply) [6.2]: I cannot understand the lengthy discussion on the Bill, since it was introduced as a privilege Bill. I was under the impression that it would go through practically without debate. The words quoted by Mr. Harris were certainly used by me. In moving the second reading I said—

The necessity for the amendment is due to the fact that the registration of a society could be obtained under the Trades Unions Act, and the registrar of industrial unions would, by reason of that Act, be compelled to register the same society as an industrial union under the Arbitration Act.

To that Mr. Cornell interjected, "Nothing of the sort."

Hon. E. H. Harris: I submit that you were misinformed.

The COLONIAL SECRETARY: Perhaps I was. The official in the office of the Registrar of Friendly Societies takes a similar view. There is a difference of opinion on those points. The official in the office of the registrar of trade unions holds that it is not essential for the registrar to register every trades union. Evidently Mr. Cornell and Mr. Harris are relying on Section 14 of the Arbitration Act, which reads as follows:—

A trades union consisting of not less than 15 persons formed in connection with any specified industry or industries may be registered under this Act as if it were a society complying with the provisions of Section 6.

There "may" could be interpreted as permissive, as giving the registrar of industrial unions a discretionary power. But there are instances where "may" becomes mandatory, and this is a case in point. That is the view taken by the registrar of industrial unions after consultation with a former president of the Arbitration Court, and he never questions any registration made by the Registrar of Friendly Societies.

Hon. E. H. Harris: But the Arbitration Court president is not bound by the decision of his predecessors.

The COLONIAL SECRETARY: The registrar holds that he must register a trades union applying for registration.

Hon. J. Cornell: If their rules are consistent with the Act.

Hon. E. H. Harris: But the Act provides that it may be submitted to the president.

The COLONIAL SECRETARY: The registrar tells me he registers them without question. At present two officials are dealing with the registration of industrial unions, and it is possible for Mr. Bennett to register a society as a trades union and for Mr. Walsh to register a union under the Arbitration Act. That is a form of dual control likely to become confusing. Surely one channel of action should be sufficient. Then, as Mr. Kitson has pointed out, there is division of Ministerial control. Mr. McCallum, the Minister for Labour, is charged with the administration of the Industrial Arbitration Act, and the Registrar or Friendly Societies is under my control. This is an impossible position, and should not be permitted to continue. Parliament has authorised two Ministers to handle the same class of industrial matters, and there is divided responsibility. If I, as Minister, were to give the slightest provocation to either parties, there would be a first-class quarrel in a short time. Commonsense suggests that the administration of the Act should be under one Minister. A conference between representatives of the employers and of the employees was held on the 21st March, 1922, to discuss arbitration law. The then Acting Premier, Mr. Colebatch, presided, and the following gentlemen attended:—Employers' representatives: Messrs. R. O. Lav, president of the Employers' Federation; O. L. Bloxsome, Chamber of Mines; J. F. Allen, president of the Fremantle Chamber of Commerce; F. S. Andrews, secretary Employers' Federation; and S. J. McGibbon, Primary Producers. Employees' representatives: Messrs. A. H. Panton, M.L.C., J. J. Kenneally, E. H. Barker, H. Symonds, and W. D. Johnson. They asked the Acting Premier to place the administration of the Act under the registrar of industrial unions. In accordance with the promise given by Mr. Colebatch, the Bill should have been introduced long ago. It is in fulfilment of that promise that the present Government have brought down the Bill.

Hon. G. W. Miles: Does the Bill bring it under the one Minister.

The COLONIAL SECRETARY: Yes, and the one officer; there is in the Bill no other amendment of the Act.

Question put and passed.

Bill read a second time.

*House adjourned at 6.8 p.m.*

## Legislative Assembly,

*Thursday, 18th September, 1924.*

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

### QUESTIONS (2)—LAND FOR CLOSER SETTLEMENT.

#### *Kojonup-Denmark.*

Mr. A. WANSBROUGH asked the Minister for Lands: 1, What is the total acreage of land on the Frankland River, between Kojonup and Denmark? 2, How much of such land is held under lease for pastoral purposes? 3, Is such land suitable for closer settlement? 4, Is such land suitable for the cultivation of cereals or fruit?

The MINISTER FOR LANDS replied: 1, 408,000 acres, (being a strip of land five miles on each side of the Frankland River from its mouth to the junction of Towerlup Brook and Gordon River. 2, 20,370 acres. 3, Detailed classifications have not been made of the whole area in question. 4, Portions only would be suitable for fruit growing.

#### *Ongerup-Newdegate.*

Mr. A. WANSBROUGH asked the Minister for Lands: 1, What is the total acreage of agricultural land lying between Ongerup and Newdegate? 2, What is the total acreage already alienated? 3, Is such land suitable for closer settlement.

The MINISTER FOR LANDS replied: 1, 1,080,000 acres. 2, 113,500 acres. 3, The classification discloses that the unalienated land is only suited for rough grazing.

### QUESTION—TAMMIN RAILWAY STATION.

#### *Compensation for Injuries.*

Mr. GRIFFITHS asked the Minister for Railways: What amount has been paid in compensation for injuries received by passengers alighting from trains at Tammin station?